



JUDICIAL SYSTEM MONITORING PROGRAMME  
PROGRAMA MONITORIZASAUN BA SISTEMA JUDISIÁRIU

*Press Release*  
*03 December 2013*

**Court sentences defendant in case of domestic violence to 2 years 6 months imprisonment**  
**A positive step forward in applying the Law Against Domestic Violence**

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On 27 November 2013 the Dili District Court read out its decision in a case involving the serious maltreatment of a spouse and sentenced the defendant JS to 2 years 6 months imprisonment for committing the offence against his wife in Dili District.

The public prosecutor alleged that in 2001 the defendant beat the victim. He repeated these acts in 2007 and 2008 and then on 31 December 2009 the defendant choked the victim and threw her on the ground. Then on 15 April 2010, at approximately 10.00 am the acts were committed again.

Then on 4 May 2010 the defendant punched the victim on her left cheek and threatened to kill her with a knife.

Then on 14 and 23 February 2012 the defendant again threatened to kill the victim, insulted her by calling her a witch (who employed the help of spirits), a whore and shameless, and he banished the victim from their home. Then on 11 and 21 March 2012 the defendant repeated the same acts against the victim, and the victim could not take it anymore and left to go and live with her family.

On 16 July 2012 at 7pm, the defendant went to the home of the victim's family to verbally abuse and insult the victim. Then on 17 July 2012 at 7am the defendant twice punched the victim in the head and again verbally abused the victim.

As a result of these acts the victim suffered pain all over her body and was treated in hospital. In addition, the victim was traumatized because she was terrorized and the defendant threatened to kill her.

“JSMP welcomes the court's decision in this case. JSMP believes that a prison sentence is very appropriate for the defendant in relation to the aforementioned acts. This punishment also demonstrates the court's sensitivity and responsibility to punish the guilty and to prevent domestic violence in the future” said the Executive Director of JSMP, Luis de Oliveira Sampaio.

JSMP hopes that this decision will provide a benchmark for other cases involving domestic violence which require a prison sentence in order to deter and prevent domestic violence in the future.

The public prosecutor charged the defendant as the perpetrator of serious maltreatment against a spouse as set out in Article 154, and Article 157 of the Penal Code on making threats as well as Article 35 of the Law Against Domestic Violence.

In court the defendant admitted all of the facts described in the indictment of the public prosecutor. In addition, the testimony of the victim and the witness confirmed that these crimes had been committed by the defendant against the victim.

Based on the facts established during the trial, the court settled the matter and sentenced the defendant to 2 years 6 months imprisonment.

This case was registered as Case No. 25/2013/TDD. The hearing to announce the decision was led by judge Zulmira da Silva (representing a panel of judges). The Public Prosecution service was represented by Jacinto Babo and the defendant was represented by public defender Amado de Almeida.

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