



PRESS RELEASE (No. 3 of 2019)

No charges against Security Forces for arrest of Ratu Epenisa Cakobau

The Director of Public Prosecutions, Mr Christopher Pryde, (DPP) has said there will be no charges laid against any police or military officers involved in the arrest of Ratu Epenisa Seru Cakobau on Bau island on 7th June 2018.

Police were alerted to a potential breach of the peace on Bau Island last year when it was learned that the installation ceremony for a new Vunivalu of Bau was to take place despite a direction by the Itaukei Lands and Fisheries Commission for the installation not to proceed. The Police had been requested by the Itaukei Lands and Fisheries Commission to prevent the installation from taking place. A security assessment indicated that the situation may become volatile and Ratu Epenisa Seru Cakobau was arrested as a precautionary measure.

A police complaint of criminal intimidation and criminal trespass was laid by Ratu Epenisa Seru Cakobau as a result of his arrest in June last year. Two other people also laid police complaints in relation to the circumstances surrounding the arrest.

Following a review of the evidence, the DPP concluded that the arrest of Ratu Epenisa Seru Cakobau had been effected lawfully and there was no substance to the complaints.

The arrest was justified under section 17 A of the Public Order Act which gives authority to the police to detain without warrant someone who “has acted or is about to act in a manner prejudicial to public safety or the preservation of the peace.”

The DPP further concluded that the actions of the security forces in effecting the arrest were justified and proportionate to the perceived threat to public safety on Bau Island at the time.

Mr Pryde said: “The security forces are subject to the law governing arrests and if there was any evidence they had acted outside the law in effecting the arrest, charges would have been laid. Having reviewed the evidence, I am satisfied that the security forces acted within the law at all times.”

The files have been returned to the Police.

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28 March 2019.

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.
