



Press Release

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4 years of implementing the Law Against Domestic Violence: progress and challenges

The 7th July 2014 will mark four years since the Law Against Domestic Violence came into force. Previously domestic violence was categorized as a semi-public crime, but during the last four years it has been regarded as a public crime. The aforementioned law has established institutional mechanisms to provide legal and social assistance to victims of domestic violence during the trial process.

The aforementioned law has brought about really important developments in access to the formal justice system, where domestic violence is the most common crime dealt with by all of the courts. Court monitoring conducted by JSMP has shown that cases of domestic violence are tried nearly every day in all of the courts.

These positive developments indicate that the presence of this law has had a really positive influence on the circumstances surrounding domestic violence, especially in terms of ensuring that victims of domestic violence are given encouragement and guaranteed access to the formal justice system. However, the outcomes of trials have often failed to have a significant impact in the prevention of domestic violence.

Victims have limited knowledge about their rights, and the charges selected do not reflect the type and gravity of offence in each case, and most convictions result in suspended prison sentences or fines, causing victims to feel that this law does not have the capacity to protect them and prevent the same violence from reoccurring in the future.

“Everyone needs to be responsible for ensuring that this law has the capacity to protect and prevent domestic violence and gender based violence. JSMP encourages all parties to take part and contribute towards preventing and breaking the cycle of domestic violence in the community,” said the Executive Director of JSMP, Luis de Olivera Sampaio.

JSMP notes that the implementation of this law during the last four years has resulted in important developments in terms of raising public awareness about domestic violence being a public crime. JSMP notes that most cases of domestic violence are registered and tried in all of the courts and the fact that this type of crime is tried in every court shows that domestic violence is the most prevalent in comparison with other crimes.

However, JSMP also notes the challenges in applying this law which include the fact that penalties handed down are not proportional with the suffering of victims. JSMP believes that

convictions that only result in suspended prison sentences will not have a deterrent effect because both the convicted person and the victim have a very limited understanding of the nature of these penalties. These obstacles can prevent victims from being willing to use the formal justice system because the aforementioned law has failed to protect them and failed to prevent domestic violence in the community.

JSMP encourages all components of the community in Timor-Leste to contribute towards efforts to protect victims and prevent domestic violence.

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