Spanish court overturns ex-Barcelona star Dani Alves’ rape sentence

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A Spanish appeals court overturned Friday former Brazil international footballer Dani Alves’ rape conviction, arguing his trial was marked by “shortcomings” and “inaccuracies”.  
  
Alves was sentenced to four-and-a-half years in jail in February last year for raping a young woman in the VIP bathroom of a Barcelona nightclub on December 31, 2022.  
  
The 41-year-old, who won the Champions League three times with Barcelona, was released from jail last March pending his appeal after he posted the one million euros ($ 1.1 million) bail set by the court.  
  
The appeals court said its four judges had “unanimously” accepted the player’s appeal and “annulled” his conviction.  
  
The court also rejected the appeal filed by public prosecutors, who were seeking a more severe jail term of nine years.  
  
Alves’ trial contained “a series of gaps, inaccuracies, inconsistencies, and contradictions regarding the facts, the legal assessment, and its consequences,” the court said in its ruling.  
  
During the trial, the woman, who testified behind a screen to protect her identity, said Alves had violently forced her to have sex despite begging him to let her go, causing her “anguish and terror”, according to prosecutors present for her declaration.  
  
Alves testified that his sexual encounter with the woman was consensual and denied hitting the woman and grabbing her hair.  
  
“I am not that type of man, I am not violent,” he told the court after his defence lawyer asked if he had forced her to have sex.  
  
“If she wanted to leave, she could have left; she was not obliged to be there,” he added.  
  
His lawyers argued during the trial that the victim had been “glued” to the player while dancing at the nightclub.  
  
Alves initially denied knowing his accuser in a TV interview but later acknowledged having sex with her after CCTV footage emerged showing the pair entering the lavatory of the nightclub.  
  
He told La Vanguardia newspaper he had lied because he was afraid his wife would leave him.  
  
The lower court had also demanded Alves pay 150,000 euros in compensation to his accuser, and ordered he serve five years’ probation after he completed his jail term.  
  
But the appeals court said that given that with the anulment of his conviction, these “precautionary measures” have been dropped.  
  
Alves was a pivotal part of an all-conquering Barcelona team — crowned La Liga champions six times — and won 126 caps for Brazil, winning the Copa America twice.  
  
He also won European league titles with Italian giants Juventus and French outfit Paris Saint-Germain.  
  
At the time of his arrest, he was contracted to Mexican club Pumas UNAM — he was sacked soon afterwards.  
  
Brazil’s leftist President Luiz Inacio Lula da Silva criticised the court’s decision to grant Alves bail, saying at the time that money “cannot undo the crime that a man commits by raping a woman”.