



JUDICIAL SYSTEM MONITORING PROGRAMME
PROGRAMA MONITORIZASAUN BA SISTEMA JUDISIÁRIU

Press Release
Baucau District Court
22 August 2014

Baucau District Court sentences defendant to 16 years and 6 months in prison for aggravated murder of his wife

On 21 August 2014 the Baucau District Court conducted a hearing to announce its decision concerning the defendant JXD and sentenced the defendant to 16 years and 6 months in prison. The court found the defendant guilty of murdering his wife on 01 January 2013 in Sagadate Village, Laga Sub-District, Baucau District.

The court proved the facts alleged by the public prosecutor that were corroborated by testimony given by the witness MD, who was the mother of the victim.

During the trial, MD testified that she saw the defendant stab the victim once in the stomach and twice in the chest. The witness saw the incident from approximately 25 meters away.

“All kinds of violence against women and children is increasing in all locations. These offences range from simple assault, serious assault, attempted murder, sexual abuse and rape, to murder, and this should not occur if each family member is aware that violence should not be used to try and solve differences that occur in the family sphere,” said the Executive Director of JSMP, Luis de

Oliveira Sampaio.

JSMP believes that this decision is proportional to the actions of the defendant. However, JSMP hopes that the State understands that violence against women is a serious problem that needs to be addressed at all levels, and that the State will develop a policy to break the cycle of violence within the family. The State has the authority to protect and ensure that all citizens are free from any form of violence. Women and children are specifically targeted within their own families.

JSMP hopes that this sentence can educate the community to avoid acts that take the life of another because the State recognizes and guarantees the right to life as set out in Article 29 (2) of the Constitution of the Democratic Republic of Timor-Leste.

Previously, the public prosecutor alleged that on 01 January 2013, at 8am, the defendant was at the home of his parents in law and was holding his child, and had an argument with the victim. The defendant wanted to take the child home, however the victim did not agree and told the defendant that their child had not yet had a bath.

Therefore, the defendant became angry and put down their child, took out a knife that he was carrying on his side, approached the victim and stabbed the victim once in the stomach and twice in the chest. The victim was taken to hospital however she could not be saved and the victim passed away on that very same day.

The public prosecutor charged the defendant with violating Article 138 of the Penal Code on homicide and Article 139 of the Penal Code on aggravated homicide, combined with Article 35 of the Law Against Domestic Violence.

During the examination of evidence the defendant admitted the

acts he committed against the victim.

In his final recommendations the public prosecutor requested the court to sentence the defendant to 20 years in prison. This recommendation was based on the testimony and admission of the defendant that he murdered the victim. The public defender asked the court to hand down a fair and appropriate punishment against the defendant because he did not have a criminal background.

Judge Antonio Fonseca read out the decision of the court on behalf of the panel of judges presiding over this case. The public prosecution service was represented by Luis Hernanio Rangel da Cruz and the defendant was represented by public defender Juvinal Yanes.

For more information, please contact:

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