



Press Release

18 August 2007

**DEFENDANT IN MURDER CASE ACQUITTED BECAUSE SHE IS
SUFFERING FROM PSYCHOTIC DEPRESSION**

On Friday 16 August 2007, the Dili District Dili Court handed down a decision in a case involving a mother who allegedly murdered two of her own children in the village of Humboe, Ermera District. The hearing was presided over by a Panel of Judges comprising Judge Vitor Pardal (international), and Judge Maria Natercia (national). The prosecution unit was represented by Public Prosecutor Felismino Cardoso and the defendant was represented by Andre, an international lawyer from the Public Defenders Unit.

The prosecutor claimed in his indictment that on 7th September 2006 in Humboe Village, Ermera District, a mother murdered two of her own children with a knife and machete and injured two others as well as her mother in law.

Based on the facts presented during the trial, witness testimony and a medical diagnosis, it is evident that the defendant is suffering from *Psychotic Depression* because when she killed her children she did not see them as her children but rather as snakes that were biting her. She was not aware that she had killed her own children, and not snakes.

Pursuant to the aforementioned juridical facts the Panel decided that the defendant can not be held accountable for her actions, in accordance with Article 44 of the Indonesian Penal Code on the exclusion of criminal responsibility. However, in the meantime the defendant will be placed in Becora Prison to receive 6 months intensive medical treatment. If she fully recovers after this period of treatment then she will be able to return home and go about her normal activities.

Flora S. Menezes, a legal researcher from the Women's Justice Unit of JSMP applauds the court for issuing such a fair decision that upholds principles of justice as well as the applicable law in Timor Leste. Flora requests for all members of society across Timor Leste to be more proactive and protect children within their vicinity from potential dangers. This case shows that the surrounding community in Humboe did not pay sufficient attention to the circumstances of the defendant even though they lived side by side. Everyone needs to be able to identify the symptoms of psychotic behavior to prevent anyone in their immediately vicinity from falling victim, especially members of their own families.

For further information please contact:

Flora Soriano Menezes

Legal Observer, WJU, JSMP

Email : lola@jsmp.minihub.org

Or please contact:

Timotio de Deus, Director of JSMP

Email : timotio@jsmp.minihub.org

3323 883