



PRESS RELEASE (No. 3 of 2013)

**MANSLAUGHTER CHARGES FOR
37 YEAR OLD MAN & 10-YEAR OLD BOY**

The Director of Public Prosecutions, Mr Christopher Pryde, has filed manslaughter charges against both a 37-year old man and a 10-year old boy in Court in relation to the killing of a 6-year old boy in Nadi in January this year.

The charges filed against the man are:

- (1) Failure to properly secure arms and ammunition contrary to sections 37 (1) (b) and 53 of the Arms and Ammunitions Act 2003 and
- (2) Manslaughter arising from a breach of duty contrary to section 240 and 241 (5) of the Crimes Decree 2009.

The charge filed against the boy is:

- (1) Manslaughter contrary to section 239 of the Crimes Decree 2009.

In a statement today, the Director of Public Prosecutions said that the decision to charge the 10-year old was not an easy one.

“This is a tragic set of circumstances, however we must remember that a six year boy has lost his life. The courts ultimately will decide guilt or innocence but at present, there is sufficient evidence to justify laying charges against both the man and the boy. The 10-year old will be tried as a juvenile.” he said.

The DPP’s office did not object to a bail application and a name suppression order for the boy has been granted by the court.

The DPP’s office has also advised the department of Social Welfare, who are now fully involved with the case.

The matter will next be called for mention on 25 February 2013 to decide whether the matter should be transferred to the High Court.

Under the Crimes Decree 2009, children under 10 years old cannot be held criminally responsible for their actions. However, children between the ages of 10 to 14 are criminally responsible for an offence if the State can prove that the child knows that his conduct is wrong.

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13 February 2013

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.