



**Case Summary**  
**Oecusse District Court**  
**February 2015**

**Summary of the trial process at the Oecusse District Court – February 2015**

***Introduction***

In February 2015 JSMP continued to conduct monitoring activities at the Oecusse District Court, monitoring 14 of the 18 cases heard by the Court during this period.

From the 14 cases observed by JSMP, 12 cases involved the crime of simple offence against physical integrity characterized as domestic violence, 1 case involved the crime of driving without a license and the other case involved property damage.

From these 14 cases the court imposed fines in 7 cases and in the other 7 cases imposed suspended prison sentences.

The information below outlines the cases observed:

**1. Crime of simple offences against physical integrity characterized as domestic violence -  
Case No. 04/kcrime/2015/TDO**

Composition of judges : Single  
Judge : João Ribeiro  
Public Prosecutor : Ambrosio R. Freitas  
Public Defender : Afonso F. Gomes  
Conclusion : Sentenced to 9 months in prison, suspended for 2 years.

On 12 February 2015 the Oecusse District Court conducted a hearing in a crime of simple offences against physical integrity involving the defendant AA who committed the offence against his wife. This case occurred on 07 October 2014 in Oecusse District.

The public prosecutor alleged that on 07 October 2014, at approximately 8pm, the defendant grabbed the victim by the hair and threw her to the ground, kicked the victim once in the leg, kicked her once in the neck and once on her hip. In addition the defendant went to the street and picked up a rock which he threw at the left side of the victim's stomach. This act occurred because the defendant drank rice/palm wine until he became intoxicated.

During the trial the defendant admitted all of the facts alleged against him, recognised his behaviour and stated that he regretted his actions.

In final recommendations the public prosecutor requested the court sentence the defendant with a prison sentence of 6 months but suspended based on the mitigating and aggravating circumstances that were established during the trial.

The public defender requested the court to uphold justice for the defendant because during the trial the defendant admitted his actions, cooperated with the court and expressed regret. In addition the defendant and the victim have reconciled and are living together as husband and wife.

After hearing the final recommendations, the court concluded this matter and sentenced the defendant to 9 months in prison, suspended for 2 years.

## **2. Crime of simple offences against physical integrity characterized as domestic violence - Case No. 03/kcrime/2015/TDO**

Composition of judges	: Single
Judge	: João Ribeiro
Public Prosecutor	: Ambrosio R. Freitas
Public Defenders	: Cesaltina da C. Freitas (AP) and Afonso F. Gomes
Conclusion	: Sentenced to 9 months in prison, suspended for 2 years.

On 12 February 2015 the Oecusse District Court conducted a hearing in a case of simple offences against physical integrity involving the defendant UVdS who committed the offence against his wife. This case occurred on 14 October 2014 in Oecusse District.

The public prosecutor alleged that on 14 October 2014, at approximately 11:00am, an unidentified person made a missed call to the victim's mobile phone which the defendant was carrying.

As a result, the defendant became angry and twice struck the victim on the side of her left eye and punched the victim a number of times in the head. These actions caused the victim to suffer swelling to her eye and head. These acts were corroborated by a medical report from Pradet.

Since this crime occurred the defendant and the victim have been living separately and now the defendant is living together with his second wife.

In relation to these acts, the public prosecutor charged the defendant with violating Article 145 of the Penal Code on simple offences against physical integrity in conjunction with Article 35 of the Law Against Domestic Violence.

During the trial the defendant admitted the facts alleged by the public prosecutor. The defendant also expressed regret for his actions. In addition, the defendant testified that they do not live together anymore as husband and wife because the defendant has a new wife.

In his final recommendations the public prosecutor requested the court to sentence the defendant to 1 year in prison, suspended for 2 years, based on the mitigating and aggravating circumstances.

The public defender requested the court to order the defendant to pay a fine because during the trial the defendant admitted his actions, cooperated with the court and the parties have reconciled. In addition, the defendant is still responsible for their two children and the victim, even though the defendant lives with his new wife.

After hearing the final recommendations, the court concluded this matter and sentenced the defendant to 9 months in prison, suspended for 2 years.

### **3. Crime of simple offences against physical integrity characterized as domestic violence - Case No. 05/kcrime/2015/TDO**

Composition of judges	: Single
Judge	: João Ribeiro
Public Prosecutor	: Ambrosio R. Freitas
Public Defender	: Afonso F. Gomes
Conclusion	: Ordered to pay a fine of US\$ 120.

On 12 February 2015 the Oecusse District Court conducted a hearing in a crime of simple offences against physical integrity involving the defendant AP who committed the offence against his wife. This case occurred on 10 September 2014 in Oecusse District.

The public prosecutor alleged that on 10 September 2014, at approximately 12 midday, the defendant twice threw a rock at the victim, striking her once on the thigh. The defendant also punched the victim once on her left cheek, once on her left ear and once on her shoulder. These acts happened because the victim went with their child to the salon to straighten her hair in Numbei and left the defendant home alone when he was sick.

The public prosecutor charged the defendant with violating Article 145 of the Penal Code on simple offences against physical integrity in conjunction with Article 35 of the Law Against Domestic Violence.

During the trial the defendant confessed and admitted that he committed the crime charged by the public prosecutor and expressed regret for his actions.

In his final recommendations the public prosecutor requested the court hand down a prison sentence of 5 months, to be suspended for 1 year and 6 months. The public defender requested the court uphold justice for the defendant considering that the defendant confessed, regretted his actions and has reconciled with the victim.

After hearing the final recommendations, the court concluded the matter and sentenced the defendant to a fine of US\$120 to be paid in daily installments of US\$1.00 for 120 days. The court also ordered an alternative punishment of 80 days jail if the defendant does not pay this fine.

#### **4. Crime of simple offences against physical integrity characterized as domestic violence - Case No. 02/kcrime/2015/TDO**

Composition of judges	: Single
Judge	: João Ribeiro
Public Prosecutor	: Ambrosio R. Freitas
Public Defender	: Afonso F. Gomes
Conclusion	: Ordered to pay a fine of US\$ 120.

On 13 February 2015 the Oecusse District Court conducted a hearing of a case involving the crime of simple offences against physical integrity involving the defendant MSdC against his wife. This case occurred on 23 October 2014 in Oecusse District.

The public prosecutor alleged that on 23 October 2014, at approximately 2pm, the defendant slapped the victim once above her right eye. The incident occurred because the victim was angry and suspected the defendant of having a relationship with a work colleague.

In relation to these acts, the public prosecutor charged the defendant with violating Article 145 of the Penal Code on simple offences against physical integrity in conjunction with Article 35 of the Law Against Domestic Violence.

During the trial, the defendant admitted the facts alleged by the public prosecutor and expressed regret for his actions.

In his final recommendations the public prosecutor requested the court sentence the defendant to a fine of US\$ 90 to be paid in daily instalments for 90 days.

The public defender requested the court uphold justice for the defendant considering that the defendant showed good conduct during the trial, confessed, regretted his actions and has reconciled with the victim.

After hearing the final recommendations of the parties, the court immediately decided the matter and ordered the defendant to pay a fine of US\$120 to be paid in daily instalments of US\$1.00 for 120 days. The court also ordered an alternative punishment of 80 days jail if the defendant does not pay this fine.

**5. Crime of simple offences against physical integrity characterized as domestic violence - Case No. 08/kcrime/2015/TDO**

Composition of judges	: Single
Judge	: João Ribeiro
Public Prosecutor	: Ambrosio R. Freitas
Public Defender	: Afonso F. Gomes
Conclusion	: Sentenced to 9 months in prison, suspended for 2 years.

On 16 February 2015 the Oecusse District Court conducted a hearing of a case involving the crime of simple offences against physical integrity involving the defendant NS who committed the offence against his wife. This case occurred on 15 October 2014 in Oecusse District.

The public prosecutor alleged that on 15 October 2014, at approximately at 9am, the defendant struck the victim in the back with a piece of wood and slapped the victim three times on the right side of the face. In addition, the defendant took a machete in order to strike the victim, but the victim grabbed the machete from his hand causing injury to the victims' fingers on her right hand. In addition, the defendant took a broom and hit the victim once on the back.

These acts caused the victim to suffer pain, injuries and swelling. This case allegedly occurred because at that time the victim was sick and didn't want to go with the defendant to clean up their plantation.

The public prosecutor charged the defendant with violating Article 145 of the Penal Code on simple offence against physical integrity in conjunction with Article 35 of the Law Against Domestic Violence.

During the trial, the defendant admitted his actions and testified that he regretted his actions.

In his final recommendations the public prosecutor requested the court impose a prison sentence of 1 year, suspended for 2 years, because the defendant had the intention of endangering the life of the victim, however because the victim was able to defend herself she avoided serious injury. The public prosecutor also requested the court to consider the mitigating and aggravating circumstances.

The public defender requested the court to uphold justice for the defendant based on the acts committed by the defendant.

After evaluating the facts revealed during the trial, the court concluded this case and sentenced the defendant to 9 months in prison, suspended for 2 years.

## **6. Crime of driving without a license - Case No. 02/Krime/Sum/15./TDO**

Composition of judges	: Single
Judge	: João Ribeiro
Public Prosecutor	: Ambrosio R. Freitas
Public Defender	: Afonso F. Gomes
Conclusion	: Ordered to pay a fine of US\$ 65.

On 16 February 2015 the Oecusse District Court conducted a summary trial in a case of driving without a license involving the defendant Agustino Sufa. This crime occurred on 13 January 2015 in Pante-Makassar Sub-District, Oecusse District.

The public prosecutor alleged that on 13 February 2015, at approximately 1pm, the traffic police arrested the defendant and he was detained in a police cell because the defendant was riding a motorcycle without a license on the main road in Palaban.

The public prosecutor charged the defendant with violating 207 of the Penal Code on driving without a license which carries a penalty of 2 years in prison or a fine.

During the trial the defendant admitted that at that time he was riding a motorcycle and did not have a license.

Because the defendant admitted his actions, the court did not need to hear testimony from the witness. In his final recommendations the public prosecutor requested the court to sentence the defendant to a fine of US\$ 45 to be paid in daily instalments of US\$ 1.00 for 45 days.

The public defender requested the court to uphold justice for the defendant based on the mitigating and aggravating circumstances.

Based on the evidence presented during the trial, the court concluded this matter and ordered the defendant to pay a fine of US\$65 in daily instalments of US\$1.00 for 65 days. The court also ordered an alternative penalty of 40 days in prison if the defendant does not pay the fine.

## **7. Crime of property damage - Case No. 0020/kcrime/sum/15/TDO**

Composition of judges	: Single
Judge	: João Ribeiro
Public Prosecutor	: Ambrosio R. Freitas
Public Defender	: Afonso F. Gomes
Conclusion	: Defendant JM sentenced to 1 year prison, suspended for 2 years 6 months; defendant AM sentenced to 9 months prison, suspended for 1 year 6 months.

On 16 February 2015 the Oecusse District Court conducted a hearing in a case of property damage involving the defendants JM and AM (brothers) who committed the crime against MT, who was the former wife of the defendant JM. This case occurred on 13 February 2015 in Nitibe Sub-District, Oecusse District.

The public prosecutor alleged that on 13 February 2015, at approximately 3pm, the two defendants went to the home of the victim and broke into the victim's kiosk. When the police went to stop them the defendants took no notice and continued to remove the corrugated iron from the victim's kiosk. Therefore, the police arrested the two defendants and they were detained in the Oecusse police cells. This case allegedly occurred because the victim did not want to share the property that they had accumulated during two years of living together.

The public prosecutor charged the defendant with violating Article 258 of the Penal Code on property damage which carries a sentence of 3 years in prison or a fine.

During the trial the defendants admitted their actions. In addition, the victim testified that the defendant JM was her former husband and he had tried to ask the victim to share the property that they had accumulated during 2 years of living together, however the victim refused to share the goods.

In his final recommendations the public prosecutor requested the court sentence the defendant JM to 1 year in prison, suspended for 2 years, and for the defendant AM to be sentenced to 6 months in prison, suspended for 1 year.

On the other hand the public defender requested the court uphold justice for the defendants based on the mitigating circumstances that were established during the trial.

After hearing the final recommendations, the court concluded this matter and sentenced the defendant JM to 1 year in prison, suspended for 2 years 6 months. The defendant AM was sentenced to 9 months in prison, suspended for 1 year 6 months.

**8. Crime of simple offences against physical integrity characterized as domestic violence -  
Case No. 251/kcrime/2014/TDO**

Composition of judges	: Single
Judge	: João Ribeiro
Public Prosecutor	: Ambrosio R. Freitas
Public Defender	: Afonso F. Gomes
Conclusion	: Sentenced to 9 months in prison, suspended for 2 years.

On 16 February 2015 the Oecusse District Court conducted a hearing in a case of simple offences against physical integrity involving the defendant AS who committed the offence against his wife. This case occurred on 25 August 2014 in Oecusse District.

The public prosecutor alleged that on 25 August 2014, at approximately 12:00 midday, the defendant twice slapped the victim on her left cheek, kicked her once on her left thigh and once on her right thigh causing the victim to fall to the ground. The defendant also hit the victim's head against a rock. These actions caused the victim to suffer an injury to her right eye as well as pain and swelling. This case allegedly occurred because the victim did not want to fetch a bucket for the defendant to put some meat in because at that time the victim was holding their baby. This case was supported by a medical report from Pradet Oecusse.

The public prosecutor charged the defendant with violating Article 145 of the Penal Code as well as Article 35 (b) of the Law Against Domestic Violence.

During the trial, the defendant admitted the facts, admitted his actions and testified that he regretted his actions.

In his final recommendations the public prosecutor requested the court hand down a prison sentence of 6 months, to be suspended for 1 year. The public defender requested the court uphold justice for the defendant based on the mitigating and aggravating circumstances.

After hearing the final recommendations of the parties, the court concluded this matter and sentenced the defendant to 7 months in prison, suspended for 1 year.

**9. Crime of simple offences against physical integrity characterized as domestic violence -  
Case No. 06/kcrime/2015/TDO**

Composition of judges	: Single
Judge	: João Ribeiro
Public Prosecutor	: Ambrosio R. Freitas



Public Defender : Afonso F. Gomes  
Conclusion : Ordered to pay a fine of US\$ 120.

On 16 February 2015 the Oecusse District Court conducted a hearing in a crime of simple offences against physical integrity characterized as domestic violence involving the defendant AE who committed the offence against his wife. This case occurred on 10 October 2014 in Oecusse District.

The public prosecutor alleged that on 10 October 2014, at approximately 7pm the defendant struck the victim on the head twice with a piece of wood. These acts caused the victim to suffer injuries to her head. A doctor's certificate from the Oecusse Referral Hospital was submitted as evidence in this case. This case allegedly occurred because the victim returned home late after teaching at the Palaban Primary School.

The public prosecutor charged the defendant with violating Article 145 of the Penal Code on simple offences against physical integrity in conjunction with Article 35 (b) of the Law Against Domestic Violence.

During the trial the defendant used his right to remain silent so the court confirmed the facts with the victim and the victim maintained the allegations of the public prosecutor. However, the victim added that they have reconciled and are now living together as husband and wife.

Although the defendant used his right to remain silent, based on the testimony of the victim the public prosecutor requested the court order the defendant to pay a fine of US\$ 120 in daily instalments of US\$1.00 for 120 days.

The public defender requested the court uphold justice for the defendant because the defendant had only committed a minor crime, and the defendant had also cooperated with the court and as the head of the family is responsible for this family.

On 27 February 2015 the Oecusse District Court concluded the matter and ordered the defendant to pay a fine of US\$120 in daily instalments of US\$1.00 for 120 days. The court also ordered an alternative punishment of 80 days jail if the defendant does not pay the fine.

The court issued this decision after considering that many crimes of domestic violence have been occurring in Oecusse District. In its decision the court explained that as a man the defendant should protect victims like his wife (women) who do not have the power to resist. In addition the defendant is a teacher, and a civil servant in the field of education.

**10. Crime of simple offences against physical integrity characterized as domestic violence -  
Case No. 07/kcrime/2015/TDO**

Composition of judges : Single

Judge : João Ribeiro  
Public Prosecutor : Ambrosio R. Freitas  
Public Defender : Afonso F. Gomes  
Conclusion : Ordered to pay a fine of US\$ 90.

On 16 February 2015 the Oecusse District Court conducted a hearing in a case of simple offences against physical integrity involving the defendant CS who committed the offence against his wife. This case occurred on 04 November 2014 in Oecusse District.

The public prosecutor alleged that on 04 November 2014, at approximately 8am, the defendant choked the victim and threw her to the ground. A medical report from the Oecusse Hospital was also submitted as evidence. The incident occurred because the victim and the defendant argued about how to borrow some money so the defendant could go to Dili. These acts caused the victim to suffer pain to her neck.

The public prosecutor charged the defendant with violating Article 145 of the Penal Code on simple offences against physical integrity in conjunction with Article 35 (b) of the Law Against Domestic Violence.

During the trial the defendant used his right to remain silent, so the court sought confirmation with the victim. In her testimony the victim maintained the facts set out in the charges of the public prosecutor. However, the victim added that they have reconciled and are living together as husband and wife.

In his final recommendations the public prosecutor requested the court hand down a prison sentence of 9 months, to be suspended. The public defender requested the court provide justice for the defendant because the offence was minor and the defendant had cooperated with the court. In addition, they have five children and the defendant is responsible for the family.

On 27 February 2015 the Oecusse District Court ordered the defendant to pay a fine of \$90 in daily instalments of US\$1.00 for 90 days. The court also ordered an alternative punishment of 60 days jail if the defendant does not pay this fine.

The court determined its ruling based on the mitigating and aggravating circumstances which included the large number of cases involving domestic violence that are occurring in Oecusse, the defendant was a man who is supposed to protect the victim who is a woman and his wife. The defendant is also a civil servant who works in the department of civil safety. In relation to the mitigating circumstances, the court considered that the defendant had cooperated with the court, he was a first time offender, had confessed and regretted his actions and has reconciled with the victim.

**11. Crime of simple offences against physical integrity characterized as domestic violence -  
Case No. 09/kcrime/2015/TDO**

Composition of judges : Single  
Judge : João Ribeiro  
Public Prosecutor : Ambrosio R. Freitas  
Public Defender : Calisto Tout  
Conclusion : Sentenced to 9 months in prison, suspended for 2 years.

On 17 February 2015 the Oecusse District Court conducted a hearing in a case of simple offences against physical integrity characterized as domestic violence involving the defendant HT who committed the offences against his wife. This case occurred on 13 October 2014 in Oecusse District.

The public prosecutor alleged that on 13 October 2014, at approximately 8am, the defendant slapped the victim once on the left side of her forehead, pushed her into the wall of the house and slapped the victim once on the back of the neck. These acts caused the victim to suffer pain to the back of her neck, and swelling and redness to her forehead. This case allegedly occurred because the victim was talking out loud and yelled at their children who were crying and asking for rice porridge so they could eat. At that time, the defendant woke up and wanted to go to the field however he heard the victim's loud voice. The defendant thought the victim was yelling at him so the defendant became angry and hit her.

In relation to these acts, the public prosecutor charged the defendant for violating Article 145 of the Penal Code on simple offences against physical integrity in conjunction with Article 35 (b) of the Law Against Domestic Violence.

During the trial the defendant admitted his actions and expressed his regret.

In his final recommendations, the public prosecutor requested the court impose a sentence of 1 year in prison, to be suspended for 2 years to deter the defendant from reoffending in the future. The public prosecutor requested this sentence after considering that the defendant should be protecting his wife, as she is a woman who does not have the power to defend herself against the defendant.

The public defender asked for the court to impose an appropriate penalty in accordance with the crime. In addition the public defender also requested that the court consider the mitigating circumstances and aggravating circumstances.

After hearing the final recommendations, the court concluded this matter and sentenced the defendant to 9 months in prison, suspended for 2 years.

**12. Crime of simple offences against physical integrity characterized as domestic violence - Case No. 11/kcrime/2015/TDO**

Composition of judges	: Single
Judge	: João Ribeiro
Public Prosecutor	: Ambrosio R. Freitas
Public Defender	: Calisto Tout
Conclusion	: Sentenced to 9 months in prison, suspended for 2 years.

On 23 February 2015 the Oecusse District Court conducted a hearing in a crime of simple offences against physical integrity involving the defendant DFN who committed the offence against his wife. This case occurred on 03 November 2014 in Oecusse District.

The public prosecutor alleged that on 03 November 2014, at approximately 3pm, the defendant twice kicked the victim in the back. These actions caused the victim to suffer pain to her back. The defendant also threatened to kill the victim. This case allegedly occurred because the defendant returned after cleaning up his uncle's grave and he was heavily intoxicated and requested the victim give him some food but the victim replied that she hadn't yet cooked anything.

In relation to these facts, the public prosecutor charged the defendant with violating Article 145 of the Penal Code on simple offences against physical integrity in conjunction with Article 35 of the Law Against Domestic Violence.

The public prosecutor also charged the defendant with violating Article 157 of the Penal Code on making threats. A medical report from the Oecusse Hospital was also submitted as evidence.

During the trial, the victim asked the court to discontinue this matter because the crime of making threats is a semi-public crime. The defendant stated that the two parties had entered into an amicable agreement, so the court validated the agreement in relation to the crime of threats.

During the trial, the defendant admitted that he committed the crime against the victim and expressed remorse for his actions.

In his final recommendations the public prosecutor requested the court hand down a prison sentence of 1 year, to be suspended for 2 years. Considering that the defendant is a man, he is supposed to protect the victim, who is his wife and as a woman she does not have the power to defend herself against the defendant.

The public defender requested the court impose an appropriate penalty befitting the crime committed by the defendant and consider that the defendant has a small monthly income.

After hearing the final recommendations of the parties, the court concluded this matter and sentenced the defendant to 9 months in prison, suspended for 2 years.

**13. Crime of simple offences against physical integrity characterized as domestic violence -  
Case No. 13/kcrime/2015/TDO**

Composition of judges : Single  
Judge : João Ribeiro  
Public Prosecutor : Ambrosio R. Freitas  
Public Defender : Calisto Tout  
Conclusion : Ordered to pay a fine of US\$ 22.50.

On 26 February 2015 the Oecusse District Court conducted a hearing in a case of simple offences against physical integrity involving the defendant VS who committed the offences against her husband. This case occurred on 1 October 2014 in Oecusse District.

The public prosecutor alleged that on 1 October 2014, at approximately 10:00pm, the defendant kicked the victim once on his left thigh, and this made the victim angry and he slapped the defendant once on the back of her neck. Because the victim responded by slapping the defendant, she took a bag (made out of traditional cloth) that she had been carrying and struck the victim in the face and used a canvas sack to hit the victim in the head. Normally the traditional bag will be used to store kitchen utensils such as spoons, forks etc. The defendant's actions caused the defendant to suffer pain and an injury to his head. This case allegedly occurred because the victim wanted to keep drinking rice/palm wine at the home of his relatives but the defendant wanted them to go home.

The public prosecutor charged the defendant with violating Article 145 of the Penal Code on simple offences against physical integrity in conjunction with Article 35 of the Law Against Domestic Violence. A medical report from the Oecusse Hospital was also submitted as evidence.

During the trial, the defendant admitted her actions and testified that she regretted her actions.

In his final recommendations the public prosecutor requested the court sentence the defendant to a fine of US\$ 45 to be paid in daily instalments for 45 days, to deter the defendant from committing similar offences in the future.

The public defender requested the court consider and contemplate the mitigating and aggravating circumstances and asked the court to impose an appropriate penalty in accordance with the crime.

After hearing the final recommendations of the parties, the court ordered the defendant to pay a fine of US\$22.50 to be paid in daily instalments of US\$0.50 for 44 days. The court also ordered an alternative penalty of 30 days in prison if the fine is not paid.

**14. Crime of simple offences against physical integrity characterized as domestic violence -**

## Case No. 14/kcrime/2015/TDO

Composition of judges : Single  
Judge : João Ribeiro  
Public Prosecutor : Ambrosio R. Freitas  
Public Defender : Calisto Tout  
Conclusion : Ordered to pay a fine of US\$ 75

On 26 February 2015 the Oecusse District Court conducted a hearing in a case of simple offences against physical integrity involving the defendant AT who committed the offence against his wife. This case occurred on 13 October 2014 in Oecusse District.

The public prosecutor alleged that on 13 October 2014, at approximately 12 midnight, the defendant kicked the victim once on the right thigh and caused the victim to suffer pain to her thigh. This case allegedly occurred because the victim left the bedroom to wake the defendant up who was drunk and sleeping on the front veranda of the house.

The public prosecutor charged the defendant with violating Article 145 of the Penal Code on simple offences against physical integrity in conjunction with Article 35 of the Law Against Domestic Violence. The indictment was accompanied by a medical report from the hospital.

During the trial the defendant confessed and testified that he had committed this crime against the victim and expressed regret.

In his final recommendations the public prosecutor requested the court to sentence the defendant to a fine of US\$ 60 to be paid in daily instalments of US\$ 1.00, to deter the defendant from committing similar offences in the future.

The public defender requested the court to consider and contemplate the mitigating and aggravating circumstances and asked the court to impose an appropriate penalty in accordance with the crime.

After hearing the final recommendations of the prosecutor and public defender, the court concluded the matter and ordered the defendant to pay a fine of US\$75.00 in daily instalments of US\$1.00 for 75 days. The court also ordered an alternative punishment of 50 days jail if the defendant does not pay the fine.

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