



**JUDICIAL SYSTEM MONITORING PROGRAMME  
PROGRAMA MONITORIZASAUN SISTEMA JUDISIAL**

***Press Release***

***21 March 2013***

**Court hands down a fine against the defendant in case of domestic violence**

On 20 March 2013 the Dili District Court handed down a fine of US\$ 180 against the defendant for committing domestic violence against his wife.

The public prosecutor alleged that on 3 October 2010 the defendant punched and pulled the hair of the victim causing her to fall to the ground. In November 2010 the defendant again committed violence against the victim which included striking the victim many times with an electric cord on her back causing her to suffer injuries.

The public prosecutor charged the defendant with Article 145 of the Penal Code regarding a simple offence against physical integrity and Article 35 of the Law against Domestic Violence.

“JSMP believes that this crime should have been treated as serious maltreatment of a spouse in accordance with 154 of the Penal Code, because there were indications that the defendant had repeatedly committed acts of domestic violence against his wife,” said the Executive Director of JSMP, Luis de Oliveira Sampaio.

In his final recommendations the public prosecutor stated that this case could be considered as serious maltreatment of a spouse, however the defendant was only charged with a simple offence against physical integrity because there were no serious consequences. The public prosecutor requested for the court to sentence the defendant to 1 years imprisonment to be suspended for 2 years.

The public defender stated that the defendant had admitted his actions, the matter had been resolved amongst the family and the defendant has five children, therefore he requested for the court to only punish the defendant with a fine.

“JSMP does not agree that this crime is not serious. Domestic violence also has a massive impact on victims, their children and the community.”

The court decided to hand down a fine of US\$180 to be paid at the rate of US\$1 per day for 180 days. If the defendant does not pay this fine, he will be imprisoned for 120 days and ordered to pay court costs of \$10.

This case was registered with the court as Case No. 0246/2012/PDDIL. The trial was presided over by judge Julio Gantes (international judge), Vicente Brites represented the Office of the

Public Prosecutor and the defendant was represented by his lawyer Manuel Exposto from the Office of the Public Defender.

For more information, please contact:

Luis de Oliveira Sampaio

Executive Director of JSMP

Email: [luis@jsmp.minihub.org](mailto:luis@jsmp.minihub.org)

Landline: 3323883

Website: [www.jsmp.tl](http://www.jsmp.tl)