



## PRESS RELEASE (No. 13 of 2016)

### **NO CASE TO ANSWER FOR FBC OVER WASEA BHASHA BROADCAST**

The Director of Public Prosecutions, Mr Christopher Pryde, has decided there is insufficient evidence to charge anyone in relation to an allegation of inciting communal antagonism contrary to section 65 of the Crimes Decree following an item broadcast on the Fiji Broadcasting Corporation (FBC) Wasea Bhasha programme on 16<sup>th</sup> October 2016.

The allegations were made against the former FBC Wasea Bhasha producer and host Nemani Bainivalu, the acting Chief Executive Officer Vimlesh Sagar and the acting manager Mohammed Faiyaz Khan.

Mr Pryde said, "In order for a charge of inciting communal antagonism to succeed, the broadcast must have been of such a nature and sufficiently egregious to justify the sanction of the criminal law. In other words, the broadcast must do more than simply insult or cause offence to people. In my view, having considered the evidence and the context in which the item was broadcast, the item does not reach the necessary threshold for a reasonable prospect of conviction were the matter to go to trial and, therefore, I decline to sanction a prosecution."

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23 November 2016

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*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.*

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