



## ODPP MEDIA UPDATE

### **State-v-William Walsh Apted High Court Review**

The respondent in this matter, William Walsh Apted, was convicted by the Suva Magistrates' Court on 31 March 2015 after entering guilty pleas to one charge of dangerous driving occasioning death contrary to section 97(2)(c), 5(c) and 114 and to two distinct counts of dangerous driving occasioning grievous harm contrary to section 97(4)(c), 5(c) and 114 of the Land Transport Act 35 of 1998.

On 8 June 2015, the respondent was sentenced by the Magistrate. However, pursuant to section 260 of the Criminal Procedure Decree 2009 (CPD), the High Court of Fiji called for a judicial review of the delivered sentence by calling for the record of proceedings in the court in order to assess the correctness or propriety of the sentence passed.

Following a review, the Suva High Court set aside the sentence passed by the Magistrate and delivered a fresh sentence pursuant to sections 262(1) and 256 of the CPD.

The final sentence imposed by the Court is:

- I. Two years imprisonment suspended for three years;
- II. Respondent to pay an additional fine of 40 penalty units (\$4000.00) on or before 30 September 2015, and
- III. He is disqualified from driving for life.

**-Ends-**

**Date:** 18 September 2015