



JUDICIAL SYSTEM MONITORING PROGRAMME  
PROGRAMA MONITORIZASAUN BA SISTEMA JUDISIÁRIU

*Press Release*

*Oecusse District Court*

**13 May 2014**

**Oecusse District Court sentences defendant in case of domestic violence to one year in prison: A step forward in the application of the Law Against Domestic Violence**

On 6 May 2014 the Oecusse District Court sentenced the defendant AO to one year in prison after he was found guilty of committing simple offences against the physical integrity of his wife. This case allegedly occurred on 28 August 2013 in Pante Makasar, Oecusse.

Previously, on 09 April 2013, the local court sentenced the defendant to 9 months in prison that was suspended for 2 years for committing simple offences against the physical integrity of his wife.

“Effective prison sentences in cases of domestic violence are a positive development and step forward in the application of the Law Against Domestic Violence. JSMP believes that this decision will have a deterrent effect on the defendant and the community in general,” said the Executive Director of JSMP, Luis de Oliveira Sampaio.

JSMP encourages the other courts to ensure justice for victims of domestic violence by handing down sentences that reflect the nature and severity of violence committed as well as trends of violence occurring in society. JSMP notes that the majority of cases heard by the courts in Timor-Leste involve domestic violence. Therefore, there is a need for a mechanism to control this phenomenon via the formal justice system, in addition to other available mechanisms.

In this case, the public prosecutor alleged that on 28 August 2013 at 1am the defendant punched the victim once in the forehead, choked the victim and punched their child. This case allegedly occurred because the victim was asleep and did not prepare dinner for the defendant. In addition to committing maltreatment, the defendant also verbally abused the victim.

The public prosecutor charged the defendant for violating Article 145 of the Penal Code as well as the Law Against Domestic Violence.

During the trial the defendant admitted all of his actions and testified that he regretted the acts he committed against the victim.

In his final recommendations, the public prosecutor requested for the court to sentence the defendant to a minimum of 30 days and maximum of 3 years in prison, because the defendant committed this crime when he was still on probation for a suspended sentence.

In his final recommendations the public defender requested for the court to provide justice for the defendant because he confessed and regretted his actions.

This hearing was presided over by judge João Ribeiro. The public prosecution service was represented by Alfonso Lopes, and the defendant was represented by Afonso Gomes de Fatima.

For more information, please contact:

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