

# The defense tries to annul the statement of the coworker

The court rejects the request and maintains it, despite the allegation of possible external influences

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The second day of the trial against the two defendants (uncle and nephew) for an alleged sexual assault on a young woman on the morning of January 17th, 2024 has been marked by the controversy surrounding a key witness: the victim's coworker. This person, who was initially supposed to testify today, has not appeared in court. The defense has tried to avoid her appearance, alleging that she may have received external influences. However, the court has decided that her statement will be maintained and that, once heard, its credibility will be assessed.

The witness in question had previously reported that she could not attend the trial, according to an email sent on March 10th. In the same message, she stated that someone had told her that her absence could benefit one of the parties. These facts have generated doubts in the defense, which has requested that her statement not be taken into account. The Public Prosecutor's Office has maintained that it is the court that must decide on its validity and the judge has ruled that her version will be heard first and its evidentiary weight will be assessed later.

In her previous statement to the Police, the witness explained that on the night of the events she was working in a nightclub



The defense of the accused, as well as their relatives, this Tuesday in the court.



### COWORKER

«I had started to have gagging and couldn't breathe [...] I also had some inside out clothes»

«I couldn't understand what she was saying, but I knew something serious had happened»

until 03:26. When she left, she would have seen the victim talking to the nephew. Shortly afterwards, around 04:00, the young woman who was allegedly attacked would have arrived visibly upset, with difficulty breathing and in a state of obvious distress. According to the story, the young woman had her clothes in disarray, with some clothes inside out. «She had started to gag and could not breathe,» she explained to the Police at the time.

According to this statement, the victim revealed to the witness that she had been sexually assaulted by the two defendants, showing marks on her arms con-

sistent with restraint. The young woman explained that she had initially gone to the hotel room with her nephew, and that later her uncle entered, and they both forced her. Unable to access her home because her roommate would not open the door, the young woman spent the night at the witness's house.

According to her statement, the victim did not show up for work the next day and, hours later, tried to buy the morning-after pill. A colleague tried to do it for her, but as it was a man, they would not have allowed him to buy it. Finally, another colleague managed to get it. In addi-

on, some colleagues offered her accommodation and clean clothes, seeing her state of shock. The clothes the victim was wearing that night were found by one of these colleagues two days later, hidden in a bag under a bed.

The witness indicated that the victim was in a state of shock when she saw her that morning. "I couldn't understand what she was saying, but I knew something serious had happened," she said at the time. She also confirmed that, at that moment, no one contacted the police because they did not consider it a decision that corresponded to them. The complaint was formalized



#### NEPHEW'S PARTNER

«My partner has always known how to treat women, maybe because he has sisters»

two days later.

Regarding the night of the events, she indicated that she did not remember seeing the defendants inside the premises while she was working, but she saw them outside when her shift ended, around 03:00. She also stated that the victim did not speci-

fy whether it was abuse or rape at that time, only that she had been forced. Some colleagues had offered to accompany her home, but she declined and decided to go with the nephew.

#### THE NEPHEW'S PARTNER CLAIMS THAT THEIR RELATIONSHIP WAS «INCREDIBLE»

// During the session, the nephew's partner, with whom she has been in a relationship for more than seven years, also testified. According to her description, their relationship could be classified as «incredible» and she stated, through tears, that she has been her best partner in recent years, highlighting his support and the fluid communica-

tion between them. She also stated that they had plans to start a family in the future.

The witness stated that, as soon as he could, the defendant called her to explain what had happened, including his infidelity, despite being aware of the repercussions that this could have on their relationship. According to her testimony, he had never been unfaithful before, as they spent a lot of time together. She also stated that she knows him well enough to say that he is not an aggressive person or capable of hurting anyone. «He has always known how to treat women, perhaps because he has sisters,» she added. ●

## The officers point out that the defendants were not surprised by their arrest

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One of the officers who participated in locating the suspects explained that, at first, they went to the hotel in Pas de la Casa where they were supposed to be staying. When they arrived, they knocked on the door of the room, but no one ope-

ned it. Later, it was verified that the defendants had left the establishment and had moved to Soldeu. "When we entered the room, it was empty and there were no personal belongings", one of the officers said. According to the investigation, the two men argued that the change of hotel was due to weather conditions, since the snow in

Pas was not optimal, and that is why they chose to move to Soldeu.

The officers also knew that, before leaving the establishment, one of the defendants had sent a message to a travel representative informing them that they would not be using the scheduled return transportation and that they would be leaving earlier than planned for Barcelona. In addition, they left the room without checking out and hung a "do not disturb" sign on the door, implying that they could return later.

With the information collected, the officers followed the

suspects to a hotel in Soldeu, where they were finally located. According to the statement of one of the police officers who intervened in the operation, when they were told the reason for their arrest, the two men "did not show surprise". Given the difficulty in establishing direct communication, a translation application was used to explain the situation and the need to accompany the police to the office for further proceedings. The officers noted that they were allowed to travel together in their vehicle to the police station, and that there was no resistance. ●

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