



Press Release
Dili District Court
13 April 2015

Dili District Court sentences defendant to 20 years in prison for committing sexual abuse of a minor

On 8 April 2015, the Dili District Court sentenced the defendant ABdH to 20 years in prison and ordered him to pay compensation of US\$2,000 after he was found guilty of committing the crime of sexual abuse of a minor who was 6 years of age. This case occurred on 30 September 2014.

The court found that the victim and her grandmother went to get treatment at a clinic. When the victim went to the toilet, the defendant called out to the victim and forcibly carried her to a small house where he raped the victim.

The victim suffered injuries to her sexual organs requiring 4 stitches and three days in hospital. The actions of the defendant fulfilled the elements of the crime set out in Article 177(1) of the Penal Code regarding the sexual abuse of a minor.

During the trial, the defendant rejected all of the facts in the public prosecutor's accusations. Nevertheless, the victim continued to corroborate the facts set out in the accusations, and there was documentary evidence in the form of a medical report from the hospital.

Based on this evidence, the court sentenced the defendant to 20 years in prison and ordered him to pay compensation of US\$2,000 to the victim.

Crimes against children are very serious and happen across Timor-Leste, therefore JSMP hopes that this decision can serve as a reference for the community to deter the crime of sexual abuse of a minor in the future," said the Executive Director of JSMP, Luis de Oliveira Sampaio.

JSMP applauds the decision to impose a maximum sentence on the defendant and to order him to pay compensation to the victim because this sentence recognizes the suffering of the victim. However, JSMP has observed that even though sentences imposed for crimes committed against minors are severe, these crimes continue to occur.

Therefore, the State has an obligation to protect children by imposing heavy penalties through the courts and by involving all institutions, especially the family, in working together to provide protection to children who are the future of the nation.

JSMP also encourages the courts to employ measures which are sensitive to the special needs of children in court. For example, using one testimony from the victim to avoid trauma caused by repetitive questioning, and ensuring the privacy and safety of the child.

JSMP's recommendations about this issue can be found in JSMP's report "Children's access to the formal justice system in Timor-Leste" which is available at www.jsmp.tl under Thematic Reports.

The hearing to announce the decision was presided over by judge Jumiati Maria Freitas, the Public Prosecution Service was represented by Lidia Soares and the defendant was represented by Public Defender Marçal Mascarenhas.

For more information, please contact:

Luis de Oliveira Sampaio
Executive Director, JSMP
Email: luis@jsmp.minihub.org
Telephone: 3323883 | 77295795