



PRESS RELEASE (No. 3 of 2018)

DPP will appeal Fiji Times Decision

Following a review of the Summing Up and Judgment in the recently decided Fiji Times case, the Director of Public Prosecutions, Mr Christopher Pryde, has decided to file an appeal against the decision of the court to acquit.

Mr Pryde said:

“In our view the court has made a number of fundamental errors in its interpretation of the law and we now have conflicting High Court decisions in Fiji which require clarification from the Court of Appeal.

This was a case that concerned not only the boundaries of freedom of expression by a media organisation but also the rights of vulnerable minority groups in Fiji to lead lives in harmony with their neighbours and free from unlawful discrimination.

The court agreed that the State had shown there was a criminal case to answer but in our view the court failed to give adequate weight to the constitutional limitations as they relate to what is commonly referred to as “hate speech”.

Freedom of expression should never be used to protect advocacy for hate speech.

It is important that the courts are engaged in establishing the correct balance between freedoms of expression on the one hand and the protections afforded by the Constitution that give people the right to live in harmony with each other and be free from unlawful discrimination.”

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24 May 2018