

****Title:**** Francis Lee vs. Court of Appeals, People of the Philippines, and Pelagia Panlino de Chin

****Facts:****

On June 20, 1984, at around 10:00 AM, Maria Pelagia Panlino de Chin, who was five months pregnant, was fetched from her house by Atanacio Lumba, under the instruction of Francis Lee, the Branch Manager of Pacific Banking Corporation. Chin was taken to the bank's office in Caloocan City. Lee confronted Chin about a forged Midland National Bank Cashier's Check she allegedly deposited, and threatened to file charges unless she returned the equivalent money. Chin signed a withdrawal slip and an affidavit admitting to swindling the bank. After being detained and watched by bank employees and security guards for nearly eight hours, Chin was allowed to leave at 6:00 PM.

Chin filed a complaint and proceedings began in the Metropolitan Trial Court (MTC) where Lee was convicted of grave coercion. He was sentenced to three months of arresto mayor and ordered to pay a fine and damages. Upon appeal, the Regional Trial Court (RTC) modified the decision, finding Lee guilty of light coercion, and reduced his penalty to twenty days of arresto menor. Lee further appealed to the Court of Appeals (CA), which reinstated the MTC decision. Lee then filed a petition for review on certiorari to the Supreme Court.

****Issues:****

1. Whether or not the acts of Francis Lee in "shouting at the complainant with piercing looks" and "threats to file charges against her" are sufficient to convict him of the crime of grave coercion.
2. Whether coercion was present in Chin's actions to sign the withdrawal slip and affidavit and return the money.

****Court's Decision:****

1. ****Intimidation and Coercion:****

- The Supreme Court noted that while Lee shouted at Chin and threatened legal action, these actions were not intrinsically unlawful. It referred to Article 1335 of the New Civil Code which provides that intimidation vitiates consent if it causes a reasonable fear of imminent grave evil.
- The Court found that Chin's background (highly educated with business administration and banking and finance degree), familiarity with banking procedures, and her involvement in depositing and withdrawing the proceeds suggested she acted voluntarily but reluctantly.
- The Court ruled that threats to enforce a legal claim, if the claim is believed to be just or

legal, do not constitute coercion, aligning this case with the ruling in *Berg vs. National City Bank of New York*.

2. **Voluntary Actions:**

- Chin's lengthy stay at the bank was interpreted as an effort to clear her name rather than a result of coercion, evident from her own inconsistent testimony and actions.
- The Court cited several instances where Chin could have left but chose to stay, indicating her actions were voluntary despite reluctance.
- The lack of evidence corroborating Chin's claims of intimidation, her free movement within the bank, and her ability to leave and return without issue further supported the lack of coercion.

Ultimately, the Court reversed the decision of the Court of Appeals and acquitted Francis Lee of the crime of grave coercion due to the absence of unlawful coercion.

Doctrine:

- **Coercion and Consent:** Intimidation must cause reasonable fear of imminent and grave evil and force the individual to act against their will. However, legitimate threats to enforce a legal claim, if the claim is believed to be valid, do not constitute coercion.
- **Voluntariness vs Reluctance:** A voluntary act, even if performed reluctantly or under protest, does not equate to legally actionable coercion unless a person's independent will is overtaken by another's force or intimidation.

Class Notes:

- **Grave Coercion (Article 286, Revised Penal Code):** Involves compelling another by violence or intimidation to do something against their will.
- **Intimidation (Article 1335, Civil Code):** Requires the threat to cause reasonable fear of imminent and grave evil.
- **Voluntariness in Legal Acts:** Includes actions taken reluctantly but independently. Threats of legal action to enforce a legitimate claim typically do not vitiate consent.

Historical Background:

This case highlights the standards and boundaries of coercion and intimidation in legal proceedings in the Philippines, an important consideration in criminal liability for coercion. This case during the late 1980s shows the judiciary's approach to interpreting willful consent versus coerced actions in a banking context, reflective of procedural laws and ethical banking practices at the time.