



Office of the Director of Public Prosecutions



ANNUAL REPORT

2017



DIRECTOR'S FOREWORD



Director of Public Prosecutions, Mr Christopher Pryde

A long-standing challenge for the Office of the Director of Public Prosecutions (ODPP) has been the requirement to prove at a voir dire hearing that a confession by a suspect to the police has been given voluntarily. The voir dire hearing process is time consuming and requires proof beyond reasonable doubt that statements made to police under caution were voluntary. If any statement is found not to be voluntary it is excluded by the court and cannot be relied on at trial.

In 2016, the police began a pilot project supported by the United Nations Development Programme (UNDP) and the British High Commission to digitally record police caution interviews to further safeguard the interview process and to provide the court with a clear and accurate record of the interview. One copy of the record is given to the defence, one to the court, and one is kept on the file. The recordings are transcribed and copies of the transcription are also provided to the defence and to the court. By providing the court and the defence with accurate high quality transcriptions of caution interviews, we will create greater transparency in the criminal justice process and minimize the number of challenges

to police interviews in court. In future, police digitally-recorded interviews will be the only police interviews admitted as evidence in court and the handwritten record of statements will be consigned to history.

In order to support and assist the police and the courts with this project, in 2017 the ODPP established an independent Transcription Unit so that police digitally recorded interviews can be transcribed quickly and efficiently from the digital recording to a typed transcript of the interview.

The ODPP and Police transcribers received training from the Norfolk and Suffolk Constabulary and we are grateful to them for this assistance and the ongoing support.

The initial work in this area is very encouraging and I am confident the police pilot project will be a major and lasting innovation in the criminal justice system.

Christopher T. Pryde
Director of Public Prosecutions

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Vision

A modern and professional prosecution service that fosters national goals and aspirations of peace and good governance through the rule of law.

Mission

To promote and uphold the rule of law by providing a modern, professional and effective prosecution service to the people of Fiji.

Values

- Independence
- Fairness, and
- Courage

Guiding Principles

The ODPP operates in accordance with the principles enshrined in the Constitution of the Republic of Fiji, with international standards for prosecutions, and with principles of corporate good governance.

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ROLE OF THE ODPP

The Office of the Director of Public Prosecutions (ODPP) was first established in 1970. It has continued in existence as an independent regulator of criminal proceedings in Fiji by virtue of successive legal instruments and, today, operates within the powers and functions assigned to the Director of Public Prosecutions (DPP) by virtue of section 117 of the Constitution of the Republic of Fiji.

Independence of ODPP

The Constitution at section 117 (10) states:

In the exercise of the powers conferred under this section of the Constitution, the DPP shall not be subject to the direction or control of any other person or authority, except by a court of law or as otherwise prescribed by this Constitution or a written law.

The section also empowers the DPP to:

(a) institute and conduct criminal proceedings

(b) take over criminal proceedings that have been instituted by another person or authority (except proceedings instituted by the Fiji Independent Commission Against Corruption ("FICAC"));

(c) discontinue, at any stage before judgment is delivered, criminal proceedings instituted or conducted by the DPP or another person or authority (except proceedings instituted or conducted by FICAC); and

(d) intervene in proceedings that raise a

question of public interest that may affect the conduct of criminal proceedings or criminal investigations. The powers of the DPP may be exercised by the DPP personally, or through other persons acting on the DPP's instructions.

Under the Constitution, Parliament is to ensure that adequate funding and resources are made available to the ODPP to enable it to independently and effectively exercise its powers and perform its functions and duties.

The Constitution also empowers the DPP to appoint any legal practitioner, whether from Fiji or from another country, to be a public prosecutor for the purposes of any criminal proceeding; and gives the DPP authority to appoint, remove and institute disciplinary action against all staff (including administrative staff) of the ODPP.

CRIMINAL PROSECUTION

The DPP commands a crucial position within the criminal justice system and within a democratic nation.

The DPP reviews and, where warranted, sanctions prosecutions before the Magistrates and the High Courts of Fiji. Cases of special difficulty or of public interest in the Magistrates' Courts are processed and, where necessary, prosecuted by the ODPP. Summary offences are ordinarily prosecuted by Police Prosecutors with oversight by the DPP.

The DPP files appeals, where warranted, to the High Court, Court of Appeal and Supreme Court. Counsel at the ODPP contribute to the continual development of Fiji's criminal jurisprudence by making submissions in relation to appeals before the High Court, Court of Appeal and Supreme Court.

The ODPP, under the direction of the DPP, plays a key role in supporting the enforcement of criminal laws, international laws, treaties and conventions that the Fijian Government has ratified, as well as contributing towards the continued development and maintenance of a just and fair criminal justice system.

The ODPP also conducts a variety of training programmes for Police Prosecutors and prosecutors from other government agencies.

Another major component of the ODPP's work involves the provision of written advice to the Commissioner of Police, the Director of the Criminal Investigation Department and to other governmental departments and statutory organisations.

Prosecution Policy

The Prosecution Code is followed by all police prosecutors and all state prosecutors in order to ensure that justice is done. It is a public document followed by all prosecutors when deciding whether to charge a person with an offence.

ODPP Offices

The ODPP has nine offices around the country with its headquarters based in Suva.

The headquarters has three sub-divisions: the Serious Fraud Division, the Child Protection Division and the General Crimes Division. All corporate sections have their headquarters in Suva, with administrative and registry support offices assigned to regional officers around the country.

There are five offices in the Western Division (Sigatoka, Nadi, Lautoka, Ba and Rakiraki). There are two offices in the Northern Division (Labasa and Savusavu) and one in the Eastern Division (Nausori).

Overall, the principal role of each Divisional Office is to assist the DPP in the delivery of a fair and independent prosecution service committed to the rule of law.

SERIOUS FRAUD DIVISION

The Serious Fraud Division (SFD) is situated on the second floor of ODPP headquarters, Suva. The SFD deals with major fraud cases such as deception, money laundering, abuse of office, corruption, theft or larceny by servant, conspiracy to defraud and breaches under the Financial Transactions Reporting Act.

Core Functions

The SFD prosecutes matters as directed by the DPP. The majority of the cases dealt with by the Division are deception, money laundering, theft and dishonesty offences. The Division also handles applications under the Mutual Assistance in Criminal Matters Act, as well as under the Extradition Act. The Division also makes applications for restraint and forfeiture under the Proceeds of Crime Act (POCA). The SFD also assists stakeholders in terms of our commitment to the anti-money laundering scheme.

Team

The SFD was staffed by a Principal Legal Officer and three legal officers in 2017. Ms Jayneeta Prasad continued as Manager of the Serious Fraud Division. Ms Mehzabeen Khan and Ms Moira Konrote had continued as the Division's Legal Officers. Mr Saif Shah joined the SFD in 2017 as a Legal Officer.

Training

The Division provides training to Police on money laundering and fraud. The SFD also assists in training other stakeholders on a number of top-

ics such as money laundering, proceeds of crime applications, unexplained wealth declarations, financial fraud, extradition and mutual legal assistance. The members of the Division are also involved in enhancing their skills in prosecuting fraud matters through in-house ODPP training sessions together with overseas training. Sessions

The SFD Team also actively takes part in the Anti-Money Laundering (AML) Working Groups (Legal and Law Enforcement). Currently, Ms Jayneeta Prasad, as representative of the DPP, is Chair of the AML Legal Working Group. Ms Mehzabeen Khan, Ms Moira Konrote and Mr Saif Shah were also active participants in the Legal and Law Enforcement Working Group in 2017.

SERIOUS FRAUD DIVISION

Year in Review

In 2017, the Division dealt with a number of cases that involved cyber crime, money laundering, deception, theft and giving false information. The victims of money laundering are predominantly large companies such as banks, corporations and, in a few instances, government departments. The monies, which were the subject of money laundering, had been obtained by misusing computer systems, deception or stealing from employers. The SFD continues to handle majority of theft matters or misappropriation matters where employers have been victims at the hands of their employees. In these kinds of cases, the offenders are mostly the accounts officers or clerks. A case of this nature was retried in the Magistrates' Court. The accused person, Mr Asleem Khan, was found guilty after trial in 2016. Mr Khan appealed his conviction and his appeal was successful. The matter was sent to the Magistrates' Court for retrial. At the retrial, Mr Khan opted to plead guilty after the learned Magistrate held that the defendants interview with the police to be admissible after holding a voir dire enquiry. Mr Khan pleaded guilty to 11

counts of forgery, 11 counts of uttering a forged document, 11 counts of obtaining money by virtue of forged documents and one count of larceny by servant under the Penal Code. The offences were committed by Mr Khan whilst he was employed as a bank teller at one of the prominent banks in Fiji. Mr Khan had forged withdrawal slips to obtain the money. After being convicted, Mr Khan was sentenced to 24 months imprisonment, which was suspended for two years, taking note of the fact that Mr Khan had served a substantial amount of his prison sentence when he was convicted at the first trial.

One of the cyber crime matters dealt with in 2017 was the case of *State v Manjeet Singh HAC 391 of 2015*, where the accused person was convicted of money laundering under the Proceeds of Crime Act 1997 (POCA). The facts of the matter revealed that customers of a prominent bank had their bank accounts compromised through the internet banking platform.



SERIOUS FRAUD DIVISION

Year in Review

The monies in the compromised bank accounts were then transferred to two accounts, one account belonged to the accused person and the other was under his control. The monies were withdrawn and used. The accused was convicted of three counts of money laundering and sentenced to nine years imprisonment with a non parole period of seven years. The SFD also received a considerable number of files where members of the public had given false information to the Government following Cyclone Winston. These cases were one of the first matters charged under the False Information Act 2016.

Proceeds of Crime Applications

As part of its core functions, the SFD also initiated actions that are designed to stop people benefitting from crime. Applications of this nature arise under the Proceeds of Crime Act (POCA). Under the POCA, the ODPP is authorised to initiate matters to restrain property that can be reasonably suspected of being tainted property; that is, it was derived or realised from the commission of an offence. Once a restraining order is granted, the property (including bank accounts and real property) can no longer be dealt with by anyone. Under the POCA, the ODPP can also initiate forfeiture applications in relation to tainted property. Once a forfeiture order is granted over the tainted property, it becomes the property of the State.

In 2017, there remains three matters in the Civil Jurisdiction of the High Court where the State

has sought restraint and forfeiture of property, including money held in bank accounts. The total value of the property subject to the applications is in the region of \$2 million.

The SFD also made the first Pecuniary Penalty Order (PPO) application in Fiji under the POCA. The PPO applications are made upon the conviction of an offender. The State has one year from the date of conviction to make such applications. The PPO applications are generally made when there are no identifiable proceeds of crime or tainted property that can be forfeited upon conviction. When a PPO is made by the Court, it determines the benefit an offender has received from the offence he or she has been convicted of and orders the same to be forfeited to the State. The ongoing PPO application involves over \$500,000. The offence that is the basis of this PPO application is money laundering.

Extradition

The ODPP was also authorised by the Attorney General to commence two extradition proceedings in 2017. In *State v Saepul Manap and 5 Ors FJHC Misc. Case No. 64 of 2017*, Vanuatu had sought the extradition of six Indonesian Nationals accused of murdering their captain of the ship “High Seas”. As the ship was registered under Vanuatu, the charge of intentional homicide was laid in Vanuatu.

SERIOUS FRAUD DIVISION

Year in Review

Under the Extradition Act 2003, extradition requests between Pacific Island countries are governed by the backing of warrant system. Under the backing of warrant system, the six Indonesian Nationals were surrendered to Vanuatu within four months of the application for extradition.

In *State v Krishneel Chaudary FJHC Misc. Case No. 111 of 2017*, the United States of America had sought the extradition of Mr Chaudary for various charges of lewd and lascivious acts on a child below the age of 16 which could be consid-

ered similar to sexual assault in Fiji. The High Court ordered the surrender of Mr Chaudary on all the charges and he was escorted out of Fiji by Federal Marshalls from the United States of America.



The SFD Team (L-R) Legal Officer, Ms Moira Konrote, the SFD Manager, Principal Legal Officer, Ms Jayneeta Prasad, the Director of Public Prosecutions, Mr Christopher Pryde and Legal Officers Mr Saif Shah, Ms Mehzabeen Khan.

SERIOUS FRAUD DIVISION

Year in Review

Apart from numerous money laundering and fraud cases, another highlighting event of the year was a visit by several high level delegates from Nepal.

The Nepalese Government delegation met the DPP, Mr Christopher Pryde, Assistant Director of Public Prosecutions, Mr Mosese Korovou and Manager, Serious Fraud Division, Ms Jayneeta Prasad on 15th March, 2017 .

The Nepalese delegation comprised 14 senior government officials from the Nepalese Department of Money Laundering and Investigation, the Ministry of Finance, the Ministry of Law, Justice and Parliamentary Affairs, the Financial Information Unit, and the Security and Insurance Boards of Nepal. The delegation was in Fiji for

the week as part of a knowledge-sharing and capacity-building programme on Anti-Money Laundering (AML) and Counter Financing of Terrorism (CFT). The delegation was updated on developments in Fiji's AML and CFT laws and recent AML cases prosecuted by the ODPP in Fiji. The delegation was also able to hear first-hand of Fiji's experiences with the AML/CFT mutual evaluation procedure that was conducted last year in San Diego. Nepal will go through a similar mutual evaluation procedure in 2020.



The Nepalese Delegation at the Office of the Director of Public Prosecutions during their three-day visit to Fiji in 2017.

GENERAL CRIMES DIVISION

The General Crimes Division (GCD) is the largest division in the ODPP and is situated at the ground floor of Gunu House. The GCD prosecutes a variety of cases from the Magistrates Court to the High Court. The GCD is responsible for the prosecution of offences against public order, international order, the administration of lawful authority, sexual offences, prostitution, abortion, offences against the person (including murder, manslaughter and infanticide), crimes against humanity, offences endangering life and health, criminal recklessness and negligence, offences against a person's liberty and traffic offences, to name a few. Besides prosecution, the GCD is engaged in various High Court, Court of Appeal and Supreme Court appeals.

Team

The GCD consisted of a Principal Legal Officer, an acting Principal Legal Officer, a Senior Legal officer and eight Legal Officers in 2017.

Mr Sekonaia Vodokisolomone continued as the GCD Manager and was assisted by acting Principal Legal officer, Ms Juleen Fatiaki. The GCD also had Senior Legal Officer, Ms Darshani Kumar, and Legal Officers, Ms Siteri Navia, Ms Wakesa Elo, Ms Sujata Lodhia, Ms Unaisi Tamanikaiyaroi, Ms Shirley Tivao, Mr Eoghn Samisoni, Ms Moumita Chowdhury, Ms Bhavna Kantharia, Ms Prenika Lata and Mr Zenith Zunaid in 2017.

The GCD is supervised by the Assistant Directors of Public Prosecutions, Mr Mosese Korovou and Mr Lee J. Burney.

Core Functions

The GCD engages in a variety of legal tasks ranging from providing legal advice on general crime file dockets to the DPP, conducting trials before the Magistrates' Courts and the High Court and prosecuting appeals in the High Court, Court of Appeal and Supreme Court.

Training

The members of the Division are actively involved in upgrading their skills in prosecution through in-house ODPP training sessions together with training sessions overseas. Ms Juleen Fatiaki attended the Economic Crime Symposium held at Cambridge, United Kingdom in September while Ms Siteri Navia and Ms Shirley Tivao attended the International Association of Prosecutors held in Beijing, China in September, 2017.



The GCD Manager, Principal Legal Officer, Mr Sekonaia Vodokisolome.

GENERAL CRIMES DIVISION

Offences against public order, for instance inciting mutiny

Offences against international order, for instance genocide

Crime against humanity, such as murder, extermination, manslaughter etc.

Sexual offences, such as rape, indecent assault etc.

General Crimes under the Crimes Act 2009

Traffic offences, such as dangerous driving causing death, driving under the influence of liquor

offences against a person's liberty, such as kidnapping, child stealing, slavery etc.

criminal recklessness and negligence, such as dealing in a poisonous substance in a negligent manner

administration of lawful authority, such as corruption and abuse of office

GENERAL CRIMES DIVISION

Year In Review

In 2017, the Division dealt with variety of cases. One of the major cases was *State v Josua Col-
naudolu HAC 121 of 2016*. The accused was convicted and given a final sentence of mandatory life imprisonment with a minimum term of 30 years for one count of murder, six counts of rape, one count of abduction and one count of indecently annoying any person. Between the years 1998-2016 (a period of 18 years), the accused had raped four complainants in his community between the ages of 14 and 19 years and murdered his final 14-year-old victim. The Judge when sentencing the accused qualified him as a **serial rapist**.

This was the first time for the Court to impose a minimum term of 30 years. The sentence was designed to deter other would-be offenders.

In *State v Eneshwar Raj HAC 99 of 2016 (Marital Rape)*, the accused was charged with one representative count of rape, one count of rape and two separate counts of digital rape. The complainant and the accused were married at the time of the incidents. During the 30th day of November, 2015 and the 5th day of January, 2016 the accused repeatedly raped the complainant. On one occasion he inserted an egg-plant into the complainant's vagina, and on another occasion, he inserted his finger into her vagina. The accused was found guilty on all four counts of rape and was accordingly convicted. He was sentenced to eight years four months imprisonment with a non-parole period of six years and four months. The main issue was that of consent, which heavily rested on

the credibility of the complainant.

Another noteworthy case was *State v Gita Ma-
ni HAC 481 of 2013*. The accused was charged with two counts of managing a brothel and was sentenced to five months imprisonment after being convicted for one of those counts. She ran a brothel at Samabula and employed a number of young women who admittedly engaged in sexual acts with male clients at the behest of the accused.

The court had accepted the English case authorities on the definitions of the words "brothel" and "prostitute" as the definitions of these terms are silent under Fiji's current laws. These issues would be better solved on appeal to the High Court to allow the court to set a precedent on the above definitions.

In *State v Alec Hurtado HAC 073 of 2014*, the accused in this matter was charged with one count of Unlawful Importation of Illicit Drugs contrary to section 4 of the Illicit Drugs Control Act 2004 (IDCA). The accused was acquitted in 2015. However, the State appealed the decision to the Court of Appeal and was successful. The acquittal was set aside and the retrial took place in 2017. In conducting the re-trial, the prosecutors had to make sure to cover all grounds and leave no stones unturned. It was critical to establish that the accused knew that his bag contained cocaine as in the earlier trial, the court ruled that the accused had no knowledge the bag he carried contained cocaine.

GENERAL CRIMES DIVISION

Year In Review

There was an appeal case dealt with by the GCD; *Nalave v State FJCA 108; AAU0096.2013*. The appellants (Ms Nalave and another) had filed grounds of appeal to the Court of Appeal and one of the grounds was that ***“the learned Judge wrongly allowed dock identification of the Appellants, which was prejudicial, thereby causing a miscarriage of justice.”*** In this case, it was clear that there was no other means of identification conducted prior to the dock identification and the appellants were identified for the first time in the dock.

The courts have taken the view that identification of an accused for the first time in the dock is highly undesirable. Such a form of identification is suggestive and highly prejudicial to the accused. **However, the discretion to allow dock identification lies with the trial Judge after weighing its probative value over its prejudicial effect** (*Wainiqolo v State unreported Cr App No AAU0027 of 2006; 24 November, 2006*).

The Court of Appeal went further and said that identification made by the witness was not a fleeting glance. He had an opportunity to observe both appellants on a number of occasions when they were in the club on the night of the alleged incident. He even had a conversation with the women when they arrived at the club. No objection was taken to the admissibility of dock identification of the appellants by their respective trial counsel.

The prejudicial effect of the first time dock identification diminished when the learned trial Judge told the assessors to attach little weight to the dock identification.

In the end, the accused was convicted and was sentenced to 17 years imprisonment, which was reduced to 13 years 11 months imprisonment, due to mitigating factors with a non-parole period of 11 years and 11 months.

CHILD PROTECTION DIVISION

The Child Protection Division (CPD) is a specialised division in the ODPP. It is located at level 3 Dolphins Plaza, Suva, where it has a specially constructed vulnerable witness room. The CPD handles serious sexual offence cases involving children, juveniles and vulnerable victims.

The CPD prosecutes criminal offences such as Rape, Incest, Sexual Assaults, Indecent Assaults, Abduction, Defilement and Infanticide, etc. The specialised Prosecutors also make special protection applications for children and juveniles under the Juveniles Act, Crimes Act, Child Welfare Act, and Domestic Violence Act.

Team

The CPD was headed by Acting Principal Legal Officer, Mr Meli Vosawale while other members included legal officers, Ms Kimberly Semisi, Ms Lavenia Bogitini, and Ms Swastika Sharma. Ms Sadaf Shameem joined the Division in the later part of 2017.

Core Functions

The decision to prosecute a criminal matter is the prerogative of the DPP. The CPD renders legal advice to the DPP on sexual offences involving children, juveniles and vulnerable victims. The CPD's timely advice is first submitted per case to the CPD Manager for vetting before a final vetting and decision is made by the DPP. Prosecutors at the CPD conduct trials in the Magistrates' Courts, the High Court, the Court of Appeal and the Supreme Court. The officers also provided advice to the Police and other government departments and agencies on whether

there was sufficient evidence to prosecute a number of legal matters.

Training

The CPD, on the directives of the DPP through official invitation by the Ministry of Health, sent officers to conduct presentations to final-year medical students and qualified doctors on developments of law in the area of child protection, as well as the Courts' expectations on medical experts when giving evidence. The Division facilitated four in-house training sessions in 2017 focusing on various broad topics essential to all the prosecutors. The CPD team also assisted in delivering a presentation at the 2017 ODPP Basic Prosecution Course for police prosecutors and statutory regulator.

CHILD PROTECTION DIVISION

Year In Review

There were quite a number of successful prosecutions recorded by the Division in the Magistrates' Courts, High Courts and appeals in the appellate Courts in 2017.

In ***State v Ponirite Koli HAC 039 of 2017*** where a grandfather raped his six-year-old grandson in December 2016, the State Prosecutor had applied for the matter to be expedited by the High Court given the age of the victim and severity of the offence. This demonstrated the ability of the CPD prosecutors to use legislation (Juvéniles Act, Criminal Procedure Act, and Crimes Act) in persuading the High Court to expedite cases involving victims of tender age. The High Court sentenced the grandfather to 11 years imprisonment with a non-parole period of nine years.

In ***State v Umesh Prasad HAC 164 of 2016***, a former primary school teacher of a prominent school in Suva raped and sexually abused nine of his pupils between 2010 to 2012. All nine victims testified in the trial, which the Court found were compelling evidence sufficient to convict the accused. The accused was sentenced to 14 years imprisonment with a non-parole period of 13 years by the High Court.

One of the prominent and widely reported cases prosecuted by the division in 2017 was ***State v Jone Cokanauto HAC 327 of 2015***, which involved the prosecution of a prominent leader of a Christian denomination based in Taveuni. Four female victims came forward to give evidence about the separate incidents between 2005 to 2012. The fourth victim had refused to give evidence and wished to remain silent after she had

been sworn in during the trial. The prosecutor used provisions available under section 118 of the Criminal Procedure Act to compel the witness to give evidence. The Court, in its ruling, agreed with the prosecutors submission and stated that ***"the prosecutor is looking at the bigger picture, not just for this case, but for future cases, if victims are allowed to take the stance which this victim has taken, rapists will walk free and continue raping, murderers, robbers will continue with their vigilante ways because one victim can be influenced to take the stance this victim has taken, what will the public say of the institution that is here to uphold the law...."***

Jone Cokanauto was sentenced to the highest ever sentence for rape in Fiji of 20 years imprisonment with a non-parole period of 19 years.

CHILD PROTECTION DIVISION



The CPD team (L-R); Legal Officers Ms Swastika Sharma, Ms Kimberly Semisi, CPD Secretary Ms Margaret Chand, CPD Manager, Principal Legal Officer, Mr Meli Vosawale, and Legal Officers, Ms Lavenia Bogitini and Ms Sadaf Shameem.

NORTHERN DIVISIONAL OFFICE

There are two ODPP offices in the Northern Division, in Labasa and Savusavu. These offices prosecute offences throughout the Northern Division, including the provinces of Bua, Cakaudrove and Macuata, as well as the outer islands of Kioa and Rabi.

There is a High Court in Labasa and there are three Magistrates' Courts in the Northern Division; Labasa, Nabouwalu and Savusavu.

Team

The Northern Divisional Office was managed by Principal Legal Officer, Mr Lisiate Fotofili, based at the Labasa Office.

A Legal Officer, Ms Amelia Vavadakua, a Clerical Officer, Mr Muni Sharma and Typist, Ms Neha Sharma were also based at the Labasa Office. Senior Legal Officer, Ms Darshani Kumar also joined the Labasa Office towards the last quarter of 2017.

Legal Officer, Mr Rajneel Kumar moved to Savusavu office to replace Ms Wakesa Elo who was transferred to the Suva office. Mr Kumar was assisted by Litigation Officer, Ms Reshmi Peters and driver, Mr Dhirend Chand.

Training

External training by prosecutors for other agencies was a consistent feature in 2017. This was normally held at the Macuata House at Labasa where ODPP prosecutors were the facilitators. The bulk of the participants were police prosecutors, commerce commission investigators, prosecutors and town council enforcement officers,

amongst others. The training was usually held on the Saturday of the third week of every month.

Year in Review

The Northern Division had prosecuted a number of interesting cases in 2017 with successful convictions and sadly some acquittals.

One note worthy case was *State v Maikeli Dawai HAC 61 of 2016*.

During the trial, the defendant in this case was acquitted of rape in 2017 by the Labasa High Court. The prosecution's case was based on the testimony of an adult victim.

Prior to the trial, the victim had made a representation to prosecution indicating that she had forgiven the defendant and that they had traditionally reconciled and asked if the charge could be withdrawn. In the public interest, her request was denied by the DPP and the case proceeded to trial.

The victim was successfully summoned and appeared in the High Court for the trial. When in the witness box, the witness refused to give evidence relating to the allegation and repeated that she had forgiven the defendant.

The prosecution then made the difficult decision and applied to the Court to have the witness committed to prison pursuant to section 118 of the *Criminal Procedure Act 2009* until she consented to testify or give evidence relating to the allegation of rape.

NORTHERN DIVISIONAL OFFICE

The application by the prosecution was refused by the learned trial Judge.

The learned Judge was of the view that the witness had provided a sufficient excuse for refusing to give evidence in the matter.

Since the case for the prosecution was based on her evidence and since she could not be compelled to give evidence, the prosecution offered no further evidence, resulting in the acquittal of

the defendant. The prosecution has filed an appeal to the Court of Appeal regarding the decision of the learned trial Judge in refusing the section 118 application by the prosecution. The appeal by the prosecution to the Court of Appeal is yet to be determined.



Northern Division Manager, Principal Legal Officer, Mr Lisiate Fotofili during one of the ODPP monthly training sessions.

WESTERN DIVISIONAL OFFICE

The ODPP Lautoka serves as Divisional headquarters for five District offices at Sigatoka, Nadi, Lautoka, Ba and Rakiraki. These offices came under the supervision of the Divisional Manager West and Principal Legal Officer, Mr Semi Babitu.

Team

The Western Division was made up of the following staff:

Training

As part of its role in the ODPP, the ODPP West also held monthly workshops with Police Prosecutors, Prosecutors from the Ministry of Health, and Prosecutors from the Commerce Commission, LTA Prosecutors and members of the legal fraternity. The workshops covered all aspects of matters in relation to Criminal law. These workshops were conducted by the legal officers from the Western Division.

Lautoka Office

- Officer in Charge, Principal Legal Officer, Mr Semi Babitu
- Senior Legal Officer, Mr Alvin Singh
- Legal Officer, Saini Naibe
- Legal Officer, Ms Rukalesi Uce
- Senior Administrative Officer, Mr Maciu Nacaucaulevu
- Administrative Officer/Litigation, Mr Ratnesh Kumar
- Clerical Officer, Ms Fulora Vakawaci
- Driver/Messenger, Mr Satish Sharma

Nadi Office

- Senior Legal Officer, Ms Shelyn Kiran
- Typist, Ms Vasiti Adikula

Ba Office

- Senior Legal Officer, Ms Luisa Latu
- Legal Officer, Mr Aman Datt
- Clerical Officer, Mr Sunil Raniga
- Typist, Ms Swaran Kaur

Sigatoka Office

- Senior Legal Officer, Mr Timoci Qalinauci
- Clerical Officer, Ms Vineshni Devi
- Driver/Messenger, Mr Luke Nakulanikoro

Rakiraki Office

- Senior Legal Officer, Mr Josaia Niudamu
- Typist, Ms Resina Nenewa
- Clerical Officer/Driver, Mr Josefa Tosokiwai

WESTERN DIVISIONAL OFFICE

Year in Review

The year 2017 was a busy year for the Western Divisional Office. The highlight of the year came with convictions in two cases involving the offence of sedition.

The State had successfully prosecuted several individuals charged with the offence of sedition contrary to section 67 (1) (a) of the Crimes Act 2018. The two cases were ***State v Niudamu FJHC 689; HAC129 of 2015*** and ***State v Tasere FJHC 874; HAC140 of 2015***. Only one accused in the case was acquitted at the No Case to Answer stage.

The two cases involved the setting up of a Christian State in the provinces of Ra and Nadroga Navosa where each accused person had signed a 'Declaration' declaring the Province of both Nadroga Navosa and Ra as Christian States. The declared State was to have its own government where the accused persons prosecuted were to take part in it as members of the Cabinet and one being Secretary to Cabinet. The two cases were the first of its kind to be tested under the Crimes Act 2009.

The Crimes Act 2009 also increased the maximum imprisonment term of those found guilty of sedition, which was seven years, compared to the repealed Penal Code which had a maximum sentence of two years imprisonment.

The two cases also discussed the sentence to be given to those found guilty of sedition contrary to section 67 (1) of the Crimes Act 2009, which was a sentence between two years and five years, a

suspended term only to be considered in exceptional circumstances.

The Western Divisional Office covers all Magistrates' Courts from Lautoka, Nadi, Ba, Tavua, Rakiraki and Sigatoka together with matters in the Lautoka High Court, Court of Appeal and the Supreme Court.



Western Division Manager, Principal Legal Officer, Mr Semi Babitu addressing participants during one of the ODPP monthly training sessions.

EASTERN DIVISIONAL OFFICE

The ODPP Nausori serves as the Eastern Divisional headquarters and covers the provinces of Tailevu, Lomaiviti, Rewa and Naitasiri. It covers the Magistrates' Courts at Nausori, Korovou Tailevu, Vunidawa, Valelevu and Levuka Court. State Counsel based at the Nausori office prosecute indictable offences from the Eastern Division jurisdiction before the High Court of Fiji in Suva and also deal with appeal matters in the Court of Appeal and the Supreme Court.

Team

The ODPP Nausori Office was headed by Principal Legal Officer, Mr Yogesh Prasad and supported by two Legal Officers, Ms Susan Serukai and Mr Taitusi Tuenuku. In the administration department, Ms Veena Prasad who was the acting Executive Officer was supported by Ms Sophaia Takayawa who managed the litigation tasks.

Training

The ODPP Nausori team actively participates in training summary prosecutors in its own Division and also does regular monthly training of the Police summary prosecutors from the Central, Southern and Eastern Division. The Eastern Division Manager, Mr Yogesh Prasad has also been involved with providing external training to police and statutory prosecutors during the Basic and Advanced Prosecution training. He took over the training mantle in mid-2017 after Ms Seini Puamau went abroad for further studies. Mr Prasad was assisted by fellow ODPP prosecutors during the course of the training.

Year in Review

In 2017, the Eastern Divisional office did a number of murder trials in the High Court of Fiji. One of the notable cases was ***State v Josaia Vusuya & Ors HAC 261 of 2015***, where all three accused were convicted for murder based on reckless conduct. Josaia Vusuya, Kelepi Qaqa and Tevita Dakuituraqa were found to have murdered Epineri Waqawai on July 18, 2015 at Nausori.

Kelepi Qaqa was also convicted for an act intended to cause grievous bodily harm. He unlawfully wounded Savenaca Naitaba, the brother of the deceased, by hitting his head with a beer glass. The court heard that on July 18, 2015, the victim and his younger brother Savenaca Naitaba were at the Bridge Nightclub in Nausori where they were consuming liquor.

It was further stated that Qaqa and his two friends joined them and drank alcohol with them. Naitaba and the victim then decided to leave the nightclub and visit the Whistling Duck Nightclub when Qaqa confronted them outside for allegedly stealing his money. Naitaba denied taking his money and the three parted ways. It was stated that while they were walking, Qaqa re-appeared and punched Naitaba twice.

The court heard that the three accused repeatedly stomped the deceased's face, chest and body and, two days later, he died of massive brain injuries. All three accused were sentenced to mandatory life imprisonment with a minimum term of 15 years to be served before a pardon may be considered by the President.

EASTERN DIVISIONAL OFFICE

Year in Review

Another noteworthy case prosecuted by the ODPP Nausori Office was ***State v Waisake Kaloulia and Kaminieli Naqaleca HAC 64 of 2015***. The two accused were prosecuted for the unlawful cultivation largest quantity of illicit drugs (cannabis sativa to date which amounted to 160.6 kilograms with a street value of FJD\$1 million.

Both accused were found guilty unanimously by the assessors. The trial Judge concurred and were sentenced to 19 years imprisonment with a non-parole period of 15 years.

In ***State v Tarun Kumar Rawat HAC 146 of 2011*** following the State's case, which consisted of compelling circumstantial evidence, the accused was convicted of murder and sentenced to life imprisonment. Tarun Kumar Rawat was charged and convicted of murder of his sexual partner, a hotel manager, Tevita Tabua, on July 21, 2011 in Nadi.

The deceased, 51, and Rawat were in a relationship since 2010 and it was heard in court that they had numerous sexual encounters. The victim and Rawat had met at Nad's Handicraft compound. The couple then began to argue because the victim noticed love bites on Rawat's neck.

Rawat repeatedly punched the deceased and then struck him with a stone, which caused his death.

The 28-year-old man was sentenced to life imprisonment with a minimum term of 17 years, which he has to serve before a pardon can be considered by the President.

At the end of 2017, the Eastern Division showed a fall in rape cases against minors, stemming from harsher penalties handed down by the court.



Eastern Division Manager, Principal Legal Officer, Mr Yogesh Prasad.

CORPORATE SERVICES DIVISION

The Corporate Services Division is responsible for the implementation, monitoring and evaluation of ODPP policies and governance frameworks.

Over the past year, the Corporate Services Division focused on continuous improvements to increase efficiency and accountability and improve services to criminal justice and streamline administration work. The overarching goal of this Division is to sustain a supportive framework for a result-orientated set of policies and procedures for the ODPP to achieve its stated objectives.

The Division also has the responsibility of ensuring that all policies relating to ODPP staff are based on the principles enshrined in the Fijian Constitution (2013), including principles of accountability, transparency, integrity, team work, efficiency and leadership.

The Division is also responsible for organizing training programmes and any specific projects and duties assigned by the DPP from time to time. The year saw the continuous focus on improving efficiency and effectiveness of service and support service delivery.

Human Resources Management

The Human Resources Department (HR) continues to play a critical role in ensuring the ODPP has a high-performing and engaged workforce.

The HR manager has various roles and responsibilities including recruiting, motivating, retaining the best people, sustaining a high performing workforce and meeting legal compliance. The function of the Human Resources Manager is to

promote excellence in human resource management and support in the implementation of the best practices of organisational strategies.

Core Function

The ODPP HR Department provides administrative duties that are aligned with the values of integrity, excellence and wellness. The core functions of HR Department are:

- *equal employment opportunities;*
- *workplace diversity;*
- *organisational effectiveness;*
- *employee wellbeing;*
- *employment and compensation;*
- *performance management;*
- *work environment free from harassment, bullying and discrimination; and*
- *employee relations and communication.*

Finance Department

The ODPP has a centralized Finance team based at the headquarters in Suva. The section is responsible for the management of the office funds and operating expenditure. The functions include planning, organizing, accounting for and controlling the office finances. The responsibilities are accounts payable, payroll, revenue management, budget, record keeping, financial reporting and internal controls.

CORPORATE SERVICES DIVISION

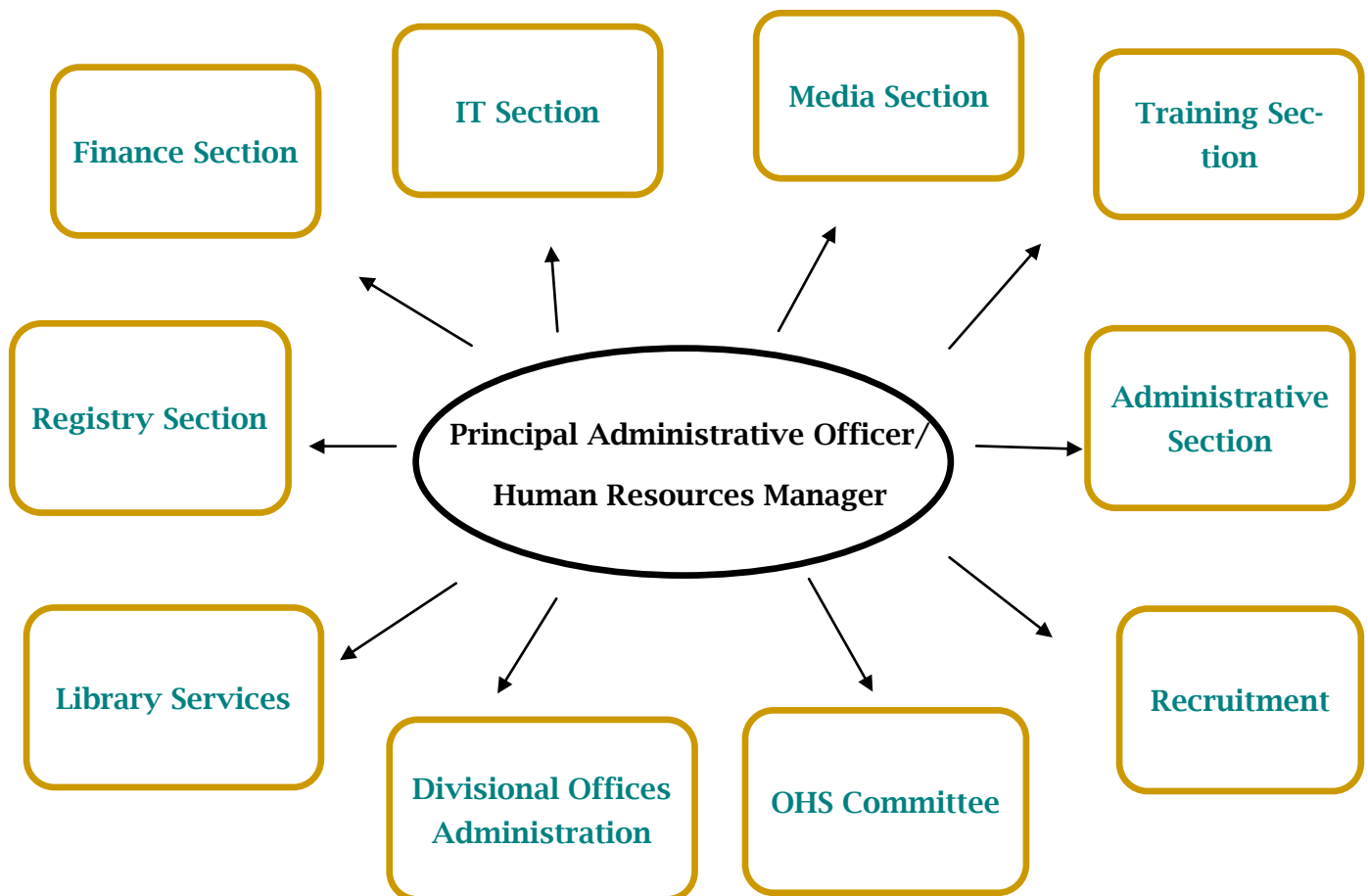
Team

The Corporate Services Division and the HR department were headed by the Principal Administrative Officer, Ms Charlotte Nambiar. The Corporate Services Division is responsible for the entire administrative and financial functions for the ODPP Fiji-wide. The ODPP comprised 93 staff of which 46 were professionals and 47 were corporate staff.

There are several departments that fall under the Corporate Services Division and under the supervision of Principle Administration Officer Ms Charlotte Nambiar.

Below is the organisational structure of the Corporate Services Division.

ODPP Corporate Services Division Organisational Structure:



CORPORATE SERVICES DIVISION

Budget Classification

Spending

Major spending for the year include the following:

- *personal emoluments;*
- *wages – due to increase in overtime for un-established staff (stand-by duties, early morning pick-ups for witnesses and office staff);*
- *travel and communications–subsistence, travel, telephone, vodafone and wi-fi;*
- *witness Payment – allowances, travel, accommodation and meals;*
- *office stationery and printing;*
- *purchase of toners and IT equipment;*
- *incidentals – tea & biscuit items, bottled water.*
- *trainings – local and overseas; and*
- *payment of monthly bills*

Expenditures

Major spending were from SEG 1, SEG 2, SEG 3, SEG 4 and SEG 5. This was due to the following:

- *payment of salaries and allowances;*
- *payment of wages, overtime and allowances;*
- *payment for accommodation and meals;*
- *payment for utility bills;*
- *payment for witness allowance, accommodation and meals;*

- *payment for purchase of IT equipment and toners; and*

- *payment for repair and maintenance for vehicle and building.*

Savings

Major savings were from SEG 1, SEG 4 and SEG 5. This is due to the following:

- *existing vacant positions;*
- *vehicle repair and maintenance– due to less repair and maintenance of vehicles; and*
- *consultancy – only used when consultants are hired for high profile cases. This is based on the court dates.*

Electronic Fund Transfer (EFT) vs– Cheques

Most of the payment made during the year were through EFT. This change was because most vendors are accepting the changes since the government is emphasising the use of EFT mode; although cheques are issued in exceptional cases to avoid disruption of services.

For Summary of Expenditure, See Appendix

ODPP LIBRARY

The ODPP has a well-resourced and well-structured library based at its headquarters in Suva. The use of the library is limited to the staff of the ODPP but the resources may be made available to other stakeholders such as the Fiji Police Force, the Fiji Military Forces, the Fiji Independent Commission against Corruption (FICAC) and in-house lawyers in other Ministries upon request.

The Library is allocated with its own budget, which is used to pay subscriptions for legal texts from overseas publishers and to purchase of local statutes when required.

The Librarian, Mr Ziad Hussein, regularly circu-

lates legislative updates, new decisions and case laws for all ODPP lawyers. Counsel are also assisted with their individual research queries and regularly supplied with up-to-date legal resources.



ODPP Librarian, Mr Ziad Hussien.



ODPP LIBRARY

Acquisition

The ODPP Library currently holds Local Acts, Bills, Decrees, the 2016 Revised Laws of Fiji, Ordinances and Supplements from 1970. It also has copies of the Halsbury's Statutes of England (3rd & 4th Edition) in its collection.

In addition to this, the ODPP Library also holds local precedents from the High Court of Fiji (Suva, Lautoka and Labasa), Fiji Court of Appeal and the Supreme Court of Fiji (Bound Volumes) from 1977.

The ODPP Library keeps a collection of law reports from other countries. These reports include:

- *England Law reports;*
- *Australian Criminal reports;*
- *Australian Law reports;*
- *Australian Law Journal;*
- *Appeal Cases (AC) reports;*
- *Criminal Appeal reports;*
- *Criminal Appeal reports (sentencing);*
- *Criminal Law Review;*
- *New Zealand Law reports;*
- *Queensland Law reports;*
- *Weekly Law reports; and*
- *Victorian Law reports.*

Inter-Library Loan

The ODPP Library borrows and lends legal textbooks and reports to the High Court Library and the Attorney-General's Library on inter-library loans, mostly for over-night or week-ends.

Law Library Payments

The ODPP library has purchased new titles of law text books/law reports, as well as made payments for subscriptions during the period of August 2016 to July 2017.

These were purchased in order to strengthen our library collection and to provide our officers with the latest and updated information relating to criminal law. Some of these were new titles while others were the latest editions of the existing titles.

ODPP LIBRARY

Law Textbooks

The following law textbooks were purchased during 2016-2017 financial year:

QTY	Title	ISBN
1	Millington and Sutherland Williams on The Proceeds of Crime/Mark Sutherland Williams – 5 th Edition	9780198758150
1	The Right to Say No: Marital rape and Law Reform in Canada, Kenya, Ghana and Malawi/Elizabeth Archampong	9781782258605
1	The Limits of Asset Confiscation: On the Legitimacy of Extended Appropriation of Criminal Proceeds/Johan Boucht	9781509907076
1	Landmark Cases in Criminal Law/Philip Handler	9781849466899
1	Unchecked Corporate Power: Why the Crimes of Multinational Corporations are Routinized Away and what we can do about it/Gregg Barak	9781138951440
1	Thomas' Sentencing Referencer 2017/ Lyndon Harris	9780414060821
1	Money Laundering in Real Estate Sector: Suspicious Properties/ Brigitte Unger	9781849801263
3	Children's Views and Evidence/David Brown	9781526503176
1	Memory and Miscarriages of Justice/Mark Howe	9781138805606
1	Core Text Evidence/Roderick Munday – 9 th Edition	9780198788720
1	Character in Criminal Trial/Mike Redmayne	9780199228898
3	Fraud: A practitioner's Handbook: Adrian Eissa	9781780431376
1	Appraising Strict Liability/Andrew Simester	9780199278510
9	Archbold Criminal pleading, evidence and Practice - 2018	
4	Blackstones Criminal Practice - 2018	
	Criminal Appeal Report: bound volumes – 2010, 2011 & 2012 – complete set	
1	Law professors: three centuries of shaping American Law	
2	Redeeming Moti/Dr Susan Merrel	

ODPP LIBRARY

QTY	Title	ISBN
1	Bar Manual: Criminal Litigation and Sentencing – 28 th Edition	9780198766018
1	Criminalising Contagion: Legal and Ethical Challenges of Disease Transmission and the Criminal Law	9781107091825
1	Sexual Offences Handbook: Law, Practice and Procedure – 2 nd Edition.	9780854901227
1	Wilkinson's Road Traffic Offences – 27 th Edition.	9780414051119
1	Sedition and the Advocacy of Violence: Free Speech and Counter-	9780415859769
1	Tax Procedure and Tax Fraud in a Nutshell – 5 th Edition.	9781634599320
1	Transnational Corruption and Corporations: Regulating Bribery	9781409455202
1	Drugs Law and Legal Practice in Southeast Asia: Indonesia, Singapore	9781782258315
1	Child Pornography: Law and Policy	9780415499873
1	Internet Child Pornography and the Law: National and International Responses	9780754622970
1	Misuse of Drugs and Drug Trafficking Offence – 6 th Edition.	9780414045170
	Criminal Appeal Report: bound volumes – 2007, 2008 & 2009 – complete set	
1	Memory and Miscarriages of Justice/Mark L. Howe, Luren M. Knott and Martin A. Conway	9781138805606
3	Children's View and Evidence/David Burrows	9781526503176
1	Appraising Strict Liability/A.P. Simester	9780199278510
1	The Right to say No: Marital rape and Law Reform in Canada, Ghana, Kenya and Malawi/Malenie Randall, Jennifer Koshan and Patricia Nyau-undi	9781782258605
1	Unchecked Corporate Power/Gregg Barak	9781138951440
1	The Limits of Asset Confiscation/Johan Boucht	9781509907076
1	Landmark Cases in Criminal Law/Philip Handler, Henry Mares and Ian Williams	9781849466899
1	Money Laundering in the Real Estate Sector: Suspicious Properties/Brigitte Unger and Joras Ferwerda	9781849801263
1	Core Text: Evidence/ Roderick Munday – 9 th Edition	9780198788720
1	Thomas' Sentencing Referencer 2017/Lydon Harris and Nicola Padfield	9780414060821
1	Concise Guide to Paralegal Ethics/Therese A. Cannon – 4 th Edition	9781454836957
3	Fraud: A Practitioner's Handbook/Adrian Eissa, Colin Wells and Nathaniel Rudolf	9781780431376
1	Character in the Criminal Trial/Mike Redmayne	9780199228898

ODPP LIBRARY

The following titles were received during this financial year. However, Payments for these titles were done in the previous financial year.

QTY	Title	ISBN
1	Bar Manual: Criminal Litigation and Sentencing – 28 th Edition.	9780198766018
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1	Internet Child Pornography and the Law: National and international responses	9780754622970
1	Misuse of drugs and drug trafficking offence – 6 th Edition.	9780414045170
	Criminal Appeal Report: bound volumes – 2007, 2008 & 2009 – complete set	

Annotated Laws

During this financial year, the ODPP Library received the following annotated laws. Payments for these were made during the previous financial year.

- *Court of Appeal Act- 14 copies*
- *Supreme Court Act- 14 copies*
- *Land Transport Act -4 copies*

Supreme Court Act and Court of Appeal Act: a copy each was distributed to all Principal Legal Officers, the DPP and two copies of each were retained by the ODPP Library.

Land Transport Act: a copy each was distributed to the Lautoka and the Labasa ODPP offices and two copies were retained by the ODPP Library.

Library Subscriptions

In 2017, the ODPP decided to discontinue its subscription renewal for Justis Publishing due to a lack of interest. However, the Office continues its renewal for other journals and magazines.

ODPP LIBRARY

Tabulated below is the summary of subscriptions made for law journals and law reports.

Date	Payee	Particulars	Amount
12/01/2017	Lexis Nexis NZ Ltd	NZ Law Journal	NZD \$580.00
12/05/2017	Softlink Aust. Pty Ltd	Payment for Liberty Support & Maintenance for 2017	AUD \$ 1534.28
12/07/2017	LexisNexis	Aust. Crim. Trial Directions – Issue No. 68 & 69	NZD \$ 1506.00
13/12/2017	LexisNexis NZ Ltd	Aust. Crim. Trial Directions – Issue No. 70	NZD \$767.14
21/12/2017	LexisNexis NZ Ltd	NZ Law Journal (parts Only) Jan 2018 – Dec 2018	NZD \$580.00

Donated Books

The following books were donated by Melbourne University Library in December 2017.

QTY	Title	ISBN
1	Criminal law /Peter Gillies – 3 rd Edition	0455212082
1	International Criminal Law/Ilias Bentekas & Susan Nash – 3 rd Edition	9781859417768
1	Queensland Criminal Law/Andreas Schloenhardt – 4 th Edition	9780195588743
1	Brett, Waller and Williams: Criminal Law-Text and Cases/L. Waller & C.R. Williams	9780409307412
1	Australian Criminal Justice/Mark Findlay, Stephen Odgers & Stanley Yeo – 5 th Edition	9780195521153
1	Evidence/Suzanne B. McNicol & Debra Mortimer – 2 nd Edition	9780409315615
1	Criminal Law Guidebook: Queensland and Western Australia/Andre Hemming	9780195596748
1	Principles of Criminal Law/ Simon Bronitt & Bernadette McSherry – 2 nd Edition	9780455221069
1	The Critical Criminology Companion/Thalia Anthony & Chris Cunneen	9781876067236
1	The Essentials of Human Rights/Rhona K.M. Smith & Christien Van-den Anker	9780340815748
1	Lawyers' Professional responsibility/G.E Dal-pont – 5 th Edition	9780455230566
1	Traffic Offences and Accidents/Douglas Brown – 4 th Edition	9780409322767
1	Howards Criminal Law/ Brent Fisse – 5 th Edition	9780455207339
3	Modern Criminal Law of Australia/ Jeremy Gans	9780521737470

ODPP LIBRARY

Library Management Software

The Library Management Software was introduced to the Library for the first time in 2013. The Liberty V5 software was purchased from Softlink Australia Pty Ltd and is the first step in creating an electronic library.

The Librarian is in charge of daily updates and uploading of information into this software.

Since its introduction to the ODPP Library in June 2013, the Librarian has catalogued about 75% of law text books into this system. In addition, all 2013, 2014, 2015, 2016 and 2017 judgments (inclusive of the Magistrates court, the High Court, the Court of Appeal and the Supreme Court judgments) have been entered and softcopies of these judgments have been uploaded into this system.

Officers can freely retrieve this information from this software through their computers. A shortcut link for this software has been made available on the server and the users have been given individual usernames and passwords.

Library Requests

Apart from acquiring and updating Library resources, the ODPP Library also ensures that all daily library requests, which include searching of case laws (local and overseas), photocopying, binding and preparing disclosures for filing are completed and provided to the officers within the required time.

Collection Development

The Librarian, in consultation with the Assistant Directors of Public Prosecutions (ADPPs), carries out the following tasks for the development of the Library's collections:

- *evaluation and selection of new law textbooks, law reports and journals;*
- *monitoring new information sources such as those on the internet;*
- *accessioning and cataloguing law text books;*
- *sorting, indexing and binding of Local Government gazettes, supplements, Bills, Acts and all local judgments;*
- *general maintenance of library law texts and reference materials, including discarding outdated publications, repairing text books, compiling the office system with recent case judgments and upgrading general library outlook and organising library materials.*

Case Authorities and Legislation

The ODPP Library has successfully converted all its 2013, 2014, 2015, 2016 and 2017 judgments (the Magistrates' Court, the High Court, the Court of Appeal and the Supreme Court) into electronic form and they have been uploaded to Library Management Software. In addition, the 2013, 2014, 2015, 2016 and 2017 legislation (Decrees, Legal Notices, Bills and Acts) have also been converted into electronic form. The hard copies of these case authorities and legislation are also available in the ODPP Library.

ODPP LIBRARY

Library Workshop/Conference

In 2017, the Librarian attended two workshops. Both were hosted in Melbourne.

1. Liberty National User Group Conference and Master Class

This conference was organised by Softlink Australia and was hosted at Rydges on Swanston from 24th-25th August, 2017. This conference focused on new and upcoming features developed by the Softlink for Liberty software. Other major topics discussed were on design thinking, which dealt mostly with marketing your library, as well as ways to solve library related issues and a mobile app, which is still in its development stage.

The conference was an opportunity for the Librarian to enhance his knowledge on these new features and functions, as well as how to activate and implement the same on the Library's current version of the Softlink for Liberty software.

2. Moys Classification Workshop

This workshop was organised by the Australian Law Librarians' Association (ALLA) and was hosted at the Melbourne Law School, University of Melbourne on 10th October, 2017. The aim for this workshop was to educate the users on the 2015 edition of Moys Classification and to find solutions to some of the common issues that users face during the classification process. The topics discussed during this workshop were how to correctly use the cutter numbers, effective ways of number construction, subject cata-

loguing, methods of classifying criminology books, use of Moys Classification tables and classifying books of common law jurisdictions.

Moys Classification is a system for library classification for legal materials. It is a flexible scheme that can be adapted to suit the needs of very small to very large library collections.

ODPP REGISTRY

The Registry is the engine of any organisation as it deals with the daily operation of the business. The Registry has strict procedures and guidelines, which it follows to ensure that there are no hiccups in the daily operation of the office.

The software used by the Registry is called the Criminal Advocacy Support and Enquiry System (CASES). This software enables the Registry to store data regarding each criminal file. The Registry is also able to generate a daily causelist from this software.

Team

The Registry in Suva is headed by Ms Kiran Singh who is assisted by Shalen Kumar and two other experienced staff members who joined the Registry in 2017; Susana Vuniani and Elvin Khan and other Litigation officers from the Western, Eastern and Northern Divisional offices.



The Registry Team (front, middle), Registry Manager, Ms Kiran Singh, (back L-R), Ms Susana Vuniani, Mr Elvin Khan and Mr Shalen Kumar.

Core Functions

The basic function of the Registry is:

- *receiving police dockets, notices from Court, legal documents from law firms;*
- *opening of physical files;*
- *updating CASES;*
- *preparing daily cause list;*
- *preparing and filing documents in Court and serving them to respective law firms;*
- *requesting police dockets from Police Stations;*
- *keeping record of closed files and files sent to archives for safe keeping;*
- *keeping record of exhibits and movement of station diaries, meal books and cell books used in trials;*
- *providing Court clearance to police officers for overseas leave;*
- *moving files to and from the Child Protection Division based at Dolphins Plaza;*
- *keeping record of file movement from other divisions;*
- *moving all files and documents that are recorded in CASES.*
- *Scanning and attaching all documents received by the office to CASES;*
- *each staff of the registry has to do Court run and CPD run. A timetable has been drawn for all staff to follow.*

ODPP REGISTRY

Year in Review

In 2017, the Registry conducted a file audit that keeps a record of physical files allocated to each officer. The next file audit will be in December, 2018. The Registry sent 2002 and 2007 closed files to the National Archives of Fiji for safe storage. The detail of each file was recorded before placing files in cartons. The cartons were labeled and packed according to the standards of National Archives of Fiji.

The Registry also recorded details of all 2008 and 2009 closed files. These files were packed and taken to the National Archives of Fiji.

The Registry also managed to send old exhibits to their respective police stations for safe keeping. Before sending an exhibit, the Registry staff took photographs and recorded its details in the exhibit register.

The following details are recorded before sending files to archive:

- **ODPP case number**
- **Accused name**
- **Charge**
- **Date matter opened**
- **Date matter closed**
- **Decision**
- **Remarks**

In 2017 ODPP Suva Registry opened 931 criminal files. Below is the table showing the figures.

Court	Number of files opened
Suva High Court	408
Suva Magistrates' Court	128
Supreme Court	16
Court of Appeal	120
Nasinu Mgt Court	16
Navua Mgt Court	12
Police	94
Advice	147
TOTAL	931

Criminal Advocacy Support and Enquiry System (CASES)

An electronic document and records management system called CASES is used by the ODPP. This software allows State Counsel to record and view all information relating to prosecution matters through a single interface.

CASES records details of all cases entered into it, and allows State Counsel to update their matters for record keeping and efficient tracking purposes; allows the DPP, ADPPs and Divisional Managers to track the progress of matters handled by the ODPP; and it also allows State Counsel to conduct efficient and fast searches of categorised case matters handled by the ODPP.

ODPP REGISTRY

In 2017, the Registry also reorganised its file storing systems, exhibit and warrant register books, and the annual file census management system. This has resulted in the better organisation and categorisation of each type of filing system within the ODPP.

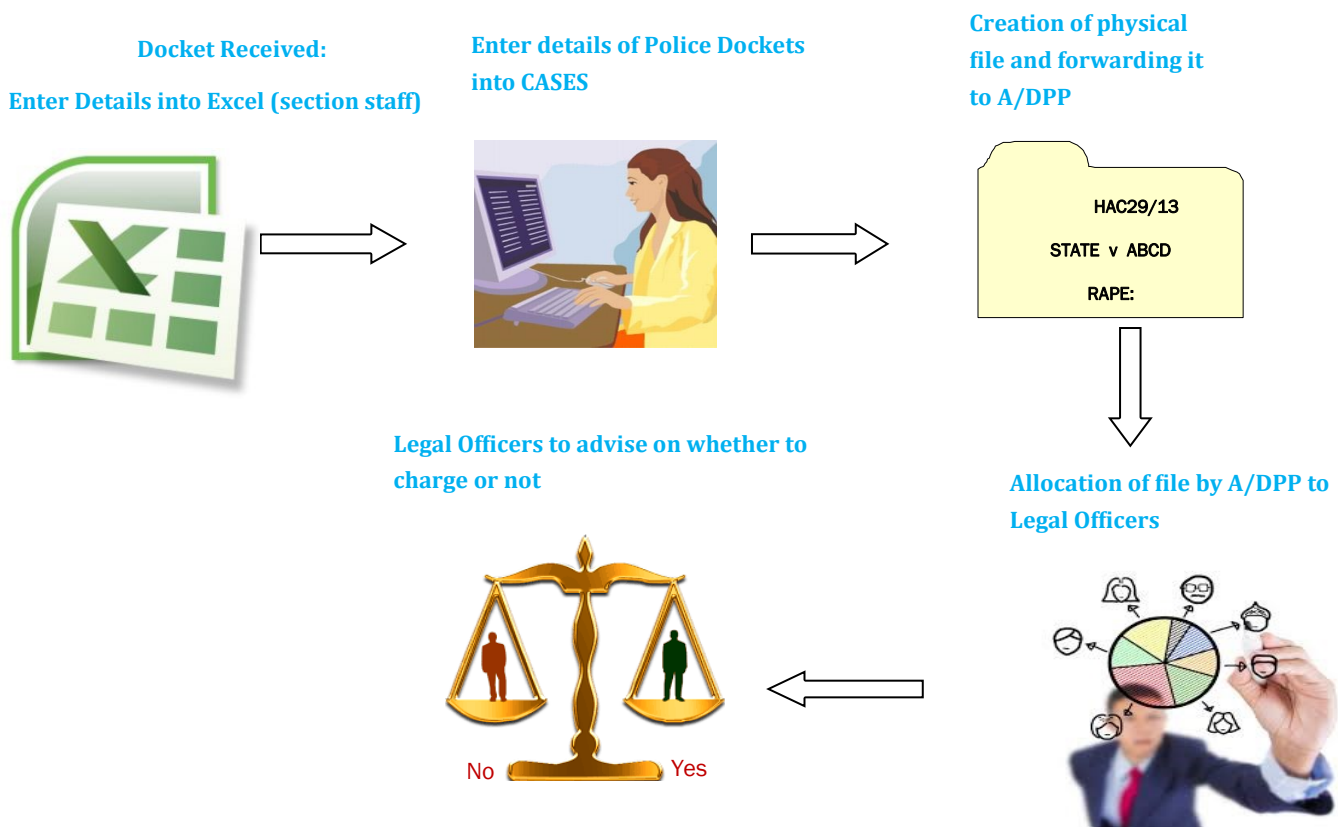
The Exhibit Register is used to record items that are part of the exhibits in court cases. The Registry took a proactive stance in ensuring that all exhibits are returned to the police after the conclusion of trials in a timely manner and with proper record documentation. Officers handling exhibits, including messengers and drivers have also been trained to ensure that all procedures are adhered to in terms of documenting the delivery of exhibits to and from the ODPP.

The Registry Team has been trained to ensure that the file census is done effectively by following a consistent set of procedures across the ODPP. This exercise ensures that all officers can easily access information about file movement within the ODPP, and to and from external agencies.

Each Registry staff member has undertaken continuous training, and there have been continuous consultations between legal and registry staff to ensure that every staff member is familiar with any change to procedure.

Below is the procedure followed by the ODPP Registry upon receipt of Police docket.

Procedure Upon Receiving Police Dockets



ODPP IT

The Information Technology (IT) section provides assistance to ODPP staff on all technology-related matters and continuously encourages the creative and innovative use of technology to achieve the ODPP's stated objectives.

The IT section provides a secure, highly reliable technological infrastructure along with a high-quality service and support system for staff at the ODPP. Mr Latanoa Bulivou assisted by Mr Amitesh Prasad managed the IT Section in 2017.

They facilitated all Skype conference calls between the ODPP offices across the country during the Professional Officers *Talanoa* Sessions, and during meetings.

The IT section is also responsible for the management of training videos and the maintenance of CASES.

Year in Review

The Section is responsible for all IT-related purchases and maintenance as stated below.

- **Photocopiers**

The ODPP purchased 3 photocopiers; it was deployed to ODPP Labasa, ODPP Sigatoka, and ODPP Nadi. The photocopiers purchased namely; the Konica Minolta Bizhub 554e, 558e and 55ppm were at a reduced price of **\$11,880** each.

There was a necessity to buy new machines as the old machines had been in continuous use for over five years and retaining and running the machines would have resulted in the recurrence of problems due to parts deteriorating and incurring considerable costs. Their replacements

mean that the ODPP now has uniformity of photocopying machines throughout the offices. In addition, the GCD floor received a new photocopier, namely; Toshiba e-studio 8508, purchased from Office 2000 Ltd at the price of \$27,000.



Back L-R; Mr Amitesh Prasad and Mr Latanoa Bulivou with Principal Administration Officer, Ms Charlotte Nambiar.

ODPP IT

• HDMI Cables

The ODPP purchased HDMI cables used for Skyping during Professional Officers ‘Talanoa’ Session (POTS) and evidence given in Court via Skype and for video review trainings. The purchase details are listed below.

Company	Items	Price	Qty	Cost
Janty Bondwell Ltd	CABLE VCOM FLAT HDMI 19 MALE TO MALE FUNCTIONAL PRODUCT 1.4V 10M	\$55.00	2	\$110.00
	CABLE HDMI MALE TO MINI HDMI MALE	\$19.00	2	\$38.00
	ADAPTOR HDMI MALE TO VGA FEMALE (CONVERT HDMI TO VGA)	\$55.95	2	\$111.90
Total				\$259.90

• Headset and USB Hubs

The Headset was used for transcribing evidence footage and Skype evidence during the video review training. The USB Hubs were used for laptops that require more USB ports for daily usage.

Company	Items	Price	Qty	Cost
Janty Bondwell Ltd	HEADSET LOGITECH H390 USB PURE DIGITAL WITH NOISE CANCELING MIC	\$135.75	3	\$407.25
	USB HUB 4 PORT USB 3.0	\$45.00	5	\$225.00
Total				\$632.25

ODPP IT

• Desktop Monitors, Webcam and SD Cards

The Desktop monitors were used in the ODPP Accounts Department for spreadsheet viewing and IT for wide display. They were also used for Skyping during POTS and Court Skype evidence as well as during video review training.

The web cam were used in POTS and Court Skype Sessions. The memory cards were used for video review training sessions.

Company	Items	Price	Qty	Cost
Janty Bondwell Ltd	MONITOR LENOVO DP TILT 23 INCH BLK DOCK FOR TINY 1920X1080	\$399.00	2	\$798.00
	MONITOR AOC LED 27 WIDE ULTRASLIM 1920X1080 FULL HD 2X HDMI VGA METALLIC FINISH	\$749.00	2	\$1,498.00
	CAMERA LOGITECH C920 HD PRO 15M PIXEL	\$236.04	3	\$708.13
	CARD MEDIA VERBATIM SDHC 16GB CLASS 10 WITH ADAPTER	\$26.50	10	\$265.00
	Total			\$3,269.13

• USB Device for Court Disclosures

The 64GB USB removable device was used in Court for Disclosures on **State v Asesela Niubasaga & Samisoni Waqavatu [HAC 403/16]** - CCTV Footage. The total capacity of the footage is 39GB. There were five USB devices in total.

Company	Items	Price	Qty	Cost
Janty Bondwell Ltd	DRIVE HANDY VERBATIM 64GB V3 USB 3.0 GREY	\$71.10	5	\$355.50
Total				\$355.50

• Toner Cartridges

Toshiba studio 85ppm photocopier machine uses **Toshiba toner T7580D**. This has moved on the top floor of the Gunu house and is used by the SFD team and the Librarian.

Company	Items	Price	Qty	Cost
Office 2000 + Ltd	Toshiba Toner	\$345.00	5	\$1,725.00
Total				\$1,725.00

ODPP IT

• Power Boards

The Power boards were used by for new Users and for IT equipments during training setups.

Company	Items	Price	Qty	Cost
Janty Bondwell Ltd	CYBER POWER POWER BOARD 8 WAY URGE PROTECTOR WITH 2 X USB PORTS	\$49.00	5	\$245.00
Total				\$245.00

• Lectrum and Sound Systems

The Lectrum and sound systems with microphones were utilised during the monthly workshops, police prosecution training and other ODPP training programs.

Company	Items	Price	Quantity	Total cost
Dragons Music Ltd	OPTION D:- Sound System			
	1 x PHONIC POWERED MIXER	\$1,400	1	
	POWERPOD 620		1	
	with 6 CHANNELS /USB Record & Playback Facility	\$390		
	2x PHONIC SPEAKERS 12 inches	\$350	1	
		\$2,200	1	\$4,340
Dragon Music Ltd	2 x PLATNIUM SPEAKER STANDS		1	
	SPEAKER WIRES & PATCH CABLING			
	1 x SET ASHTON DUAL HEADSET/			\$8,060
Dragon Music Ltd	1 x LECTRUM PROFESSIONAL LECTRUM, STANDARD LECTRENS FOR HOTELS & PMs Etc. WITH DUAL MIC INPUTS & LIGHT (for reading)	\$6,900	1	
	ATTACH THE PULPIT MIC (as quoted above) Gold or Silver			
	1x PULPIT (LECTRUM) MIC	\$980	1	
	CABLING FOR MIC FROM CONTROL TO LECTREN	\$180		
Total Cost				\$12,400

ODPP MEDIA

The ODPP has developed an amiable yet professional relationship with the media and continues to assist the media to accurately report events that occur within Fiji's criminal justice system.

Through its Media Liaison Officer (MLO), the ODPP assists the public and media organisations in their reporting of court proceedings by providing media updates and press statements when needed.

The ODPP in 2017 continuously assisted media organisations in their effort to obtain information from the ODPP concerning any matter it prosecuted before the courts. Ms Farisha Ahmed continued as the Media Liaison Officer in 2017.

Core Functions

The MLO is responsible for the following:

- *providing quality information service to media organisations;*
- *writing and editing media releases, in-house newsletters, brochures, other publications;*
- *contribute to the development and the design of the annual report;*
- *accurate reporting of progress on cases;*
- *responding to queries from individuals, journalists and other organisations;*
- *maintaining and updating the ODPP website; and*
- *analyzing media reports, collating articles of interest to the office for follow up action.*

Year in Review

• Media Updates

A total of 64 Media Updates were released in 2017.

The updates were released based on request and as directed by the DPP or if there was a lot of media attention as well as public interest.

However, the type and nature of information released was dependent upon the stage and nature of the proceedings and whether they were subject to any legal prohibition.



ODPP Media Liaison Officer, Ms Farisha Ahmed.

ODPP MEDIA

The media updates were not only released to local media but also overseas media. Media organisations were encouraged to seek clarification on matters even when reporters were present in court to report on proceedings.

Media queries ranged from matters under investigation by the Police to matters before the courts and those concluded by the courts.

- For matters with Police pending investigations, the ODPP confirmed that the file was with the Police and referred media organisations to the Police media liaison officer.
- Updates on matters that were prosecuted by Police Prosecutors and State Counsel were provided to media organisations as requested but also followed a standard template created by the ODPP.
- Copies of judgments, sentences, bail conditions, and rulings issued by the courts were provided to media organisations upon request and when available.

• Monthly Statistics

The ODPP continued to release monthly Rape and Sexual Offences statistics. These statistics are recorded by the DPP who forwards it to the MLO at the beginning of each month. In 2017, the DPP approved the request to release serious crime (non-sexual offences) statistics to the media and the general public. These statistics also included offences committed by police officers.

Each time the DPP signs the Information (Indictment), he records details such as the charges, number of counts, the type of offence,

the location, the sex of the offender, as well as the victim and other details relating to the case; however, the details released are prioritised on the seriousness and public interest of each case. The MLO compiles the information from the raw data into a narrative and tabular format following the previous years' precedent. The statistics are tabulated and issued to the media and general public at the beginning of each month through the ODPP Twitter feed and is simultaneously uploaded to the ODPP website.

The MLO had received several requests from Non-Government Organisations, Ministries and students for the use of the statistics in their research, feature articles, analysis reports and for presentations.

The ODPP also accommodated meetings with organisations needing additional information on the monthly statistics, mostly rape and sexual offences statistics. One such organization was the Fiji Womens Rights Movement (FWRM). The FWRM required statistics for their research on the Balancing Scales and Access to Justice by women in Fiji.

ODPP MEDIA

- **Media Monitor**

The MLO monitors news articles on a daily basis to ensure that media organisations accurately report court proceedings and information released from ODPP. The ODPP receives updates on news stories, local and overseas, through the Department of Information media output that collects and disseminates news stories everyday. The MLO also looks at news articles published in the newspapers, media websites, both local and overseas, on a daily basis to ensure that there has been accurate reporting in relation to the organisation and court proceedings.

- **Corrections Sought by the ODPP from Media Organisations**

A total of 22 corrections were sought from media organisations in 2017. Six corrections were sought from the Fiji Times, six from the Fiji Sun, two from Radio New Zealand, four from the Fiji Broadcasting Corporation (FBC) and four from Fiji Village. These corrections are sought in the form of a complaint letter or verbal complaint issued by the MLO through email after the DPP's approval. The print media are expected to correct their mistakes in the next days' publication through an apology or in their letters to the editor section, while the verbal corrections are mainly for the online publication, whereby organisations such as Fiji Village and FBC are requested to immediately correct the errors.

- **Website Maintenance**

The MLO is also assigned to update the ODPP website. To check the traffic flow to the ODPP website, the ODPP uses a Google analytics on a quarterly basis to determine the usage of the website. The MLO also uploads all media updates, press releases and monthly statistics on the website.

- **Social Media**

The ODPP has accounts on two social media sites; Twitter and LinkedIn. The MLO is responsible to monitor these two sites as well. All media updates and press releases are also disseminated through our two social media accounts as required.

- **Annual Report**

The MLO is also responsible for collating all the quarterly reports and compiling the Annual report. The design and layout is approved by the DPP. After receiving all the quarterly reports from Divisional Managers, the MLO compiles the Annual Report and forwards it to the DPP for review and approval.

ODPP MEDIA

• Press Releases

A total of 11 press releases were issued in 2017.

A joint Agency press release on First Hour Procedure and Video Recording was also released. The joint press release was between the Judicial Department, the ODPP, the Fiji Police Force, the Legal Aid Commission, the Human Rights and

Anti-Discrimination Commission and the United Nations Development Programme.

Below is a list of all the press releases issued in 2017:

2017 Press Releases

Press Release #	Press Release Title
ODPP Press Release No. 1 of 2017)	DPP meets Nepalese Government Officials
ODPP Press Release (No. 2 of 2017)	ODPP welcomes new Legal Intern
ODPP Press Release (No. 3 of 2017)	ODPP hosts 3rd Annual National Prosecution Course
ODPP Press Release (No. 4 of 2017)	DPP welcomes former Chief Judge to the United States Court of Appeals for the Armed Forces
ODPP Press Release (No. 5 of 2017)	Chief Justice addresses graduates at the ODPP 3rd Advanced National Prosecution Course
ODPP Press Release (No. 6 of 2017)	ODPP facilitates Basic Prosecution Course in Nauru
ODPP Press Release (No. 7 of 2017)	ODPP completes 4th Trial Advocacy Training for State Counsel
ODPP Press Release (No. 8 of 2017)	ODPP establishes Transcription Unit
ODPP Press Release (No. 9 of 2017)	ODPP completes final Advocacy Training for 2017
ODPP Press Release (No. 10 of 2017)	Talanoa session concludes ODPP Police Training Year
ODPP Press Release (No. 11 of 2017)	ODPP concludes year with staff awards

• DPP Speeches

The MLO is also responsible for releasing the DPP's speeches as required. These speeches are released through e-mail, tweeted to media organisations and the general public and are also uploaded to the ODPP website.

Below is a list of DPP's speeches released in 2017.

- **ODPP Basic Prosecution Course 2017** - An Address by the Director of Public Prosecutions at the ODPP Basic Prosecution Course opening ceremony held at the Fiji Police Training Academy, Suva on 6th February, 2017.
- **International Women's Day 2017** - An Address by the Director of Public Prosecutions to the Elimination of Violence Against Women Forum held at the Holiday Inn, Suva on 8th March, 2017.
- **Implementing United Nations Convention Against Torture in Fiji - Police Interrogation and the Rights of Suspects in Custody** - An Address by the Director of Public Prosecutions at the 36th Session of the UN Human Rights Council at the side event organised by the Permanent Mission of Fiji to the UN in Geneva, on 12th September, 2017.
- **Good Governance - What and for Whom?** - An Address by the Director of Public Prosecutions at the Annual Public Forum Panel Discussion on Good Governance: a partnership between the University of the South Pacific, the Citizens' Constitutional Forum and the Fiji Women's Rights Movement at the USP Japan-

ICT Centre, Laucala Bay Campus, Suva on 16th November, 2017.

- **Ordinary People or Judges? Jury or Judge Trials?** - An Address by the Director of Public Prosecutions at the 19th Attorney-General's Conference held at the Intercontinental Resort and Spa on 8th and 9th December, 2017.

TRAINING AND PROFESSIONAL DEVELOPMENT

Training in the ODPP has been a key priority and has helped support the professional development of its staff, in particular our lawyers. The impact of training is reflected in the quality of their work and mentoring of new officers who join the organisation.

Training programmes for lawyers incorporate the development of soft skills of lawyers, namely their communication skills, professionalism, leadership, team work, networking and serving with honesty.

Monthly Training Programmes for the Professional Legal Staff

The ODPP organised 11 Monthly Training Workshops for its professional legal staff in 2017. The responsibility of selecting training themes and designing workshop materials were undertaken on a rotation basis between each of the three Divisions based at Suva. The training committees, in collaboration with each of our lawyers and the Senior Management Team, facilitated the delivery of the monthly workshops.

The committees brought in a diverse team of facilitators to conduct the training. Professionals and academics such as former and current High Court Judges and legal consultants were invited to participate to ensure our lawyers had the opportunity to learn about developments in the criminal justice system from experts within the field. The day-long programmes were designed to be interactive and involved participatory group presentations and a variety of discussion activities.

The training subjects were well researched, and the training materials and group exercises were also tailor-made to address identified weaknesses and strengths, with the overall aim of enhancing productivity.

Evaluation forms were also circulated for each training session to help the ODPP Training Section gather participants' feedback on specific sessions to review and improve future training programmes.



Principal Legal Officer, Ms Seini Puamau addressing participants during one of the ODPP monthly training sessions.

TRAINING AND PROFESSIONAL DEVELOPMENT

ODPP Monthly Training



Former Chief Judge to the United States Court of Appeals for the Armed Forces, James E. Baker with the Director of Public Prosecutions, Mr Christopher Pryde.

A former Chief Judge to the United States Court of Appeals for the Armed Forces, James E. Baker also presented his expertise during the June Monthly Training workshop.

Judge Baker was in the country for three days following an invitation from the DPP to share his experience and knowledge with prosecutors and judges in the country. His visit to Fiji was sponsored by the United States Embassy in Suva. He presented a number of lectures at the ODPP Advanced National Prosecution Course at the Fiji Police Force Training Academy, Nasova and also with members of the judiciary at a separate workshop. He also shared his expertise with legal officers at the ODPP's monthly training workshop and led a number of discussions.

Judge Baker was appointed to the United States Court of Appeals for the Armed Forces in 2000 and became its Chief Judge in 2011. Judge Baker is the recipient of the 1999 Colonel Nelson Drew Award, which is the U.S. National Security Council's highest honour, recognising "distinguished contributions to the formation of peaceful, cooperative relationships between States, and the U.S. security policy for global peace." He is also a recipient of the "Director's Award", given by the Director of the Central Intelligence as recognition for "superior contributions in the fields of intelligence and national security". In 2009, the U.S. Army Command and General Staff College awarded Judge Baker the honorary degree of Master of Military Art and Science.



Former Chief Judge to the United States Court of Appeals for the Armed Forces, James E. Baker sharing his knowledge and expertise with the ODPP Legal Team during the June monthly training session.

TRAINING AND PROFESSIONAL DEVELOPMENT

Professional Officers “Talanoa” Sessions (POTS)

POTS are informal “talanoa” or discussion sessions between legal staff and are held on every Friday for the first three weeks of each month. The last Friday of every month is for the ODPP monthly training. These sessions are held at the ODPP conference room and the other ODPP Divisions also participate through Skype connection. In these sessions, the professional staff discuss matters and issues in relation to their daily experience, especially in court.

In these sessions, the professional staff are able to get clarification from the DPP and ADPPs on matters and issues they are facing. The DPP also updates the team on any relevant important administrative issues on behalf of Corporate Division.

External Training and Development

The ODPP facilitates the participation of its lawyers at external, local and international training workshops, including the Attorney-General’s conference. The ODPP lawyers also conduct training for other organisations such as the Fiji Police Force and prosecutors from other government agencies. The ODPP successfully completed Basic and Advanced Prosecution Course training, facilitated by Principal Legal Officers, Ms Seini Puamau and Mr Yogesh Prasad who were assisted by fellow ODPP Legal officers.

The following courses concluded with a graduation ceremony. These training courses were for police and other statutory prosecutors seeking to improve their prosecutorial skills in the courtroom.

- **Basic Prosecution Course** – 6 weeks – 6th February – 17th March, 2017
- **Advanced Prosecution Course** – 6 weeks – 19th June – 28th July, 2017

24 officers from the Fiji Police Summary Prosecutions Division and 17 law enforcement agents from the Ministry of Health, the Ministry of Fisheries and Forestry, the Ministry of Labour, the Fiji National Provident Fund (FNPF), the Fiji Revenue and Customs Authority, the Fiji Commerce Commission, the Fiji Independent Commission against Corruption and the Lami and Nausori Town Council participated in the Basic and Advanced Prosecution Course.



Participants of the 2017 Advanced National Prosecution Course.

TRAINING AND PROFESSIONAL DEVELOPMENT

Basic Prosecution Course for Nauru Police Prosecution

Principal Legal Officer, Ms Seini Puamau facilitated a Basic Prosecution Course in Nauru in August at the Nauru Central Police Station following an invitation from the Nauru Ministry of Justice. This marked the first bilateral regional training initiative between the ODPP Fiji and Nauru.

The four-week prosecution course was a combination of theory and practical exercises, similar to those offered during the Basic and Advanced Prosecution course for police and statutory

prosecutors in Fiji. It was designed to equip prosecutors with trial preparation and advocacy skills. Twenty one law enforcement agents graduated from the four-week course which ran from 7th August to 1st September, 2017.

AG's Conference

The Attorney General's (AG's) conference was held on 8th and 9th December, 2017 and all ODPP Legal Officers attended this workshop at the InterContinental Fiji Golf Resort & Spa.



Law enforcement agents from the Republic of Nauru after the Graduation Ceremony on 1st September, 2017 with ODPP Principal Legal Officer, Ms Seini Puamau (Back row, 1st from left).

TRAINING AND PROFESSIONAL DEVELOPMENT

International Training

Staff at the ODPP attend overseas training, meetings, conferences and seminars upon the DPP's nomination. When the ODPP receives participation invitations for overseas events, the HR Manager, on the instructions of the DPP circulates invitations among staff, inviting expressions of interest. The HR Manager then shortlists the pool of potential attendees based on their training needs.

For all external training, it is mandatory that employees submit a report on the event attended within 14 days following their return. They are also required to present their report during the monthly training workshops for professional legal officers.

The following table lists the various international training attended by the ODPP Staff in 2017.

ODPP International Training Calendar 2017

	Participant	Training/Meeting
1.	Director of Public Prosecutions, Mr Christopher Pryde	Heads of Prosecution Agency Conference - Sydney, Australia from 26-28 March, 2017
2.	Director of Public Prosecutions, Mr Christopher Pryde	APT Symposium - Geneva from 10-11 May, 2017
3.	Legal Officer, Ms Lavenia Bogitini	PILON Training - Tonga from 23-25 May, 2017
4.	Legal Officer, Ms Swastika Sharma	Forum Fisheries Training- Solomon Islands from 26-28 June, 2017
5.	Legal Officer, Ms Mehzabeen Khan	19th Asia Pacific Group on Money Laundering- Colombo, Sri Lanka from 17-21 July, 2017
6.	Principle Legal Officers, Ms Jayneeta Prasad, Ms Juleen Fatiaki and Mr Josaia Niudamu	Economic Crime Symposium- Jesus College, Cambridge, United Kingdom from 3-10 September, 2017
7.	Principle Legal Officer, Mr Meli Vosawale, Legal Officers Ms Siteri Navia and Ms Shirley Tivao	IAP Annual Conference and General Meeting- Beijing, China from 10-15 September, 2018
8.	Librarian, Mr Ziad Hussein	Moys Classification Scheme- Australia from 10 October, 2017
9.	Legal Officers, Ms Kimberly Semisi and Ms Susan Serukai	PILON Training- Samoa from 1-11 November, 2017
10.	Principle Legal Officer, Mr Yogesh Prasad	Post Graduate Certificate in Corruption Studies - Hong Kong from 7-30 November, 2017

TRAINING AND PROFESSIONAL DEVELOPMENT

Trial Advocacy Training for ODPP

The ODPP completed a three-day Trial Advocacy Training Course in September, 2017. The advocacy training was conducted from 15-17th September, 2017 in Suva by two International Advocacy Training Council (IATC) accredited advocacy teachers, Mr Giles Surman from Hong Kong and Deputy Public Prosecutor for the Securities Commission, Malaysia, Ms Roz Mawar Rozain. This was part of the ODPP's continuing commitment to raise the standards of criminal trial advocacy in Fiji and to further hone the skills of ODPP State Counsel in prosecuting cases.

Advocacy Training for Private Practitioners

The ODPP successfully completed its fourth and final trial advocacy training for the year on Saturday 4th November, 2017 at the Suva High Court. The advocacy training was for new practitioners from the ODPP as well as for practitioners from the Private Bar. This was a three-day

training, which began on Monday (30th October, 2017) with theory classes and continued on Friday and Saturday (3-4th November, 2017) at the Suva High Court with practical exercises designed to equip prosecutors with trial preparation and advocacy skills at the bar table. It was facilitated by International Advocacy Training Council accredited trainers and ODPP Principal Legal Officers Ms Seini Puamau, Ms Jayneeta Prasad, Ms Pauline Madanavosa and Mr Sekonaia Vodokisolomone together with ADPP, Mr Michael Delaney. The advocacy training was based on the Hampel Method. The Hampel Method is used by the Bar Council of England and Wales, the Hong Kong Bar Association, the Malaysian Bar Council, the Bar Council of Ireland, the Australian Bar Association, the New Zealand Bar Association and the General Council of the Bar of South Africa to train their barristers.



International Advocacy Training Council (IATC) accredited advocacy teachers (sitting L-R); Mr Giles Surman from Hong Kong and Deputy Public Prosecutor for Securities Commission, Malaysia, Ms Roz Mawar Rozain with ODPP Legal Officers during the 2017 Trial Advocacy training session.

ODPP TRANSCRIPTION UNIT

In 2017, the ODPP established the Transcription Unit at the ODPP headquarters, Suva, to assist police with recording of interviews.

Three staff from the ODPP successfully completed a transcribers workshop on 3rd November, 2017, which was a collaboration with the British High Commission and the United Nations Development Programme. Senior Operational Trainer from the Norfolk and Suffolk Constabulary in the UK, Mr Colin Bridge conducted the workshop.

The three officers are tasked to translate and transcribe all digitally recorded police interviews from the vernacular language into English

as part of the formal record of interview and for serving on the defence.

The aim of this newly established unit is to assist the police by providing an independent and professional transcription service, thereby freeing up police officers for other duties. By providing high quality accurate transcripts of caution interviews to the court and the defence, the ODPP will create greater transparency in the criminal justice process and, hopefully, minimise the number of challenges to police interviews in court.



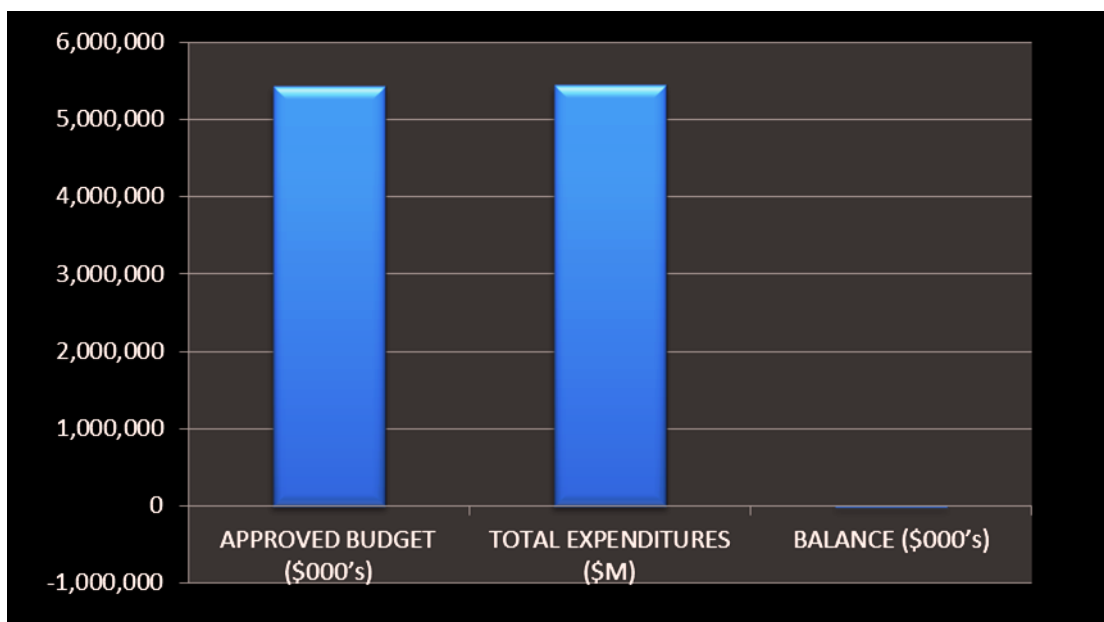
Director of Public Prosecutions, Mr Christopher Pryde, transcribers, Ms Akanisi Vosanibola, Ms Margaret Chand, Ms Shouhana Chand and Senior Operational Trainer from the Norfolk and Suffolk Constabulary, UK, Mr Colin Bridge.

APPENDIX

Summary of Expenditures January - December 2017

APPROVED BUDGET (\$000's)	TOTAL EXPENDITURES (\$M)	BALANCE (\$000's)
5,419,735	5,433,440	-13,705

Approved Budget & Total Expenditure January - December 2017



ELECTRONIC FUND TRANSFER (EFT) vs. CHEQUES

	TOTAL
CHEQUES	\$1,058,998
EFT	\$2,035,730
TOTAL PAYMENT	\$3,094,728

YEAR IN SUMMARY



ODPP Training for Legal Officers in 2017.

YEAR IN SUMMARY



Basic and Advanced Prosecution Course for Police and Statutory prosecutors in 2017.

YEAR IN SUMMARY



ODPP Legal Staff attended the 2017 Attorney General's Conference at the InterContinental Fiji Golf Resort & Spa.

YEAR IN SUMMARY



ODPP Sports and Social Committee events (Eid, Fiji Day, Diwali and Christmas celebrations) 2017.

YEAR IN SUMMARY



ODPP concluded 2017 with an Annual Black Tie Dinner and Awards Night at the Suva Royal Yacht Club.

Comments and enquiries should be addressed to:

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