

STUDENT IN THE DOCK

DEATH THREAT OVER PARKING

BY LUBNA BAGSAIR
STAFF REPORTER

DUBAI A student pleaded not guilty on Wednesday of threatening to kill a couple if they continued parking their car in a way that blocked his own vehicle.

A.F., 22, has denied before a judge at Dubai Criminal Court of First Instance that he threatened to kill P.K. and his wife R.D. on April 13, 2010. The suspect was also charged with yelling, cursing and using foul words to insult R.D.

P.K., a 64-year-old Indian, testified that while he was in his bathroom, he heard a car honking

outside his apartment building. According to prosecution records, his wife looked out the window of their apartment to see who was honking. The Jordanian suspect then asked for her husband and she reportedly told him that he was in the bathroom. "I didn't wait, however, and instead went downstairs," said P.K.

FOUL LANGUAGE

The suspect, however, went upstairs to their apartment and knocked loudly on the door.

When R.D., a 57-year-old housewife, opened the door, the suspect spoke to her in a rude language.

"He said the 'F' word," R.D. added. A.F. then followed P.K. to the building's car park and allegedly threatened to kill him if he blocked his car again.

A.M., a 35-year-old accountant and neighbour of the couple, told the prosecution that he saw the suspect yelling at R.D. and even threatened to kill him. A.M. said P.K.'s car was not blocking A.F.'s car and the suspect could've easily backed out of the parking space. And yet he continued to yell and curse R.D., records revealed.

R.D. then filed a complaint against the suspect. A verdict is expected on February 9.

Sex outside marriage

JAIL FOR LOVE TRIO?

From 16 'initial charges', the trio caught in bizarre love romp face just five, but they could still end up in jail

BY MICHELLE SUTTON
STAFF REPORTER

DUBAI Expats in a love triangle, locked up in Dubai risk further jail time, prosecution records reveal, lifting the covers on a sordid sex crime investigation.

A restricted-access Dubai public prosecution report obtained by XPRESS shows charges will be laid against three expatriates for drinking alcohol without a licence and having sex outside of marriage, both crimes in the UAE.

The twisted bust-up involving Toby Carroll from New Zealand, Danielle Spencer from England and Priscilla Ferreira from Brazil continues to remain under "investigation" the report reveals.

UNDER INVESTIGATION

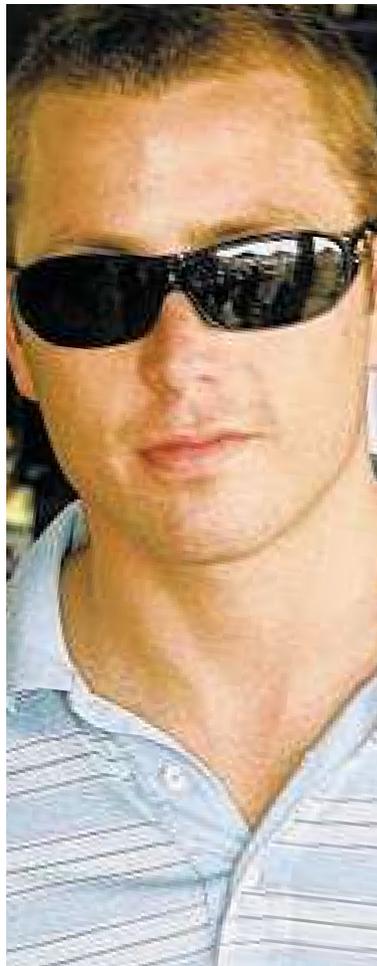
The trio faced 16 'initial charges' after police came across the bizarre scene in Kiwi banker Carroll's apartment last month.

Police, called by Carroll, found fiery Ferreira wielding a knife and threatening Carroll and Spencer after catching them in the act. All three spent around six weeks in police custody.

The 16 charges they initially faced included consensual sex, consuming alcohol, causing a brawl and threatening to kill.

The prosecution opened the report on December 24 last year.

However, according to latest records they face only five charges - three of consensual sex, a charge of threatening to kill and a charge



BANKER BUSTED: Toby Carroll had to call police to stop his ex-girlfriend from attacking him and his unmarried partner

of consuming alcohol without a licence.

It was unclear as to who out of the three the charges relate to, but it is likely they each face a charge of consensual sex.

Spencer has publicly denied she had sex with Carroll. The Kiwi banker has gone underground, avoiding public comment. His mother who rushed to Dubai this

week told New Zealand media she has requested authorities not to comment on the case. Meanwhile, Ferreira and Spencer, who shared the same cell, have spoken to British media, denying they had sex with him.

MISDEMEANOUR CASE

The prosecution report classes the case as a "misdemeanour", which is less serious than a felony. Typically, a misdemeanour penalty carries a fine or jail term of up to a year.

A top Emirati legal expert said any sex charges would likely be based on medical tests taken while the trio were locked up.

Mohammad R. Al Suwaidi, Head of Young Arab Lawyers Committee and manager of his law firm, said a high degree of evidence is required for sex charges to stick in court, including a suspect's confession, witness testimonies or medical tests. It was standard practice in cases of this kind for the woman and man to undergo forensic and medical examination.

The burden of proof under Sharia (Islamic law) is even tougher, Al Suwaidi said. Under Sharia, four witnesses are required to testify and if there are less than four then the other witnesses may be charged with defamation. "This is to prevent unfair damage of reputation," he said.

Opinions about the case among Dubai expatriates remain divided. An online forum showed expats are divided — 55 per cent believe the trio deserved to be punished under the UAE law because they live in the Emirate, compared to 45 per cent saying they don't deserve court or jail time.



COURT ROUNDUP

BY LUBNA BAGSAIR

TWO HELD FOR TRAFFICKING

MINORS FORCED INTO PROSTITUTION

Two suspects denied charges of trafficking two under-aged girls for prostitution.

Defendants Z.Z., 40, and M.Y., 25, both Chinese, denied charges of operating a prostitution ring, holding the girls against their will and forcing them into having sex for money.

A third suspect, L.Y., also a Chinese but whose whereabouts are unknown, faced similar charges. Prosecutors also charged the suspects with staying in the UAE with expired visas and failing to pay overdue fees to Dubai General Department for Residency and Foreigners Affairs. Both victims — V.J., 16, and A.J., 12, were born in Nigeria but hold German passports.

They told the court that the suspects forced them to have sex with different men for money. Records revealed that Z.Z., who has been charged with working as a prostitute, pleaded guilty in Dubai Court of First Instance on Wednesday.

Prosecution records further revealed that in 2004, V.J.'s father met L.Y. in Umm Al Quwain and the two became friends. Her father asked L.Y. to take his daughters to Dubai so that they could live with her.

Both V.J. and A.J. lived with L.Y., who then forced them into prostitution since 2009 onwards, records showed.

Last year, A.J. was sold for Dh100,000 to an Indian man. The Indian had also previously paid to have sex with her.

Records revealed that A.J., was also repeatedly coerced into having sex with a Chinese man.

Prosecutors said the older girl V.J. was taken to a different apartment and both girls were beaten and locked up by the suspects. V.J. reportedly escaped on June 22 last year to Ajman and sought refuge with her mother's friend, prosecutors said. Records revealed that she wanted to find her sister.

V.J. had found the Indian man's phone number and had arranged a meeting with him in Deira. However, according to records, when V.J. arrived at the meeting place, both suspects kidnapped and imprisoned her.

The V.J. testified to prosecutors that Z.Z. was behind the prostitution ring and was also working as a prostitute along with two other women, while M.Y. was responsible for securing apartments and customers in return of a Dh2,500 monthly salary. V.J. managed to call an Emirati man she knew and informed him about their situation. The man called the police, who raided the apartment and arrested the two suspects on June 25, 2010. The next hearing is on February 9.

GOLDEN ACQUITTAL

TRADER ACQUITTED OF STEALING 4KG OF GOLD

A woman was acquitted on Wednesday for stealing 4kg of gold. H.S., a 39-year-old Sudanese, was charged with stealing gold worth Dh670,000 from A.A., a 53-year-old Bahraini gold salesman.

In his testimony, the salesman said he met the suspect in 2004 and found that she works for the trading industry and also owns a company back in her country.

The two had a verbal agreement in which she would receive jewellery from him and sell it in her country before giving him the sales proceeds and receive

a commission in return, records revealed. A.A. claimed to have given H.S. various types of jewellery that she never returned in any form, whether in gold or in cash, records revealed.

He also stated that around 4kg of gold is still with the suspect. A.A. owns gold shops in Sharjah and Bahrain, prosecutors said. H.S. told prosecutors that she dealt with A.A. and received jewellery from him in Sudan, not in Sharjah. The suspect was arrested on November 10, 2009 in Dubai airport as she was entering the country.