



JUDICIAL SYSTEM MONITORING PROGRAMME
PROGRAMA MONITORIZASAUN BA SISTEMA JUDISIÁRIU

Press Release

Baucau District Court

28 July 2020

Most cases tried by the mobile court in Viqueque Municipality involved domestic violence

Between 6 - 10 July 2020 the Baucau District Court reactivated its mobile court in Viqueque Municipality after it had ceased operating because of the State of Emergency imposed due to Covid-19. Through the mobile court, the Baucau District Court managed to try 24 cases involving simple offences against physical integrity characterized as domestic violence and 5 cases involving the mistreatment of a spouse, from a total of 45 cases that had been scheduled for trial.

From the 24 cases involving simple offences against physical integrity characterized as domestic violence and the 5 cases involving the mistreatment of a spouse that were monitored by JSMP, the court imposed suspended prison sentences in 21 cases, and issued admonishments in 5 cases and a fine was imposed in 1 case, whilst the decisions in 2 other cases will be read out at the Baucau District Court. The mobile trials took place at the Viqueque Sub-District PNTL Station and there were three courtrooms, with two courtrooms allocated to trials before a panel of judges, and one courtroom for trials before a single judge.

“JSMP praises the efforts of the Baucau District Court to reduce the pending or registered cases, especially cases characterized as domestic violence, after the court suspended its normal functioning during the State of Emergency,” said the Executive Director of JSMP, Ms. Ana Paula Marçal.

During this five day period most of the parties turned up to take part in trial proceedings, and in some cases the court immediately announced the decision and in other cases the decisions will be read out at the Baucau District Court. The mobile court managed to try 42 cases, and 3 cases were adjourned because the parties did not attend. The parties came from the Sub-Districts of Viqueque, Lakluta, Ossu, Uatulari and Uatukarbau.

However, just like previous years, JSMP is still concerned about the locations used by mobile courts. To date, the courts often use PNTL stations to conduct trial proceedings. JSMP is aware that sometimes it is difficult to arrange a safe and comfortable place for the parties, but actually

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the court should not use a police station as the location to conduct trials because it could cause interested parties to have doubts about the process. Community members could believe that the police have the competency to try their cases because each part of the proceedings takes place at the police station, from the beginning when complaints are made, as well as trials and the announcement of decisions.

When the mobile court was being conducted JSMP spoke with a female victim of a case involving simple offences against physical integrity characterized as domestic violence from Ah'ik Village. During this discussion the female victim stated that she lived a long way from Lakluta Sub-District and they would have to walk a long way just to get to the Sub-District and then travel via vehicle to Viqueque and then travel via another vehicle to Baucau to attend a trial. However, the victim is happy with the mobile trial because it can help them reduce the expense of transport and accommodation because they can stay with relatives when they need to attend a trial.

Before reading out a decision, the mobile court also provided information to the parties about the functioning of the formal justice system.

JSMP hopes that the regular operation of the mobile courts in the districts can enable community members to feel that they have access to justice.

The mobile trials were presided over by judges José Goncalves, José António de Jesus Escurial da Silva Faria, José Quintão Soares Celestino, Maria Modesta de Almeida Viera, Sribuana da Costa, and Jumiaty Freitas. The Public Prosecution Service was represented by Remizia de Fatima da Silva, Ambrósio Rangel Freitas and Julio da Silva Correia and the Office of the Public Defender was represented by Sidonio M. Sarmento, Antonio Fernandes and Germano Guterres Ramos.

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