



Press Release
25 July 2013

Court hands down 16 year imprisonment against perpetrator of incest

On 22 July 2013 the Dili District Court convicted a defendant for committed the crime of rape against his step daughter and sentenced him to 16 years imprisonment. Incest is sexual violence against a family member.

“Sexual abuse of a minor is a very serious crime because this act violates the rights of children and has very serious consequences for them. The defendant as a step father was supposed to protect the victim, however on the contrary the defendant raped his step daughter,” said Luis de Oliveira Sampaio, Executive Director of JSMP.

The defendant committed sexual violence against the victim on two occasions, namely the 13th September 2011 and the 14th December 2011 which caused the victim to become pregnant. This crime is characterized as domestic violence and incest because the defendant was the step father of the victim and they were living together.

“JSMP is concerned about incest in Timor-Leste because until now there is no article in the Penal Code about incest. Although the defendant was given a fair sentence, JSMP has observed that the crime of incest is prevalent and difficult to prove in court.”

“As previously recommended by JSMP, we need a legal framework and strong social protection to prevent the crime of incest and to give protection to vulnerable victims,” said Luis de Oliveira Sampaio, Executive Director of JSMP.

The public prosecutor charged the defendant for violating Article 178 of the Penal Code regarding the sexual abuse of a minor, however the court amended the charge to Article 172 and Article 173 (d) of the Penal Code regarding rape.

The defendant admitted to the court that all of the charges were true and the victim also stated that all of the facts were correct.

The case was registered with the Dili District Court as Case No.630/2012/TDD. Judge Jose Maria de Araujo presided over the aforementioned trial. The Public Prosecution service was represented by Ivonia Maria Guterres and the defendant was represented by public defender Laura Valente Lay.

The court clerk assigned to this case was Julio da Cruz.

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