



THE OFFICE OF THE DIRECTOR OF PUBLIC PROSECUTIONS

An Address by the Director of Public Prosecutions, Mr Christopher Pryde, at the Opening of the Basic Prosecution Course for Police Investigators – 1st March 2021 at the Government Training Centre, Nasese

The Director CID, SSP Mesake Waqa;

The Course Facilitator, Mr Yogesh Prasad;

Course Participants.

1. First, let me welcome each of you to the first of two 6-week courses that the Office of the Director of Public Prosecutions (ODPP) is running for the benefit of police investigators and those who supervise police investigations and let me also congratulate each of you for volunteering to be part of this course.
2. Your participation in this course represents a commitment by you to ensuring that your investigations result in the right people being arrested, being brought before the courts and being convicted. Better investigations lead to better trials which results in greater numbers of convictions, safer communities and more confidence in the police by the public.

3. Your participation also represents a recognition by the Acting Police Commissioner that police investigations must improve.
4. So, I extend my thanks and gratitude to the Acting Police Commissioner for this recognition and also the Director CID for selecting you for this course. There are 45 of you and I have every confidence you will complete the course with flying colours.
5. Why is the ODPP running the course? The process from investigation to arrest to conviction and sentence is not a relay race where once you have passed the baton to us you drop back for us to finish the race. This is a walk that we take together and at the same pace and where we finish at the line together.
6. This course is important because we are only as good as you. If you fail, we fail. If you succeed, we may still fail not because we have not done our jobs, but because the threshold we have to meet in the court of guilt beyond reasonable doubt has not been reached and this can be for many reasons because it is a very high threshold to meet. But it is appropriately high. We do not want innocent people to be convicted and therefore, sometimes, despite our best efforts, we cannot quite make it over the finishing line. We accept that not all cases can make it but that does not stop us from trying to ensure that every investigation and every prosecution is completed with the same perseverance and determination as the last. We are in this together so we must work together.
7. The course will cover topics from a prosecution perspective. This is not an investigators course; we are not here to teach you to suck eggs. We are here to help you understand investigations from a prosecution perspective. The aim of any police investigation must ultimately be the arrest and the bringing to court of a suspect in order to secure a conviction and sentence. Therefore, we hope that by completing these courses, you will have a better insight into the challenges that we face in the ODPP in terms of bringing the matter to court in order to prosecute

a suspect. We hope this insight will assist you in thinking of how to go about improving your investigation with the knowledge of how we need to deal with your investigation in court.

8. There are three areas that I would like you to consider when you are doing this course.
9. First, the investigation is not truly finished until the matter has been finally disposed of in court. This means maintaining a strong working relationship with the ODPP officer in carriage. It means being ready to assist in relooking at areas of the investigation which might be deficient. Some areas that we have seen difficulties with recently have been, for example, not following proper identification procedures of suspects; has an ID parade or some other form of identifying the suspect been completed if an ID parade is not possible? Has the chain of custody been protected when drugs have been seized from a suspect? Has the caution interview been conducted fairly and in accordance with standard operating procedures? Have all areas of the investigation been covered? Are there any other areas of potential investigation which should be looked into? These aspects of an investigation should be in your minds at all times during an investigation because it is failings in these particular areas that most often cause us to lose in court.
10. Second, am I providing good follow-up notes on the file and am I ensuring witnesses remain available over the period from the complaint being filed to the matter being listed in court? Too many times, summonses are sent at the last minute (this should be done right away) then, on the eve of trial there is a flurry of frantic activity when we realise the witness cannot be located.
11. Third, have I discussed the outcome of the case in court with the DPP officer? A debrief is invaluable. Whenever a matter is completed, all DPP officers must return the docket to the Director CID and they must supply a letter to the DCID outlining what happened in the case. If there has been a conviction, there will be a copy of the judgment and the

sentence. If there has been an acquittal or a nolle filed, the reasons for the acquittal or nolle. It is important that you discuss the letter with the DPP officer in carriage. It would also be good if you read the judgment and sentence but if there is no time, it can be explained briefly to you by the officer in carriage. My officers have been told to assist all police investigators in terms of debriefs of cases. In this way, we can all learn from our mistakes so that they are not repeated.

12. Remember, we are all working for the same cause and we all have an interest in seeing that investigations are properly conducted and the right people are arrested, convicted and sentenced. This can only happen when we work together and when we understand how each of us in our own areas of expertise comes together.
13. Thank you again for agreeing to participate in the course. We value your participation and look forward to the opportunity to further strengthen the relationship between police and prosecution.

Vinaka Vakalevu.

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