



JUDICIAL SYSTEM MONITORING PROGRAMME
PROGRAMA DE MONITORIZAÇÃO DO SISTEMA JUDICIAL

PRESS RELEASE
3 JUNI 2008

DILI DISTRICT COURT ISSUES SUSPENDED SENTENCE IN DOMESTIC VIOLENCE CASE

On Tuesday 3 June 2008 the Dili District Court issued a decision in a case of domestic violence. The hearing was presided over by single judge Jacinta Correia and the prosecution unit was represented by Aderito Tilman, while the defendant was represented by the public defender Manuel Sarmento.

The indictment submitted by the prosecutor and summarized by the judge during the hearing stated that the alleged incident occurred at 7pm on 10 December 2004 in Dili. The defendant allegedly kicked his wife twice, namely in the hip and chest. As a result of the defendant's actions the victim was taken to hospital for treatment. However, as her injuries were not serious, she went home and was able to go about her normal activities.

The defendant admitted his guilt to the court in accordance with the charges and the defendant also expressed regret and promised that he would not repeat his actions in the future. The prosecutor recommended that the defendant be found guilty under Article 352.1 of the Indonesian Penal Code.

Based on the facts established during the trial, the judge found the defendant guilty pursuant to Article 352.1 of the Indonesian Penal Code and sentenced the defendant to 20 days imprisonment to be suspended for one year.

The Legal Research Unit of JSMP welcomes the court's decision to issue a sentence of 20 days imprisonment suspended for one year in this case of domestic violence which actually occurred in 2004 and was finally dealt with in 2008. This shows that the court has taken a long time to process this domestic violence case, perhaps due to a backlog of other criminal cases.

JSMP hopes that the formal justice system can process other cases of domestic violence much quicker than this case, so that the community will not lose faith in the formal justice system.

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