



PRESS RELEASE (No. 6 of 2016)

**STATEMENT BY CHRISTOPHER PRYDE,
DIRECTOR OF PUBLIC PROSECUTIONS**

A statement released by the Honourable Mosese Bulitavu, Shadow Minister for Defence, Public Enterprises and Trade dated 1st July 2016 included the Office of the Director of Public Prosecutions (ODPP), amongst others, as part of nine ministerial portfolios held by the Honourable Attorney-General. This was also repeated in the parliament today (4.7.16) by the Honourable Ro Teimumu Kepa.

The statement implies that the ODPP comes under the direct control or direction of the Attorney-General. This is not correct and the ODPP wishes to, again, clarify the relationship between the ODPP and the Attorney-General.

The ODPP is a constitutional office of State established under section 117 of the Constitution. The functions of the ODPP are performed by a Director of Public Prosecutions (DPP) appointed for a 7-year period by the Judicial Services Commission chaired by the Chief Justice.

The DPP does not report to the Attorney-General or to any member of government other than through official briefings from time to time on administrative or budgetary issues.

As far as criminal prosecutions are concerned, section 117 (8) of the Constitution states that it is the DPP that is the sole authority (other than specialist prosecutions brought by FICAC) in deciding whether to initiate or terminate criminal proceedings. That decision is made according to the sufficiency of evidence and whether it is in the public interest.

A decision to prosecute or to discontinue criminal proceedings is made by the DPP alone and without reference to or in consultation with the Attorney-General or any other Minister or Government entity.

In this regard, the ODPP as a constitutional office of State is an independent and non-political office.

The ODPP Media Liaison Officer is available to provide further information on the role of the ODPP in the Fijian criminal justice system and information can also be obtained from the ODPP official website at www.odpp.com.fj.

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4 July 2016

The Office of the Director of Public Prosecutions is an independent office established under section 117 of the 2013 Fijian Constitution. The Office of the Director of Public Prosecutions is motivated by the principle that it is in the interests of justice that the guilty be brought to justice and the innocent are not wrongly convicted.
