

**\*\*Title:** People of the Philippines vs. Antonine B. Saley, a.k.a. Annie B. Saley (353 Phil. 897)**\*\***

**\*\*Facts:\*\***

Antonine B. Saley, also known as Annie B. Saley, was charged with 11 counts of estafa under the Revised Penal Code and 6 counts of illegal recruitment under the Labor Code, including one count of illegal recruitment in large scale. The charges stem from various complainants who alleged that Saley promised them overseas employment and collected exorbitant fees for placement and processing but never secured the promised jobs, ultimately defrauding them.

1. **\*\*Recruitment and Payments:\*\***

\* Francisco T. Labadchan paid Saley a total of P45,000.00 for a promised job in Korea. After several assurances and re-scheduled flights, Labadchan was repatriated back to the Philippines without having obtained employment.

\* Victoria Asil paid Saley P30,000.00 for a job in Korea. She was given repeated false assurances, resulting in her demanding and receiving a partial refund of P15,000.00.

\* Cherry Pi-ay paid P45,000.00 and was sent to Korea with false promises of employment. She was deported after being identified as an illegal worker.

\* Corazon del Rosario similarly paid P40,000.00 and was deported from Korea after being promised employment by Saley.

\* Other complainants, including Arthur Juan, Alfredo C. Arcega, Brando B. Salbino, Mariano Damolog, Lorenzo Belino, and Adeline Tiangge, also experienced similar fraudulent recruitment and were either left without jobs or deported without employment.

2. **\*\*Consolidation of Cases:\*\***

\* The criminal cases filed against Saley were consolidated and proceeded to trial. Saley jumped bail during the trial but was later arrested by the authorities.

**\*\*Issues:\*\***

1. **\*\*Whether the appellant is guilty of illegal recruitment as defined under Article 38 and 39 of the Labor Code.\*\***

2. **\*\*Whether the appellant is guilty of estafa under Article 315 of the Revised Penal Code.\*\***

3. **\*\*The propriety of the penalties imposed for each count of illegal recruitment and estafa.\*\***

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

1. **Illegal Recruitment:**

\* The Supreme Court affirmed Saley's conviction for illegal recruitment. It held that she committed illegal recruitment by representing herself as a licensed recruiter and obtaining fees from job applicants without having the authority to do so. The prosecution presented overwhelming evidence to substantiate the charges, and the court found her assertions of merely assisting applicants with tourist visas not credible.

2. **Illegal Recruitment in Large Scale:**

\* The Court upheld the conviction of illegal recruitment in large scale since it involved seven complainants, meeting the threshold of three or more individuals as required under the law. The penalty of life imprisonment and a fine of P100,000.00 was affirmed.

3. **Estafa:**

\* The Court affirmed the conviction for estafa, reiterating that Saley defrauded the complainants by abusing their trust and collecting fees under false pretenses, causing considerable financial damage. Each count of estafa was evaluated, and the penalties were confirmed except for adjustments specific to sentence ranges relative to the amounts fraudulently obtained.

**Doctrine:**

1. **Illegal Recruitment:**

\* A person engages in illegal recruitment when they undertake any recruiting activity without the necessary license or authority required by law and obtain fees under false pretenses.

\* Illegal recruitment in large scale involves recruiting three or more persons.

2. **Estafa:**

\* Estafa includes acts of defrauding another by false pretenses or fraudulent means, typically resulting in significant pecuniary damage.

**Key Elements for Class Notes:**

1. **Illegal Recruitment Elements:**

- Unauthorized recruitment activity.
- Misrepresentation and collection of fees.
- Recruitment of multiple individuals for large scale (3 or more persons).

2. **Estafa Elements:**

- Deceit or false pretenses.

- Pecuniary damage caused to the complainants.

3. **Statutory Provisions (Labor Code and Revised Penal Code):**

- Article 38 and 39 of the Labor Code: Define illegal recruitment and its penalties.
- Article 315 of the Revised Penal Code: Defines estafa and its corresponding penalties.

**Historical Background:**

The case is reflective of the rampant issues concerning illegal recruitment in the Philippines, particularly during the period of increased labor migration in the late 20th century. With many Filipinos seeking better economic opportunities abroad, fraudulent schemes like those perpetrated by Saley preyed on desperate job seekers, leading to significant legislative and judicial efforts to combat illegal recruitment and protect overseas Filipino workers.