



OFFICE OF THE DIRECTOR OF PUBLIC PROSECUTIONS



ANNUAL REPORT 2012









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ANNUAL REPORT 2012

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DIRECTOR'S FOREWORD

The Office of the Director of Public Prosecutions (ODPP) remains committed to promoting the rule of law by ensuring that a high value, efficient and professional prosecution service is provided to the Fijian people. This means recruiting the right people to do the right job and this year we succeeded in attracting many high calibre candidates to the ODPP although we were unable to completely fill our establishment quota.

The year 2012 was a challenging year and a number of high profile cases went before the courts. In order to meet these challenges, a number of outside Queen's Counsel from Hong Kong and New Zealand were engaged to advise and represent the State in addition to our team of in-house prosecutors. This also allowed an excellent opportunity for our prosecutors to work alongside very experienced and skilled overseas lawyers which complemented our training programmes.

Despite the challenges, all staff worked well and I take this opportunity to express my gratitude to each of them for their fortitude and perseverance.

Christopher T. Pryde
Director of Public Prosecutions

Our MISSION

- To deliver fair and independent prosecution services, committed to the rule of law, for all Fijians.

Our VISSION

- To deliver a modern and professional prosecution service that supports national goals and aspirations of peace and good governance.

Our CORE VALUES

- Independence;
- Fairness; and
- Courage.

Role of ODPP

The Office of the Director of Public Prosecutions (ODPP) was first created as an independent office under the Fiji Independence Act 1970. Over the years since independence from Great Britain it has continued in existence and today derives its powers and functions from section 20 of the State Services Decree 2009. The decision to whether institute, take or terminate criminal proceeding is a decision made by the Director of Public Prosecutions (DPP) alone without reference to any other authority.

The ODPP continues to maintain its independence. For administrative expediency, it is a part of the Ministry of Justice, and the Attorney General and Minister for Justice is its Minister and representative to Cabinet.

CORE FUNCTIONS

The responsibilities of the ODPP, as provided by virtue of Section 20 of the States Services Decree 2009, are:

- (1) To institute and conduct criminal proceedings before any court of law, including appeals, other than the Military Court;
- (2) To take over and continue any such criminal proceedings instituted by any other person or authority; and
- (3) To discontinue, at any stage before judgment is delivered, criminal proceedings instituted or conducted by the Director of Public Prosecutions or any other person or authority.

CORPORATE SERVICES

The Corporate Services Division is responsible for the entire administrative and financial functions of the Office of the Director of Public Prosecutions (ODPP) throughout the country. The offices are based in Suva, Nausori, Nadi, Sigatoka, Lautoka, Ba and Labasa.

1.0 Budget

The Budget allocated for the ODPP was \$4.6m. The breakdown of the budget with expenditure details is attached. ([Appendix](#)).

1.1 Staff

With the abolishment of the National Prosecution Services (NPS) on the 28th of April, 2010, the ODPP has an established staff of 93] of which forty – six (46) are professional staff and 47 are Corporate Staff.

1.2 Acting Appointment

One officer is acting as the Librarian.

1.3 Temporary Appointment

Two of the staff are temporary appointees

VEHICLES

The ODPP has a total of 8 vehicles throughout the country.

Earlier this year we had requested 'trade in' for two (2) of our vehicles namely GN 338 and GM 709. Currently GM 709, Mazda 626, had been boarded for write off and we await the Ministry of Finance's approval for a replacement.

GN 338, Mitsubishi Pajero, was recommended for trade in and request was forwarded to the Ministry of Finance. Later, towards the end of November last year, due to the high demand for vehicles and the late response from the Ministry of Finance, the Director of Public Prosecutions approved the repair and maintenance of GN 338 to assist and ease the transportation problems currently faced by the department, especially in headquarters.

Vehicle Registration	Age	Total Mileage as at 31/12/2012	Conditions of vehicles
GN 709	8 Years	66660	Excellent
			Good But needs maintenance

GM 992	10 Years	247,905	
GM 882	10 Years	419,952	Needs constant repair and maintenance
GN 338	8 Years	239,467	Good & Currently Under Repair
GN 596	6 Years	186,932	Good
GN 595	6 Years	163,695	Good – Needs maintenance
GP 120	1 Year	46343	Excellent
GM 709	Boarded for trade in and awaiting approval from Ministry of Finance for replacement		

As the courts are restructured and re-established, more court dates are allocated to our Legal staff and so they are more fully engaged in the preparation of their trials and hearings and this meant vehicles to cater for;

- Witness conferencing
- Crime scene visits
- Servicing of summons and affidavits
- Pick up of witnesses for trials
- Attending trials and cases related matters in the districts
- Administrative matters

The transport officer co-ordinates all vehicle requests after they have been approved by the Principal Administrative Officer. This is to ensure that all runs made are approved and all requests are attended to and targets for the day met. In instances where all official vehicles are engaged, taxis are hired.

TRAINING

Training is a critical component of the ODPP's learning and development programme and all officers no matter how senior are expected to participate. In addition, senior officers are at times expected to attend and deliver presentations at international meetings.

The maintenance of a senior group of prosecutors through appropriate training is considered an essential element in establishing an effective prosecution service.

Details of the years training activities are as follows:

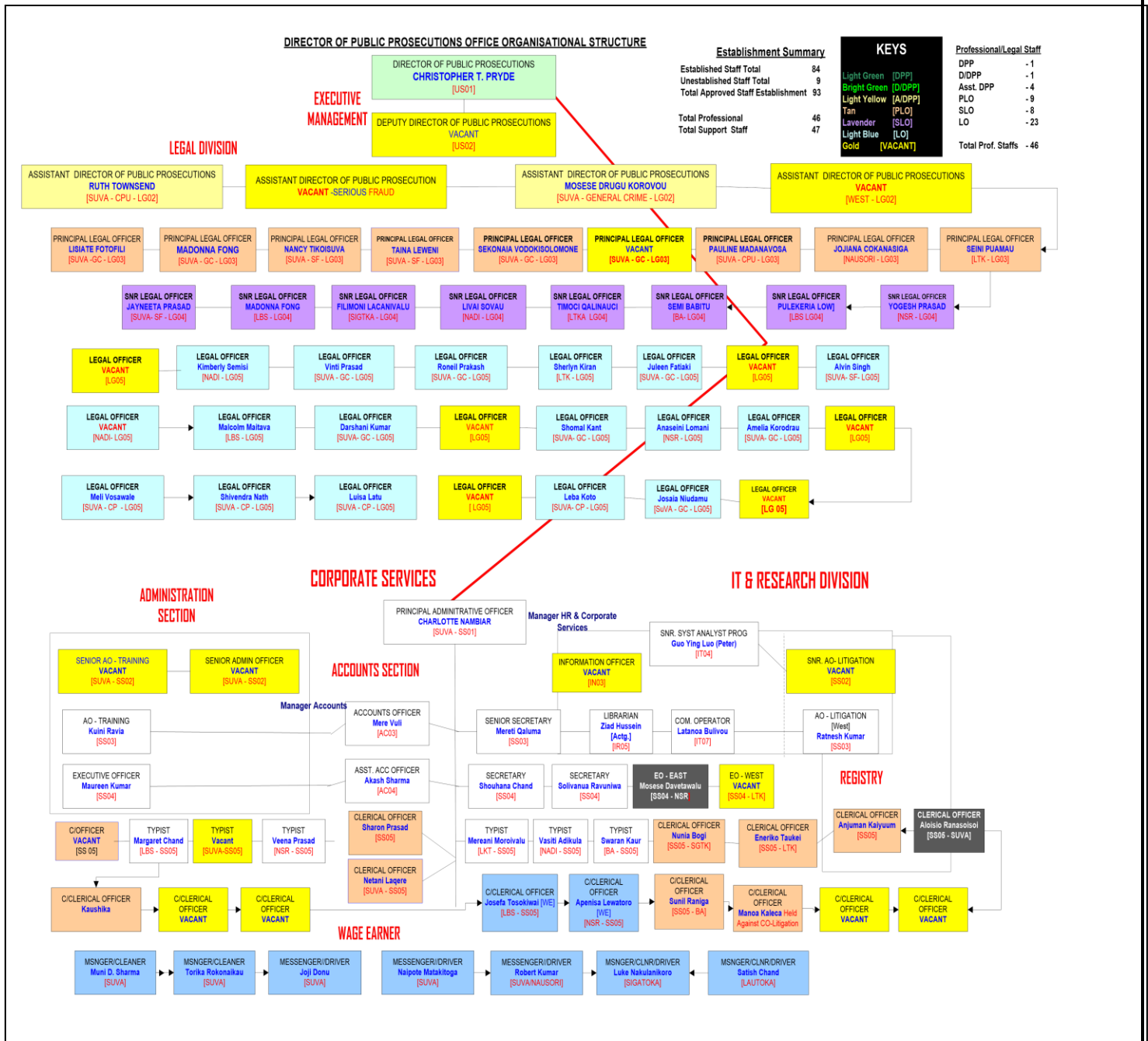
DATES	WORKSHOP	PLACE	ATTENDEES	FACILITATORS
27th January	Copyright Act	Holiday Inn	All Legal Staff & selected Police officers	N. Shameem A. Tuiketei
7-8 Feb	Litigation Skills for Legal Practitioner	ILSC	Josaia Niudamu Jayneeta Prasad Amelia Korodrau	ILSC N. Shameem A Tuiketei
8-9 FEB	Litigation Skills for Legal Practitioner	ILSC	Meli Vosawale Shivendra Nath Luisa Latu Alvin Singh	N. Shameen A. Tuiketei
24 Feb	Expert Evidence	De Vos on the Park	All Legal Staff & 10 Police Prosecutors	N. Shameem A. Tuiketei
17-24 March	HOPAC - Singapore [Heads of Prosecuting Agencies]	Grand Copthorne waterfront Hotel Singapore	DPP	AGC Singapore
30 March	Drafting Workshop	Southern Cross Hotel	Legal Staff & Police Prosecutors	N. Shameem A. Tuiketei
17-19 April	IAP [International Association of Prosecutors]	Taipei Taiwan	DPP	IAP Organisers Taiwan
25-25 April	Litigation Skills W/Shop	ILSC	Jojiana Cokanasiga Livai Sovau	N. Shameem A. Tuiketei
9-11 May	ICAC Symposium	Hong Kong	DPP & A/DPP Mosese Korovou	ICAC Hong Kong
22 June	Stay Proceeding, Cost & Recusal Application	Fiji Police Academy	Legal Staff & police	N. Shameem A. Tuiketei

			Prosecutors	
16-20 July	APG [Asia Pacific Group on Money Laundering]	Brisbane Australia	Nancy Tikoisuva	APG Organisers
24 August	General Offences & Procedures	GCC Members Lounge	Legal Staff & Police Prosecutors	N. Shameem A. Tuiketei
28 Sept.	Legal Drafting	GCC Members Lounge	Legal Staff & Police prosecutors	N. Shameem A. Tuiketei
15-16 Oct	Litigation Skills W/Shop	ILSC	Vinti Prasad Roneil Prakash Shomal Kant Juleen Fatiaki Darshani Kumar	N. Shameem A. Tuiketei
26 Oct	Domestic Violence Decree	GCC Members Lounge	Legal Staff & Police Prosecutors	N. Shameem A. Tuiketei
9-21 Nov	Legal Conference “Criminal Law Conference”	Conrad Hotel Hong Kong	DPP	Dept. Justice, Hong Kong
29-30 Nov	Money Laundering	De Vos On the Park	Legal Staff & Police Detectives & Prosecutors	N. Shameem A. Tuiketei
7-8 Dec	AG’s Conference	Inter Continental Hotel	All Legal Staff	Various
Jan-Dec	Professional Officers Talanoa (POTS) Session Every Friday – 1 st to 3 rd week only. This training is facilitated by the various units and is chaired by a senior officer.			

See Appendix, pg 53 & 54 for Training Pictures.

None of the corporate staff attended any training. However several corporate staff were enrolled in courses at the Fiji National University (FNU). Four corporate staff graduated with Degrees or Diplomas from the FNU.

ORGANISATIONAL STRUCTURE AS AT DEC. 2012



QUARTERS

Allocation of quarters is always regarded as an incentive for staff. Officers who were transferred to the districts were always allocated government quarters. In cases where no government quarters were available, rental accommodations were provided.

Officers who currently occupy quarters are:

1. Mosese Korovou	-	ADPP	-	Suva
2. Anaseini Lomani	-	LO	-	Nausori
3. Filimoni Lacanivalu	-	SLO	-	Sigatoka
4. Livai Sovau	-	SLO	-	Nadi
5. Semi Babitu	-	SLO	-	Ba
6. Seini Puamau	-	PLO	-	Lautoka
7. Timoci Qalinauci	-	SLO	-	Lautoka
8. Madonna Fong	-	PLO	-	Labasa
9. Pulekeria Low	-	SLO	-	Labasa
10. Malcolm Maitava	-	LO	-	Labasa
11. Josefa Tosokiwai	-	Driver	-	Labasa

Officers pay a rental of **8%** of their annual salary.

ODPP IT

- **Internet Connection**

The new connection from Gunu House to Suvavou House boosted the Internet speed and reliability. The installation and configuration was done by ITC Services and TelNet Solutions in late July. Since then staffs at Gunu House barely face issues.

However, due to an issue with the Network Switch at Suvavou House in early January 2013, the connection was redirected to Quality House via an uplink cable (CAT 7). The cost was directed to ITC services.

- **Disposing of Old IT Equipment**

Old computers, CRT monitors, LCD screens, and other accessories were disposed at Lami Land Fill in September. This clears the office and creates more space for other items such as printer toners & cartridges.

- **Site Survey**

A three (3) day site survey was done in all the offices in Fiji – Nausori, Sigatoka, Nadi, Lautoka, Ba, Labasa, and Suva (Head Office) in August.

This survey was to observe and understand the current network infrastructure to make progressive and productive future decisions in various aspects – computers and printers that are available, and network settings.

In addition, maintenance work was done to offices that required doing so.

- **CASES Database - SQL Server 2008 R2 Installation**

ITC Services installed the software for accessing CASES database. Due to the critical information that's held in this office, backups are done and kept in ITC server in case of systems failure. Backups are done weekly or fortnightly.

- **Test Environment for CASES**

A test environment was configured in a computer (DPPSUVAPC003). Due to the complexity of CASES software it is hard to grasp its full potential and changes cannot be done to the LIVE system. Therefore, a modification to the test-system exhibits no threat. Through this we can make any changes without affecting the MAIN system, hence, maintaining data integrity whilst getting a better understanding of CASES.

- **TFL PBX System**

The Switch board in Government Building failed in November due to faulty parts. A temporary fix was done to revive it; however, the system is becoming obsolete. There were several meetings held with Telecom Fiji Limited (TFL) and other Government Ministries and Departments that are sharing the switch system.

An agreement has been reached to replace the existing system with a new one. The total cost is \$202439.78 and will be split according to the number of telephone extensions being used by each department. Since ODPP has 42 telephone extensions out of 286, which results to 15%, the amount to be paid is \$29,728.92.

- **Bio-Metric Fingerprint Time Attendance Machine**

The device that was taken from Labasa Office in August was fixed and returned to the office. Tests were done in Suva Office before dispatching. The device is used to capture new staff finger-prints, registering staff names and ID, updating database for daily time-in & time-out, and for generating reports.

- **New Photocopier for Head Office (Chile Protection Division) and Labasa Office**

A new photocopier was purchased for each office to replace old ones. These printers proved to be more efficient as the cost per page is lower and printing & scanning speed is higher, thus, shorten the time for completing such tasks. Both offices received a **Kyocera TaskAlfa 300i** printer. (*Purchasing List: pg: 20-21*).

- **Cabling for Lomanikoro House**

TelNet Solutions installed the cables (CAT 6) in December after the renovation in Lomanikoro House. The installation took place on 15/12/2012 and 16/12/2012. The cables were fitted into ducting along walls and adjacent to ceiling and walls then split to individual outlets for users. There were a total of thirty (30) outlets installed. The remaining materials were returned and kept in IT Section for future use. (*Purchasing List: pg: 20-21*).

- **Printer**

The Nausori Office and the Secretary to the Director of Public Prosecutions (ODPP) were given a multi-function printer and fax (Hp). The printer was bought to accommodate the urgent need of faxing as our Nausori office old fax machine became obsolete and no longer can be fixed or serviced by the supplying vendor. The old multi-function printer and fax (Samsung) that was previously used by the Secretary to Director of Public Prosecutions was relegated to the General Crimes Unit (GCU) as they had recently installed a new fax

line. Both machines were bought from Bondwell Computers at the price of **\$595.00 x 2 = \$1,190.00**

- **Flashnet /iPad/Laptop**

Eight (8) new Flashnets (Vodafone Internet Modems) were purchased for Lautoka, Labasa, Nausori, GCU, CPU, SFU, Secretary to the Director of Public Prosecutions and Corporate Services to help them in carrying out researches especially when government network is down (or slow) or visit sites (case related) that are blocked by websense (ITC web server). Vodafone provided the flashnet device plus the sim card for free whereas the office pays the monthly rental.

The office provided an **iPad 2** upon the Director's request for the purpose of overseas travelling and being able to be contacted via email whenever he is out of the country. The apple product (iPad 2) was purchased from Vodafone at the price of **\$1,999.00**, including a Dell 10 inch Notebook Laptop which was bought from Office Products at the price of **\$1995.00**.

- **Toner/Cartridges**

The office usually gets its toners from the following companies: Office Products, Bondwell Computers, South Pacific Business Lanier, Copyer Marketing and Ricoh Business.

- **Network Cabling**

The newly furnished Reception area at the ground floor of Gunu House Building required a network port plus a phone port; whereby DATEC provided the cabling. Telnet Solutions provided network cabling for wireless antenna that was installed; this was highly recommended by the ITC Services network team.

- **Service/Repair**

Photocopiers have been serviced regularly. Our Samsung scx6320 are serviced by Copyer Marketing and our Lanier MP4001/MP5001 are serviced by Lanier South Pacific Business.

Asset Management

- **Fixed Asset Purchasing**

The office purchased a number of fixed assets for the year 2012. The items were bought in accordance with procurement policies of the government.

The items bought are as follows:

Asset Identity	Quantity	Distribution List
Executive Chairs	41	25- Suva, 8- Lautoka, 4-Nadi, 4- Ba
Visitor's Chair	4	Sigatoka
Workstation- L Shaped	9	Suva
Coffee Table	1	Ba
Filing Cabinet- Steel (4 Drawer)	4	Suva
Mirror Full Length	1	Ba
Book Shelve Built in	1	Suva
Suitcase for Legal Officers	10	Suva
Water Aqua	8	4- Suva, 1-Lautoka, 1- Nadi, 1 - Ba, 1- Sigatoka
Microwave	6	3- Suva, 1- Lautoka, 1- Ba, 1- Sigatoka
Electric Kettle	2	1- Ba, 1- Nadi
2 Door Refrigerator	1	Suva
Bar Freezer	1	Sigatoka
Vacuum Cleaner	2	1- Ba, 1- Nadi
6x4 Whiteboard	1	Labasa
3x2 Whiteboard	4	Suva
Big Stapler	1	1- Nadi
Paper Punch	2	1- Suva, 1- Nadi
Binding Machine	2	1- Suva, 1- Sigatoka

Maintenance and repair of office furniture was also carried out as and when required.

Total cost incurred for purchase of above items was **\$9684.00**

- **Mobile Phones**

Twelve mobile phones were issued to ODPP staff to enable better communication in the office.

- **Board of Survey**

The Board of Survey for 2012 was conducted in all ODPP offices. The survey for the Western Office was conducted on the 24/10/12 and 25/10/12, North on the 28/11/12, Nausori on the 14/12/12 and Suva on the 22/11/12.

- **Renovation of Buildings**

The Corporate Services section, currently located in Lomanikoro House, (wooden building beside PWD Maintenance) is currently being renovated. Renovations started on 1/11/12.

The administration staff was issued with new L shape tables and some with new chairs. The only work outstanding is the installation of the cubicles for each officer which is expected to be completed by the **first quarter of 2013**.

Purchasing List

Date (Minute)	Item Description	Vendor	Cost	Users
8/21/2012	Samsung scx 6320 toner	Bondwell	\$ 867.35	Suva, Sigatoka, Ba, Labasa, and Nadi office
	Samsung Drum Unit	Office Products	\$ 1,260.00	
	Dell Laserjet 113x	Office Products	\$ 950.00	Lautoka office
8/28/2012	Outdoor unit with PoE Outdoor device with integrated antenna operating in 2.4GHz band according to FCC radio regulation, max Tx power 18dBm, supporting 5, 10, 20MHz channel BW	Photonix Communication Pty Fiji	\$ 5,376.79	Gunu House
9/3/2012	HP Office Jet 7500A	DATEC Fiji Ltd	\$ 652.00	Ms. Ruth Townsend
9/6/2012	Toners - Q2612A, CE505A, CE285A, Q2610A, Q6511A, C6656A	Imaging Technologies	\$ 5,657.75	Suva, Sigatoka, Ba, Labasa, and Nadi office
	Toners - Q6000A, SCX-6320D8, TK-715, DQ-TU 10J	Bondwell Fiji Ltd	\$ 5,046.70	
9/13/2012	Computer Memory (RAM) DDR 1GB 400	Bondwell	\$ 77.00	Mere Vuli
9/17/2012	Computer Memory (RAM) DDR 1GB 400	Bondwell	\$ 154.00	IT Computers
	Team Elite 1GB DDR2 RAM	Daltron	\$ 122.00	
9/27/2012	HP LaserJet MFP 175A	Bondwell	\$ 699.00	DPP
10/15/2012	USB Mouse	Bondwell	\$ 60.00	Computer Parts
	Kingston 8GB	Bondwell	\$ 180.00	
	Cliptec 2.5" HDD Case	Office Products	\$ 19.00	
	Transcend 3.5" Sata HDD Case (with Cooling Fan)	Office Products	\$ 70.00	
	Cliptec USB Keyboard	Office Products	\$ 150.00	
	Mouse Pad	Office Products	\$ 35.00	
	3.0MP Webcam with MIC	Universal Electronics	\$ 66.00	

	KYOCERA TASKALFA 300i	Copyer Marketing Ltd	\$ 9,264.40	Child Protection Unit
	HP LASERJET P1606DN PRINTER	DATEC Fiji Ltd	\$ 1,220.00	Moses Korovou & Mere Vuli
	DELL V515W AIO PRINTER	Office Products	\$ 295.00	Maureen& Kuini
10/17/2012	HP OFFICEJET 7000 GENUINE BLACK INK CARTRIDGE 920-XL	Office Products	\$ 325.00	Ms Townsend's Printer
	Toner - CD972AA, CD973AA, CD974AA	Bondwell	\$ 495.00	
10/25/2012	Laptop Notebook	Office Express	\$ 22,841.00	Principal Level Officers
11/5/2012	Toner - CE310A, CE311A, CE312A, CE313A	Imaging Technologies	\$ 2,335.25	Printer toner for DPP and Library
	Toner - LANIER LD120D , MP4001	South Pacific Business Systems	\$ 1,287.00	Labasa, Serious Fraud & General Crime Unit
11/20/2012	Toner - DELL Inkjet V515w Black & Colour	Office Products	\$ 600.00	Maureen& Kuini
	HP LJ P1606dn Black Toner	Imaging Technologies	\$ 815.00	Moses Korovou & Mere Vuli
	SP3300S Black Toner	Ricoh	\$ 1,104.00	Library
	KYOCERA TASKALFA 300i Toner	Bondwell	\$ 1,003.70	CPD & Labasa
11/27/2012	Toner - Q6001A, Q6002A, Q6003A	Bondwell	\$ 2,775.00	IT Section
11/28/2012	Lanier MP4001 Printer Maintenance	South Pacific Business Systems	\$ 833.75	General Crime Unit (GCU)
12/4/2012	KYOCERA TASKALFA 300i	Copyer Marketing Ltd	\$ 9,264.40	Labasa Office
	Network Cabling Service	TelNet Solutions	\$ 5,106.01	Lomanikoro House
12/5/2012	DELL Mono LaserJet 1130 Printer	Office Products	\$ 149.00	Registry - Head Office
TOTAL			\$81,156.10	

ODPP LIBRARY

The office currently has one Library which is based at Headquarters in Suva. The library is only for the use of the Office of the Director of Public Prosecutions (ODPP) staff. However, the resources are made available to other stakeholders such as the Fiji Police Force, Fiji Military Forces, Fiji Independent Commission against Crime (FICAC) and in house lawyers in various Ministries upon request.

The main purpose of the Librarian is to accumulate updated resources to provide timely information and research materials in a timely manner to professional staff.

The Library budget was used to acquire subscriptions for legal texts from overseas publishers and for the purchase of statutes such as Penal Code from Government Bookshop and Government Printers. A major purchase for annotated laws was made from Chan Law.

- **Acquisition**

In this category, the library currently holds Local Acts, Bills, Supplement, Ordinances and Supplements from 1970. In addition, the collection includes the Laws of Fiji, Halsbury's Statutes of England (3rd Ed) and Halsbury's Laws of England (4th Edition).

The Library also holds local precedents from High Court of Fiji (Suva, Lautoka and Labasa), Fiji Court of Appeal and Supreme Court of Fiji (Bound Volumes) from 1977 to date.

Apart from a collection of local judgments, the library has a collection of Law reports such as All England Law reports, Australian Criminal Reports, Australian Law Reports, Australian Law Journal, Appeal Cases Reports (AC), Criminal Appeal Reports, Criminal Appeal Reports (sentencing), Criminal Law Review, New Zealand Law Reports, Queensland Law Reports and Weekly Law Reports.

- **Inter-Library Loan**

The Library borrows and lends legal textbooks and reports to the High Court Library and Attorney-General's Library on inter-library loans, which is over-night or for the weekends.

- **Library Resources**

The Library service was further upgraded with a multi-functional scanner and photocopier. This machine will be used to convert all the signed hardcopy of local judgments into electronic format to be kept in our server.

- **Library Staff**

A new staff member was transferred from the Attorney-General's Chambers as an Acting Law Librarian. He has been given the responsibility to re-arrange the library, making it more user friendly and to catalogue all the law text books in the library.

- **Internet**

The library has internet facilities for research of local and international cases, legislations and Acts. This facility has made it a lot easier for the professional officers to prepare their appeal arguments and to prepare for legal submissions.

- **Collection Development**

The Librarian in consultation with Deputy DPP and Assistant DPP carries out the following tasks for the development of library's collections:

- Evaluation and Selection of new law textbooks, law reports and Journals.
- Monitoring of new information sources such as those on the internet.
- Accessioning and Cataloguing of Law text books.
- Sorting, Indexing and Binding of Local Government Gazettes, Supplements, Decrees and all local judgments.
- General maintenance of library law texts and reference materials, including discarding of outdated publications, repairing of text books, compiling the office system with recent case judgments and upgrading of general library outlook and its organization of library materials.

ODPP REGISTRY

The Registry (litigation) statistics for all cases handled by the ODPP are detailed as stated below.

1. Total number of Suva Files opened for 2012	994
2. Total Closed for Suva files opened in 2012	330
3. Total number of files closed for 2012 including previous years	598
4. Files opened in 2012 carried forward to 2013	664
5. Total number of files forwarded to 2013 including previous years	1811

Suva closed files

Category of Charge	No. Closed
Abduction	1
Abortion	1
Absconding	9
Aggravated Burglary	5
Aggravated Robbery	1
Assault/ Wounding	66
Breach of Bail	4
Child Sexual Offence	44
Computer Offences	1
Concealing False Govt. documents	0
Copyright	2
Criminal Damage	10
Dangerous Driving	9
Dangerous Driving Causing Death	3
Drugs	20
Extradition	0
Fraud	59
Gambling	1
Homicide	10
Human Trafficking	0
Infanticide	0
Money Laundering	0
Mutual Assistance	0
Public Order Offences	16
Perverting the Course Justice	0
Proceeds of Crime	0
Prostitution Offences	1
Robbery	162
Sexual Assault	59
Theft	56

Traffic	28
Other	30
Total	598

Closed Files in Detail as per COURT results

As per CASES results	No. Closed
Appeal Allowed	5
Acquitted	16
Appeal Dismissed	23
Appeal Partially Allowed	9
Application Allowed	3
Application Dismissed	12
Appeal Withdrawn	7
Bail Allowed	28
Bail Refused	31
Charge Withdrawn	48
Convicted	10
FCA Deemed Abandoned	2
Discharged	15
Docket to DPO	186
FCA Leave Dismissed	3
No Case to Answer	1
Nolle Prosequi	16
Proceeding terminated	1
Sentenced	116
Advised rendered	48
File Data entry errors	18
Total	598

Nausori closed files

Category of Charge	No. Closed
Abduction	1
Assault/ Wounding	16
Breach of Bail	1
Child Sexual Offence	4
Criminal Damage	4
Drugs	3
Fraud	4
Homicide	2
Robbery	12
Sexual Assault	24
Theft	12
Traffic	3
Other	5
Total	91

Closed Files in Detail

As per CASES results	No. Closed
Acquitted	2
Advise rendered	11
Withdrawn	9
NolleProsequi	4
Dkt to DPO	19
Appeal Allowed	1
Appeal Withdrawn	1
Bail Allowed	4
Bail Refused	1
Sentence and conviction	22
Discharge	4
FCA Leave Dismissed	1
No Case to Answer	1
Parties Reconciled	4
Registry error	7
Total	91

OFFENCES PROSECUTED AND CLOSED FOR THE YEAR 2012

Category of Charge	HQ	WEST	EASTERN	NORTH	TOTAL
Abduction	1	5	1	6	13
Abortion	1				1
Absconding	9				9
Aggravated Burglary	5	16		3	24
Aggravated Robbery	1	38		21	60
Assault/ Wounding	66	12	16	26	120
Breach of Bail	4		1		5
Child Sexual Offence	44		4	3	51
Computer Offences	1				1
Concealing False Govt. documents					
Copyright	2				2
Criminal Damage	10	4	4	13	31
Dangerous Driving	9	1		3	13
Dangerous Driving Causing Death	3	1		1	5
Drugs	20	3	3	2	28
Extradition					
Fraud	59	2	4	9	74
Gambling	1				1
Homicide	10	7	2		19
Human Trafficking					
Infanticide					
Money Laundering					
Mutual Assistance					
Other					
Perverting the Course Justice					
Proceeds of Crime					
Prostitution Offences	1				1
Public Order Offences	16				16
Robbery	162	1	12		175
Sexual Assault	59	35	24	39	157
Theft	56	5	12	5	78
Traffic	28	1	3	5	37
Other	30		5	8	43
HAM,HAA		231			231
TOTAL	598	362	91	144	1195

#	EVENT	HQ	WEST	NORTH	EAST	TOTAL
1.	Total number of Files opened for 2012	994	529	229	211	1963
2.	Total Closed files opened in 2012	330		85	33	448
3.	Total number of files closed for 2012 including previous years	598	362	144	91	1195
4.	Files opened in 2012 carried Forward to 2013	664		144	178	986
5.	Total number of files forwarded to 2013 including previous years	1811	377	426	416	3030

Western Division Report

The Western Division Report shows the activities undertaken by the Office of the Director of Public Prosecutions throughout the Western Division in 2012.

1. Cases pending in the High Court in the Western Division.

ODPP CASES IN WESTERN DIVISION AS AT 1st JANUARY TO 31ST DECEMBER 2012

TYPE	Cases pending as at 31 st December 2011	Files initiated 2012	Files Disposed 2012	Cases Pending as at 31 st December 2012
Criminal (HAC)	126	161	89	198
Criminal Appeal (HAA)	-	36	23	13
Criminal Miscellaneous (HAM)	4	279	208	75
GRAND TOTAL	130	476	320	286

<u>TYPE</u>	<u>DISPOSED</u>
High court trials	25
Guilty pleas/sentencing	21
Nolle Prosequi	4
Transferred to Magistrate Court section 402 CPD	38
Miscellaneous (Stay application, bail applications, Leave to appeal out of time, bail pending appeal	208
Appeal	23
Discharged	1
TOTAL	320

WESTERN DIVISION ADMINISTRATIVE MATTERS

- **Witness Allowance**

The figures below shows the amount of money currently spent between **1st January 2012 to 31st December 2012**. This related to the current High Court and Magistrate Court trials in the Western Division.

Witness Claims ODPP Office 2012

	BA	LAUTOKA	NADI	SIGATOKA
January	NIL	\$1797.62	NIL	NIL
February	NIL	\$495.10	\$113.40	NIL
March	\$75.50	\$10789.85	NIL	\$881.40
April	\$701.90	\$11698.72	\$953.00	\$1609.20
May	\$410.20	\$3034.27	\$669.40	\$454.50
June	\$849.50	\$7701.40	\$1507.30	\$1614.50
July	\$47.80	\$1439.13	\$29.40	NIL
August	\$256.70	\$1661.36	\$36.00	\$194.60
September	\$124.00	\$464.72	NIL	\$464.60
October	NIL	\$3512.58	NIL	\$341.30
November	\$843.20	\$2441.40	\$60.00	\$125.00
December	\$289.90	\$289.26	NIL	\$164.50
TOTAL	\$3598.70	\$45325.41	\$3368.50	\$5849.60

- The total amount paid till 31/12/2012 for both Magistrates Court and High Court trials is **\$58142.21**
- Witness allowances paid by the Lautoka office relates mainly to trials in the High Court.

- **Transport**

There are 2 vehicles GP120 &, GN596 used for transportation in the Western Division. These vehicles were used for transporting Legal Officers to and from Magistrate Courts in the Western Division and High Court in Lautoka.

These vehicles are used for administrative runs and to cater for request for transport from Suva and Labasa office. There have been strict measures put in place to control vehicle runs in order to minimize expenses and unnecessary runs. There were daily runs made to the High Court as the Legal Officers were appearing for their files and conducting trials before 2 criminal Court judges.

The vehicles have been used for transporting witnesses and staff at the request of our Suva office.

The budget allocation for fuel and oil for the Western Division was \$917.00 per month accumulating to \$11,004.00 annually. The total expenditure for fuel, oil, repairs, servicing for the western vehicles was \$18848.96. The Western Division had overspent the fuel and oil allocation for last year by \$7844.96.

- **Electricity**

The yearly budget for the electricity for the Western Division was \$10,008.00. The total expenditure for Electricity for the Western Division was \$7090.92.

The overall bill has decreased for all our office in the western division. Controls such as switching off the lights in daylight, computers and air conditioning after work and opening of blinds/curtains during the day were put in place to avoid excessive bills. The Lautoka office bill payments are done by IDC Clearance with the judicial department.

- **Telephone**

The Western Division has a budget of \$47,640.00 annually. The total expenditure for Western Division for the year 2012 was \$29872.67

There has been slight increase in expenditure compared with bills in 2011 but the western division has been well within the allocated budget.

The Lautoka and Ba Offices incur high telephone bills as their internet line incurs a rental fee of \$506.00 a month. Lautoka incurs a higher bill because, in addition, to being the Headquarters for the Western Division with a greater number of staff; all legal officers travel regularly through the Office and make calls to their Investigating Officers; Police Station Officers; Police Crime Officers; the Prisons and Correction Services; colleagues at the Bar and within the Office of the Director of Public Prosecutions nationwide.

- **Other Matters**

(a) General Office Stationary

There is sufficient supply of stationary in all the offices.

(b) Attendance & Discipline

Punctuality and discipline is not a concern. Every officer in the Office of the Director of Public Prosecutions (ODPP) Western Division (Admin & Legal) has shown exemplary commitment and compliance with office directives from the Director of Public Prosecutions (DPP) and PSC Rules and Regulations.

(c) Vehicle

The Ba office has also matters in Rakiraki and Tavua Magistrates Court and there is need for a full time vehicle to be stationed in Ba. This will assist the legal officers to appear for their matters in Courts. The Lautoka vehicle is currently doing runs for the Ba office and at times assistance is sought from the Sigatoka office.

Northern Division Report

The Northern Division Report shows work undertaken by the Office of the Director of Public Prosecutions in their Northern Offices in 2012.

The details are categorised as:

- | | |
|--|-----|
| 1. Total number of Labasa Files opened for 2012 | 229 |
| 2. Total Closed for Labasa files opened in 2012 | 85 |
| 3. Total number of files closed for 2012 including previous years | 144 |
| 4. Files opened in 2012 carried forward to 2013 | 14 |
| 5. Total number 2012 files forwarded to 2013 including previous years
(Most FCA Matters was handled by Suva HQ) | 426 |

Advise Cases

- | | |
|--|-----|
| 6. Total number of advice files 2012 opened | 62 |
| 7. Total number of advice files closed 2012 | 43 |
| 8. Total number of advice files previous years forward to 2012 | 81 |
| 9. General total number of advice files registered Including X/Files BF-2012 | 143 |

1. Types of Offences /Court of Appeal, High Court & Magistrates' Court

Court of Appeal – Category of Offences	Registered	Closed Cases	No Cases Pending
AWITCGBH	1		1
Murder	2	1	2
Rape	2		2
Robbery with Violence	3		2
Drugs	1		1
Theft	1		1
Total	10	1	9

Magistrates' Court Cases/Advises-Type of Offences	Registered	Closed Cases	No Cases Pending
A/Abortion	1	0	1
A/Female	11	4	7
Abduction	7	6	1
Abuse of Office	1	0	1
ACABH	5	3	2
ACBDH/AITCGBH	4	0	4
Act with intent to cause Grievous Harm/B Harm	9	8	1
Aggravated Robbery with Violence/burglary	9	6	3
Alleged Murder	1	0	1
AOABH	7	6	1
Arson	5	2	3
Assault/C/Assault	9	6	3
Careless Driving	6	1	5
Causing Death By Dangerous Driving	9	0	9
Child Sexual Assault	11	0	11
Conversion	3	1	2
Criminal Intimidation	8	5	3
Criminal Trespass	6	1	5
Damaging Property	8	4	4
Dangerous Driving	7	3	4
Dangerous Driving Occasioning Death/GBH	8	1	7
Defilement	18	1	17
Driving motor vehicle under influence of liquor/drug	1	1	0
Embezzlement	1	1	0
Forcible Entry	2	1	1
Forgery	7	1	6
Found In Possession of Illicit Drugs	2	1	1
Fraud	6	0	6
GFIP/Servant	1	1	0
Illegal Dumping of Waste	1	0	1
Illegal Poultry farming	1	0	1
Indecent Assault	7	1	6
Indecently Annoying female	6	3	3
Injuring Animal	1	1	0

Larceny By Servant/Larceny	17	2	15
Lunatic	1	0	1
Meeting without permit	2	0	2
Money Laundering	1	0	1
Negligent Act	2	1	1
O/ Course of Justice	1	1	0
OMBFP	6	1	5
Rape	87	6	81
Sodomy	1	1	0
Theft	36	11	25
Total	346	78	268

Appeal Cases /Misc -Type of Offences	Registered	Closed Cases	No Cases Pending
ACABH	1	1	
Aggravated Robbery	5	5	
AOABH	2	2	
Application/Accused/State-Exhibits	1	1	
AWITCGH	3	3	
Burglary	3	3	
Careless Driving	2	2	
Conversion	3	3	
Costs	2	2	
Criminal Trespass,	1	1	
Defilement	1	1	
Driving under the Influence of Liquor/Drugs	1	1	
Drugs	1	1	
Failing to Report accident	1	1	
In decent Assault	3	3	
Murder/Misc application	5	5	
OMBFP	3	3	
Rape	3	2	1
Theft	2	2	
Total	43	42	1

NORTHERN DIVISION ADMINISTRATIVE MATTERS

The statistics below refers to tasks undertaken by Administration Section of the Northern Division between 1st January 2012 to 31st December 2012.

1. Total Number of Files per Quarter

Files	1 st Quarter	2 nd Quarter	3 rd Quarter	4 th Quarter
Total Closed	43	28	78	43
Total Pending	326	320	377	306
Total Files	369	348	455	438

2. Witness Allowance Returns – High Court & Magistrate Court

High Court

Total Witness Allowance – 1 st quarter	Total Witness Allowance – 2 nd quarter	Total Witness Allowance – 3 rd quarter	Total Witness Allowance – 4 th quarter
\$2,467.00	\$6,413.30	\$3,817.00	-

Magistrates' Court

Total Witness Allowance – 1 st quarter	Total Witness Allowance – 2 nd quarter	Total Witness Allowance – 3 rd quarter	Total Witness Allowance – 4 th quarter
\$3,286.40	\$4,125.90	\$30,124.20	\$10,124.40

Total Witness Allowance – High & Magistrates’ Court

Total Witness Allowance – 1 st quarter	Total Witness Allowance – 2 nd quarter	Total Witness Allowance – 3 rd quarter	Total Witness Allowance – 4 th quarter
\$5,753.40	\$10,539.20	\$33,941.20	\$10,124.40

- **Vehicle Service, Repair and Fuel**

The total fuel and repairs carried out on vehicle GM992 are as follows:-

Fuel/Oil

Total Fuel – 1 st quarter	Total Fuel – 2 nd quarter	Total Fuel – 3 rd quarter	Total Fuel – 4 th quarter
\$2,926.70	\$2,408.60	\$3,385.46	\$2,310.90

Vehicle Repair-GM992

Total Repair – 1 st quarter	Total Repair – 2 nd quarter	Total Repair – 3 rd quarter	Total Repair – 4 th quarter
\$1,978.20	\$4,648.70	\$1,606.54	\$2,348.10

Total Amount of Fuel and Repair

Total Amount – 1 st quarter	Total Amount – 2 nd quarter	Total Amount – 3 rd quarter	Total Amount – 4 th quarter
\$4,904.90	\$7,057.30	\$4,992.00	\$4,659.00

- **Electricity and Water Bill Return**

FEA

Total FEA – 1 st quarter	Total FEA – 2 nd quarter	Total FEA – 3 rd quarter	Total FEA – 4 th quarter
-	\$1,580.60	\$827.60	\$1,551.64

Water

Total Water Bill – 1 st quarter	Total Water Bill – 2 nd quarter	Total Water Bill – 3 rd quarter	Total Water Bill – 4 th quarter
-	\$48.97	-	\$208.47

Total Amount of FEA and Water Bill

Total Bill – 1 st quarter	Total Bill – 2 nd quarter	Total Bill – 3 rd quarter	Total Bill – 4 th quarter
-	\$1,629.57	\$827.60	\$1,760.10

Other Issues

a) Attendance & Discipline

Punctuality and discipline – every officer at ODPP, Labasa (Admin & Legal) engage commitment and dedication to the core functions of the office. Attendance registrar is been used by all officers in an appropriate manner.

(b) Office Vehicle – GM992 & GN 338

The office vehicle GM 992, was in use for 12 years, has been maintained and in running condition. Submissions were made for the replacement of the vehicle which was approved by the Director of Public Prosecutors and GN338 was sent as a replacement.

(d)Office Stationeries/Equipment

There is sufficient stationary which is supplied by our Head Office. All officers are reminded to economize the use of stationeries and other office resources.

(e)Office Rules

All officers have been reminded to abide by instructions and rules set out by Office of the Director Public Prosecutions (ODPP).

CONCLUSION

The Office of the Director of Public Prosecutions (ODPP) is an independent office and responsible for prosecuting criminal cases in the Magistrates Court, the High Court and appeals before the Court of Appeal and the Supreme Court.

The office comprises of Professional and Corporate staff. The ODPP also handles complaints against police and prison officers and provides written advice to the Commissioner of Police, to Director C.I.D and to other government departments' and statutory organizations.

The ODPP also considers written representations concerning criminal cases from complainants, defendants or from their lawyers.

APPENDIX

Budget 2012

DETAILS OF EXPENDITURE					
	Actual 2011	Revised Estimate 2012	Estimate 2013	Projections 2014	2015
Head No. 14 - OFFICE OF THE DIRECTOR OF PUBLIC PROSECUTIONS					
Programme 1 - Policy and Administration					
\$000					
ACTIVITY 1 - General Administration					
(Expenditure Account Number: 14-1-1)					
1. Established Staff	1,891.0	2,601.7	2,659.0	2,659.0	2,659.0
2. Government Wage Earners	127.1	162.9	147.5	147.5	147.5
3. Travel and Communications	176.0	239.4	254.4	254.4	254.4
4. Maintenance and Operations	248.8	317.2	327.2	327.2	327.2
5. Purchase of Goods and Services	487.6	1,237.6	1,286.6	1,286.6	1,286.6
6. Operating Grants and Transfers	0.0	0.0	0.0	0.0	0.0
7. Special Expenditures	100.0	140.3	135.0	130.0	130.0
TOTAL OPERATING	3,030.4	4,699.2	4,809.7	4,804.7	4,804.7
8. Capital Construction	0.0	0.0	0.0	0.0	0.0
9. Capital Purchase	0.0	0.0	0.0	0.0	0.0
10. Capital Grants and Transfers	0.0	0.0	0.0	0.0	0.0
TOTAL CAPITAL	0.0	0.0	0.0	0.0	0.0
13. Value Added Tax	157.2	288.6	299.7	299.7	299.7
TOTAL EXPENDITURE	3,187.6	4,987.8	5,109.4	5,104.4	5,104.4
Staff Summary					
		2012	2013		
Approved Established Posts		84	84		
Approved Government Wage Earners		9	9		

Source: (Fiji Budget Estimates 2013, pg: 82)

YEAR IN SUMMARY



"Money Laundering" (Nov, 2012) Training at Devos on the Park,



"Dealing with Fraud" (Sept, 2012) Training at GCC Training Room

Comments and enquiries should be addressed to:
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