



ANNUAL REPORT 2018



Director's Foreword



Director of Public Prosecutions, Mr Christopher Pryde

Our monthly statistical data was put to effective use this year in two landmark sexual offence cases. First, in *State v Gordon Aitcheson*, the Supreme Court used our statistics to accept the State's submission that the tariff for child rape sentences should be increased to a sentence of between 11 and 20 years imprisonment (up from the previous tariff of 10 to 16 years, established in 2014).

Then, in *State v Peni Vukici*, the High Court imposed Fiji's first-ever life sentence on a man who had continually raped his family over a thirty-year period. Arriving at the decision to impose a life sentence, the High Court was persuaded by the expert evidence of Dr Daryn Reicherter, whom the office had brought over from Stanford University's School of Medicine in the United States to give expert evidence and who described the case as one of the worst he had ever seen in terms of the trauma visited on the victims.

I want to record my appreciation for the hard work put into these two seminal cases by members of our Child Protection Division and also our Assistant Director of Public Prosecutions, Dato Shyamala Alagendra.

Following these successes in Court, we will be reviewing the operation of our Child Protection Division next year, as well as the governing

guidelines to ensure they are up-to-date and reflect best practice in terms of how we deal with vulnerable witnesses in the criminal justice system.

As the Office expanded in 2018, our office space did not so we have had to be more creative in making more room. Our library was therefore relocated from its home on the top floor of Gunu House to Lomanikoro House, a much bigger premises and our administration and accounts section was relocated across the road to 37 Gladstone Road. We hope to make other office movements in the next year if budgets allow.

Our training and professional development training also expanded this year and we have now included statutory regulators in separate training courses in order to develop their skills to bring prosecutions in the Magistrates Courts under their own specific legislation which had been largely ignored over the years. My thanks to our Principal Legal Officer, Yogesh Prasad, for his tireless work in developing the courses and implementing and overseeing the training.

Christopher T. Pryde

Director of Public Prosecutions

Contents

Director's Foreword	1
ODPP Vision, Mission and Values	3
ODPP Role & Responsibilities	4
Criminal Prosecutions:	5
• Serious Fraud Division	7
• General Crimes Division	11
• Child Protection Division	15
• Northern Division	19
• Western Division	21
• Eastern Division	24
Corporate Services Division:	30
• ODPP Library	35
• ODPP Registry	38
• ODPP IT	40
• ODPP Media	43
• ODPP Transcription Unit	47
Training & Professional Development	48
Appendix I	53
Appendix II	54
Year in Summary	55

Vision, Mission, Values and Guiding Principles

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.'



Role of the 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 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 the ODPP

The Constitution at section 117 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 personally exercised by the DPP, 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 contributes 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 in 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 our 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 ODPP Prosecutors are guided by the 2003 Prosecution Code to aid them in their day-to-day decision making.

Drafting Criminal Charges

Prosecutors are bound by legal and ethical obligations that govern their basic conduct as State Prosecutors. State Prosecutors select charges that:

- (a) reflect the seriousness of the offence;*
- (b) give the court adequate sentencing powers;*
- (c) enable the case to be presented in a clear and simple way; and*
- (d) adequately reflect the true criminality of the offender's conduct.*

ODPP Offices

The ODPP has nine offices around the country with its Headquarters situated in Suva.

The ODPP Headquarters has three sub-divisions: the Serious Fraud Division, the Child Protection Division and the General Crimes Division.

The ODPP has 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.

The ODPP's Corporate Services Division is also headquartered in Suva, while administrative and registry support officers are assigned to regional offices around the country.



ODPP Headquarters, Gunu House, Suva.

Serious Fraud Division

The Serious Fraud Division (SFD) is responsible for the prosecution of major fraud cases and money laundering offences. The main areas of focus are offences, such as deception, money laundering, abuse of office, corruption and theft or larceny by servant. It is also responsible for initiating restraint and forfeiture applications under the Proceeds of Crime Act (POCA).

Core Functions

The SFD provides legal advice to law enforcement agencies, conducts trials and files appeals for all offences of fraudulent conduct on behalf of the DPP.

As the prosecution of such offences involves complex legal issues and voluminous documents, the SFD team spends a great deal of time examining documentary evidence and providing legal advice to investigating agencies (such as the Fiji Police Force and the Fiji Intelligence Unit). These include advice to the Police on files that are before the courts.

SFD Team

The SFD team has one Principal Legal Officer and three Legal Officers. Ms Jayneeta Prasad continued as the SFD Manager. Ms Mehzabeen Khan, Ms Moira Konrote and Mr Saif Shah continued as Legal Officers.

Training

The SFD provides training to Police on money laundering and fraud. The members of the Division also upgrade their skills in prosecuting fraud matters through in-house ODPP training sessions, along with overseas training sessions.

The team at the SFD also engages actively in training other stakeholders on a number of topics, such as money laundering, proceeds of crime applications, unexplained wealth declarations, financial fraud, extradition and mutual legal assistance.

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

Serious Fraud Division

Obtaining property or financial advantage by deception



Fraud by trustees and persons in a position of trust and false accounting



False or misleading statements and documents



Unwarranted demands (where a public official makes an unwarranted demand in his/her capacity as a public official with the intention of gain or causing a loss)



Fraudulent Conduct under the Crimes Act, 2009, Part 17

Financial information offences (includes dishonestly obtaining or dealing in personal financial information)



Computer offences (these include any unauthorised modification of data held in a computer and any unauthorised impairment of electronic communication to and from a computer)



Personation (with intent to defraud any person, falsely represents himself or herself to be some other person (living or dead)).



Serious Fraud Division

Year in Review

In 2018, the Division dealt with a number of cases that involved money laundering, deception, abuse of office and theft. The victims of the money laundering were predominantly large companies such as banks, corporations and, in one instance, a college. The funds obtained to launder the monies were obtained by misusing computer systems, deception and stealing from employers. In a majority of the theft matters, employees of the companies were the perpetrators.

A noteworthy case of abuse of office was prosecuted over a period of two weeks in July in the High Court. In ***State v Jovilisi Dau [2018] FJHC Crim. Case No 353 of 2016***, the accused was the Manager of Rural Housing at the Ministry of Provincial Development. The accused was convicted of one count of abuse of office for directing subordinate officers to certify that delivery of over \$184,000 worth of hardware had been made when, in fact, only \$46,081.60 had been delivered. The materials were for rebuilding houses damaged by Cyclone Thomas. The materials were never delivered and the monies paid for the materials were not recovered. The accused person was sentenced to two years' imprisonment by the High Court.

Another noteworthy case was ***State v Rosheen Raj and Rine Sorby [2018] FJHC HAC 185 of 2017S***. The two accused were finance officers at the Pacific Theological College and were charged with money laundering in the High Court. The total sum of money involved was over \$580,000.00. The accused persons, over a period of five years, laundered funds through their bank accounts and through cashing cheques and depositing them into their bank accounts and using the monies. No monies

were recovered and, because of breaching the trust of their employer, the two accused were sentenced to 11 years' and 10 years' imprisonment, respectively.

The SFD also handled restraint and forfeiture applications, which are designed to prevent anyone from benefitting from crime. This is regardless of whether one is charged or convicted for the offence. In one interesting matter, the Respondent ***Edwin Prasad*** in ***Civil Case HBM 44 of 2018*** was discharged by the Magistrates' Court on charges of aggravated robbery. The Police had seized, during the investigations, \$3900.00, which was believed to be proceeds from the aggravated robbery. The State made an application to forfeit the \$3900.00 that the Respondent had used after the robbery to attempt to purchase a car. The monies were forfeited to the State as the High Court believed that on the balance of probabilities, the monies were tainted. This case was an example of how the benefit of the crime of robbery was removed from the Respondent, despite the criminal matter not proceeding further. Once the forfeiture order was granted over the tainted property, it became the property of the State.

Serious Fraud Division

Year in Review

The Division also continued to handle mutual legal assistance requests. In 2018, the High Court issued a forfeiture order over \$89,000.00, subject to a mutual legal assistance request. The monies were the proceeds from the sale of real property, which was believed to have been purchased from the sale of drugs in New Zealand. The High Court of Fiji granted the application for registering the forfeiture order, which originated from New Zea-

land. Fiji had initially assisted New Zealand through the mutual legal assistance framework to restrain the real property in 2015.



The SFD Team; (L-R) Legal Officer, Ms Moira Konrote, SFD Manager, Principal Legal Officer, Ms Jayneeta Prasad, DPP, Mr Christopher Pryde, Legal Officer, Mr Saif Shah and Senior Legal Officer, Ms Mehzabeen Khan.

General Crimes Division

The General Crimes Division (GCD) is the largest division in the Office of the Director of Public Prosecutions, based on the ground floor of Gunu House. The GCD prosecutes a variety of cases from the Magistrates' Court to the High Court. Besides prosecution, the GCD is engaged in various Court of Appeal and Supreme Court appeals.

Core Functions

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.

The GCD is responsible for providing legal advice on general crime file dockets to the DPP, conducting criminal trials before the Magistrates' Courts and the High Court, and conducting appeals in the High Court, Court of Appeal and Supreme Court.

Members of the Division are also actively involved in providing lectures in the National Prosecution Workshop, Police Prosecution Workshop and Medical Student's Workshop

held at the Fiji National University Campus during the year.

GCD Team

In 2018, the GCD was headed by Principal Legal Officer, Ms Juleen Fatiaki and was jointly supervised by ADPP Mosese Korovou and ADPP Lee J. Burney.

The team consisted of the following Legal Officers.

- *Ms Siteri Navia (transferred to ODPP Sigatoka Office in May, 2018)*
- *Ms Wakesa Elo*
- *Ms Sujata Lodhia*
- *Ms Moumita Chowdhury*
- *Ms Unaisi Tamanikaiyaroi*
- *Ms Shirley Tivao*
- *Mr Eoghn Samisoni*
- *Ms Bhavna Khantharia*
- *Ms Prenika Lata*
- *Mr Zenith Zunaid*
- *Mr Mohammed Kutty*
- *Mr Setefano Komaibaba.*

General Crimes Division

Offences against public order, for instance inciting mutiny



Offences against the international order, for instance genocide



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



Sexual offences such as rape, indecent assault, etc.



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



General Crimes under the Crimes Act 2009

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



Criminal recklessness and negligence, such as dealing in poisonous substances in a negligent manner



Administration of unlawful authority, such as corruption and abuse of office



General Crimes Division

Training

The GCD facilitated an internal training session on 27 April, 2018 in relation to “Prosecuting Drug Offences”. Presentations were made from Senior Counsel, as well as representatives from the Fiji Police Force Drug Enforcement Team and the Fiji Revenue and Customs Service.

In 2018, the GCD hosted another training on the topic of “Mental Health and Fair Trial”. The case of *State v Alena Mause* (Criminal Case No. HAC 23 of 2012), which was decided by Justice Aruna Aluthge, was discussed in great detail. In his judgment, the Judge had identified certain issues *vis-à-vis* how investigations for an allegation of murder/ infanticide ought to be done; the difference between the test for ‘mental impairment’ and that of ‘balance of mind being disturbed’, and the role of the State in a case of murder/ infanticide. The ODPP Counsel were fortunate to have the Judge present as he delivered a paper on the issues. The aim of the training was to get relevant stakeholders together, including psychiatrists, a psychologist, a representative from the Fiji Police Force, a member from the judiciary plus the state counsels, to facilitate an academic dialogue. The discussion could assist the Police and the ODPP in formulating guidelines in relation to investigations of such cases and the laying of appropriate charges, plus prosecuting the same, respectively.

One internal training session conducted by GCD in 2018 was on “Corrections, Appeals and Trauma”. The ODPP was fortunate to have present Dr Daryn Reicherter, Director of the



Dr Daryn Reicherter as a key speaker during one of the ODPP monthly training sessions.

Human Rights in Trauma Mental Health Programme and a Clinical Professor at Stanford University, School of Medicine’s Department of Psychiatry and Behavioural Sciences. He was in the country following an invitation from the DPP to give expert evidence in a rape case in the High Court (*State v Peni Vukici*). During the training, he shared his experience and knowledge with prosecutors and invited members of the public, regarding mental and psychiatric trauma and behaviours of survivors of sexual abuse. Members of the Fiji Police Force, the Fiji Women’s Crisis Centre and Empower Pacific Fiji, also attended the session.

General Crimes Division

Year in Review

The GCD prosecuted a number of interesting cases in 2018, involving charges of murder, rape, aggravated robbery, sedition and unlawful cultivation of illicit drugs. The following is a noteworthy case, ***State v Amani Masikerei and Samuela Natokalau HAC 39 of 2018***. The accused persons were charged with one count of Unlawful Cultivation of Illicit Drugs contrary to section 5 (a) of the Illicit Drugs Control Act 2004. The accused persons had cultivated 1440 plants of marijuana, weighing 1046.8 kg in Natua Farm, Kadavu, currently the largest unlawful cultivation case in respect to marijuana in Fiji. Following a voir dire enquiry for the second accused, the caution interview was deemed admissible, after the second accused pleaded guilty. Following a trial in respect to the first accused, he was found guilty. The first

accused was sentenced to 18 years' and 2 months' imprisonment and the second accused to 14 years' and two months' imprisonment, respectively.

The 1440 plants of marijuana bundled into 63 bags were taken to the Totogo Police Station where they were kept to be destroyed later. This case led the ODPP to develop guidelines in terms of destruction of all illicit drugs being kept in exhibit rooms in police stations across the country.



The GCD Team: (Back L-R) Legal Officers, Mr Eoghn Samisoni, Ms Wakesa Elo, Ms Shirley Tivao, Ms Bhavna Khantaria, Ms Moumita Choudhary, Ms Prenika Lata, Ms Sujata Lodhia, Ms Unaisi Tamanikayaroi and Mr Zenith Zunaïd. (Front L-R) GCD Manager, Principal Legal Officer, Ms Juleen Fatiaki, ADPP, Mr Mosese Korovou, DPP, Mr Christopher Pryde and ADPP, Mr Lee Burney.

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. 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.

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. These timely advices are first submitted to the CPD manager for vetting before a final decision is made by the DPP.

Prosecutors at the CPD conduct trials in the Magistrates' Courts, High Courts and appeals in the High Court, Court of Appeal and Supreme Court. The officers also provide advice to the Police and other government departments and agencies on whether there is sufficient evidence to prosecute on a number of legal matters.

Team

The Child Protection Division is headed by Principal Legal Officer, Mr Meli Vosawale. Other members include Senior Legal Officer, Ms Kimberly Semisi, Legal Officers, Ms Lavenia

Bogitini, Ms Swastika Sharma and Ms Sadaf Shameem.

Training

In 2018 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 on the Courts' expectations of medical experts when giving evidence.

The Division facilitated four in-house training sessions in 2018, focusing on various broad topics essential to all prosecutors. The members of the Division also assisted in delivering presentations at the Basic and Advanced Prosecution Course for 2018.

Child Protection Division

The Fiji Times ONLINE

Home | Politics | Local | Sport | World | Letters | Editorial | Nai Lalakai | Business | Features | Clas

/ Front page / News

Father jailed for rape

Rapeka Nasiko
Saturday, January 28, 2017

A 34-YEAR-OLD man has copped a 12-year sentence for raping his seven-year-old stepdaughter in 2015.

High Court judge Justice Aruna Aluthge convicted the accused for raping the victim — who was six-years-old at the time — on two different occasions.

According to the Lautoka court, the man married the victim's mother in 2014.

Man gets 11 years for rape and sexual assault

05:54 Wed Jul 27, 2016

A 41-year-old man convicted of rape and sexual assault of a 17-year-old girl three years ago has been sentenced to 11 years imprisonment by the Suva High Court.

The court heard that the man committed the offence on his step daughter.

High Court Judge Justice Vinsent Parera said that this matter involved sexually



FBC 7PM NEWS 13 08 17

FBC

KEEPING FIJIANS CONNECTED

www.fbc.com.fj

@fbcnews

FBC News Daily Headlines 10:30 'Sub PAC' to 11:00

FBC TV 7pm News 12/08/2017

FBC TV 7pm News 11/08/2017

The Child Protection Division mainly deals with rape, sexual assault and defilement of young persons under the ages of 13 and 16 years. A trend has recently grown where the accused are family members, known or trusted

The Fiji Times ONLINE

Home | Politics | Local | Sport | World | Letters | Editorial | Nai Lalakai | Business | Features | Cla

/ Front page / News

Man rapes wife, jailed

Margaret Wise
Tuesday, March 21, 2017

A 42-YEAR-OLD father of three, who pleaded guilty to assaulting and raping his pregnant wife, will spend five years behind bars before he is eligible for parole.

High Court in Lautoka judge Justice Aruna Aluthge said even though the man's wife had accepted his apology and that incarceration would mean separation from his family, the laws of the country had to be applied.



Grandfather, 55, Jailed For Rape

by AQELA SUSU, Suva April 14 <http://fijisun.com.fj/2016/04/14/311301/>

The High Court in Suva on Tuesday sentenced a 55-year-old man to a total of 14 years and nine months in jail for raping and sexually assaulting a mother of three in 2014.

Sekonaia Nakula appeared before Justice Priyantha Fernando at the High Court in Suva on Tuesday.

Justice Fernando sentenced Nakula to nine years nine months for the count of rape and five years for the count of sexual assault.

Father imprisoned for raping, impregnating daughter

11:00 Thu Jul 09, 2015

A 56-year-old man has been sentenced to 17 years imprisonment for raping and impregnating his teenage daughter.

While sentencing the accused this morning, Judge Justice Salesi Temo told him he has breached his daughter's trust.

Suva High Court Judge, Justice Salesi Temo told the father of seven children that the relationship between a father and daughter is sacred.



FBC TV 7PM NEWS

FBC 7PM NEWS 13 08 17

FBC

KEEPING FIJIANS CONNECTED

www.fbc.com.fj

@fbcnews

FBC News Daily Headlines 10:30 'Sub PAC' to 11:00

FBC TV 7pm News 12/08/2017

FBC TV 7pm News 11/08/2017

FBC TV 7pm News 10/08/2017

Child Protection Division

Year in Review

There were quite a number of successful prosecutions recorded by the Child Protection Division in the Magistrates' Courts, High Courts and Appellate Courts in 2018.

One of the noteworthy cases of the year was ***State v Isoa Rainima HAC 064 of 2017S***. Isoa Rainima was charged with one count of assault with intent to rape, seven counts of rape, one count of sexual assault, one count of criminal intimidation and one count of robbery. On 30 December, 2016, Rainima attacked the victim along Holland Street, pushed her off the railings and assaulted and raped her for almost an hour. For count one, the Court sentenced Rainima to 4 years' imprisonment; for counts 2-8, he was sentenced to 16 years' imprisonment; for counts 9, 10 and 11, he was sentenced to 4 years', 3 years' and 6 years' imprisonment, respectively. The Court ordered that the sentences for assault with intent to rape, rape and criminal intimidation be made consecutive. The final sentence for the 11 offences was, therefore, 23 years' imprisonment with a non-parole period of 20 years.

Another case was that of ***Gordon Aitcheson v State AAU 0066 of 2015***. The Supreme Court in ***Gordon Aitcheson v State*** increased the tariff of child rape from 11 years' to 20 years' imprisonment. Using the DPP statistics, the Supreme Court stated that the increased tariff reflected prevalence of rape cases in the Courts. The Supreme Court increased the sentence of convicted child rapist, Gordon Aitcheson from 16 years' imprisonment to 17 years', 9 months' imprisonment with a non-parole period of 16 years in what was described as a rape campaign by the accused.

Aitcheson had appealed to have his original sentence of 16 years' imprisonment reduced; however, after the State filed additional material showing an increase in the prevalence of child rape in Fiji, the Court agreed the sentence required an enhancement. Aitcheson had earlier been convicted of raping and indecently assaulting his two biological daughters in their home and the increased sentence was "to represent the denunciation of the Courts in the strongest terms." The Court also agreed with the State that it was necessary to review the previous tariff of 10-16 years' imprisonment for child rape offences established in ***State v Raj***. The Court concluded that the current tariff for child rape offences in Fiji is now 11-20 years' imprisonment. The Court also said that the tariff could be exceeded in particularly heinous cases, such as that in ***State v Isoa Rainima*** earlier in the year where a 23-year sentence was imposed by the High Court.

Child Protection Division

Year in Review

One of the most publicised cases of the year was that of ***State v Peni Vukici HAC 104 of 2017***. Peni Vukici was convicted of seven representative counts of rape and two counts of indecent assault in October by the Suva High Court. He had raped his daughter who fell pregnant and then also raped her daughter (his granddaughter) when she was 10 years old. The incidents happened over a thirty-year period from 1982 to 2013 and involved more than 400 sexual assaults on his daughter. The State had called an expert witness, the Director of the Human Rights in Trauma Mental Health Programme and a Clinical Professor at the Stanford University School of Medicine's Department of Psychiatry and Behavioural Sciences, Dr Daryn Reicherter, for this case to give expert evidence on the mental health conse-

quences of sexual violence and rape on children.

In his evidence, Dr Reicherter remarked that the case was one of the worst he had ever seen and said both victims in this case had been diagnosed with Post Traumatic Stress Disorder and showed severe anxiety symptoms, as well as chronic suicidal thoughts and behaviour. He said that people who are raped by their fathers and grandfathers have severe traumatic reactions that are chronic throughout their lives. Peni Vukici was convicted and sentenced to life imprisonment.



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, Legal Officers, Ms Lavenia Bogitini and Ms Sadaf Shameem.

Northern Divisional Office

There are two ODPP offices in the Northern Division, namely Labasa and Savusavu. These offices prosecute offences throughout the Northern Division, which includes 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 Labasa office was managed by Acting Principal Legal Officer, Ms Darshani Rao after Principal Legal Officer, Mr Lisiote Fotofili resigned and joined the judicial department as a Magistrate.

Legal Officer, Ms Amelia Vavadakua, Clerical Officer, Mr Muni Sharma and Typist, Ms Neha Sharma were also based at the Labasa Office.

Legal Officer, Mr Rajneel Kumar, was stationed in the Savusavu office. Mr Kumar was assisted by a Litigation Officer, Ms Reshmi Peters and Driver, Mr Dhirend Chand. However, in mid-2018, Mr Kumar sought a transfer to the Suva office and the Savusavu office was then managed by both Ms Rao and Ms Vavadakua.

Training

In July 2018, the Fiji Medical Association held their conference at Labasa and medical practitioners from around the country attended. The Northern Divisional Office was privileged to have been invited to attend and speak. This rare opportunity was not missed and a lot of information was exchanged amongst participants; for example, discussions on legible

medical reports, the omission of medical jargons and why it is hard to predict when a witness will give evidence.



Northern Divisional Manager, Acting Principal Legal Officer, Ms Darshani Rao.

Northern Divisional Office

Year in Review

The Northern Division mainly prosecuted rape offences in 2018. One of the noteworthy cases of the year was ***State-v-Jale Ravula HC 18 of 2017***. In this case, a five-year-old child was raped by her grandfather. The grandfather had penetrated the vulva of the victim with his lips. On the day of the incident, the accused had called the victim by waving at her and he took her to his room where he undressed the complainant and raped her.

Jale Ravula had pleaded not guilty of the offence. In this case, the State called the medical examiner to explain to the Court the different parts of the female genitalia (the external and internal).

Jale Ravula was sentenced to 12 years' imprisonment with a non-parole period of 8 years.

Another noteworthy case was ***State-v-Artika Anjani HAC 60 of 2016*** where the accused was charged with theft and arson. The accused, who was the post mistress, had set the Seaqaqa Post Office on fire after she stole \$43,000 cash from the Post Office.

As part of her duties, she was meant to hold small amounts of cash at the Post Office and send extra cash to Labasa office for banking. However, between August and September 2016, she did not send any excess to Labasa and the records showed that she was holding \$43,000 excess at Seaqaqa office.

The accused had sent the amount to her agent in Sigatoka. She was questioned by the Post Office Finance Officer about the excess. On the same evening, the Post Office caught fire,

which started from the counter area. The whole building and all assets were destroyed. The accused, in her caution interview, admitted to sending the money to her agent in Sigatoka through money order, where she claimed that she was sending the money as fees for a loan she secured online from a man in France, which apparently was a scam. The accused claimed she had no idea it was a scam.

She stated that she would repay the money that she took once she received her loan. She also confessed to setting fire to the Post Office by lighting a candle under the counter, a candle which she had brought from home. The caution interview was challenged by the defence and Ms Anjani, in her evidence, told the Court that she did not set fire to the building, although she used the money from the Post Office.

The Judge concurred with the assessors opinion and found the accused guilty and accordingly convicted her. She was sentenced to five years' imprisonment with a non-parole period of three years.

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 is managed by Principal Legal Officer, Mr Semi Babitu. In 2018, the Division was made up of the following staff below. Legal Officers, Ms Prenika Lata and Mr Simone Seruvatu joined the Western Division Office in 2018. Ms Lata joined the Lautoka Of-

fice and Mr Seruvatu joined the Nadi Office. Ms Siteri Navia took up the role of Senior Legal Officer at the ODPP Sigatoka Office after Mr Timoci Qalinauci resigned to take up the role of a Magistrate.

See below table for a list of ODPP staff based in the Western Division:

<p>Lautoka Office</p> <ul style="list-style-type: none"> • Officer in Charge Principal Legal Officer, Mr Semi Babitu • Senior Legal Officer, Mr Alvin Singh • Legal Officer, Saini Naibe • Legal Officer, Ms Rukalesi Uce • Legal Officer, Ms Prenika Lata • Senior Administrative Officer, Mr Maciu Nacaucaulevu • Administrative Officer/ Litigation, Mr Ratnesh Kumar • Clerical Officer, Ms Fulora Vakawaci • Driver/ Messenger, Mr Satish Sharma 	<p>Ba Office</p> <ul style="list-style-type: none"> • Senior Legal Officer Ms Luisa Latu • Clerical Officer Mr Sunil Raniga • Typist Ms Swaran Kaur
<p>Nadi Office</p> <ul style="list-style-type: none"> • Senior Legal Officer, Ms Shelyn Kiran • Legal Officer, Mr Simone Seruvatu • Typist, Ms Vasiti Adikula 	<p>Sigatoka Office</p> <ul style="list-style-type: none"> • Senior Legal officer Ms Siteri Navia • Clerical Officer Ms Vineshni Devi • Driver/ Messenger Mr Luke Nakulanikoro <p>Rakiraki Office</p> <ul style="list-style-type: none"> • Senior Legal Officer Mr Josaia Niudamu • Typist Ms Resina Nenewa • Clerical Officer/ Driver Mr Josefa Tosokiwai

Western Divisional Office

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, Land Transport Authority (LTA)

Prosecutors and members of the legal fraternity. The workshops covered all aspects of matters in relation to criminal law.



The ODPP Western Division Team (back L-R) Legal Officer, Mr Simone Seruvatu, Ms Saini Naibe, Senior Legal Officers, Ms Siteri Navia, Ms Shelyn Kiran and Ms Luisa Latu. (Front L-R) Senior Legal Officer, Mr Alvin Singh, DPP, Mr Christopher Pryde and ADPP, Ms Shaymala Alagendra.

Western Divisional Office

Year in Review

In 2018, the ODPP Western Division dealt with a number of cases involving various offences from the Magistrates' Court to the Supreme Court.

In ***Mohammed Alfaaz v State, CAV 0009 of 2018***, one of the Petitioner's grounds of appeal related to misdirection or non-direction, alleging that the trial Judge had erred by failing to adequately direct the assessors during the summing up. The Supreme Court noted that Appellate Courts must not approach the issue leniently if the opportunity has been afforded to the petitioner for re-direction at the end of the summing up and if they did not seek re-direction. In Mohammed Alfaaz's trial in the High Court, the petitioner was asked by the trial Judge whether he sought any redirection at the end of the summing up and it appeared from the record that there was no reply given by the petitioner. The Supreme Court held that this omission was in itself sufficient to disregard the ground of appeal. This case provides guidance to trial counsel that re-directions are an important part of the trial process and cannot be treated lightly.

Another noteworthy case handled by the division was that of ***State v Ratu Naiko Karalo, HAA 63 of 2018***, an appeal that was heard in the Lautoka High Court before Justice Paul Madigan. The Respondent in the appeal was a Police Officer and was charged with theft. His case was dismissed in the Magistrates' Court because the Magistrate ruled that it was a conflict of interest for Police Prosecutions to appear for a case where the accused was a Police Officer. The High Court allowed the appeal by the State and said, ***"It cannot be a conflict of interest for a Police Prosecutor to appear to ask***

for an adjournment to allow the Prosecutor to appear (in terms of Section 166 (2) (b) of the Criminal Procedure Act)."

The case provides an insight that Police Prosecutors can appear on instructions of the DPP for an accused who is a Police Officer, because Police Prosecutors are appointed and come under the directions of the DPP for prosecution of criminal matters.

Another case of interest was the bail case of ***Bakata v State HAC 44 of 2018*** who was charged with aggravated burglary and theft. The accused in the above case had a number of cases in the Courts and was applying for bail again after committing a fresh offence. The case provides guidance for decisions on bail in terms of how to deal with an accused that has a number of matters pending in the Courts. It is sufficient that there is a likelihood of dangerousness that may come about if the accused was released on bail. The Court held that there was no evidence that his security and safety was at risk whilst being remanded in the Remand Centre. There was no evidence of exceptional family obligations, which were in jeopardy whilst he was in remand and his bail was denied. Bail is denied only for those who pose a "substantial likelihood" of reoffending and only where this "substantial likelihood" endangers public interest.

Eastern Divisional Office

The ODPP Nausori serves as the 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. 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 Eastern Division was headed by Principal Legal Officer, Mr Yogesh Prasad and supported by two divisional State Counsel, Ms Susan Serukai and Mr Taitusi Tuenuku. Mr Teunuku was later transferred to the Ba office and two new Legal Officers, Ms Sheenal Swastika and Mr Setefano Komaibaba joined the Nausori office. In the Administration Department, Ms Veena Prasad, who was the acting Executive Officer, was supported by Ms Sophaia Takaya-wa who managed the litigation tasks.

Training

The Eastern Division team actively participates in training Summary Prosecutors in its Division and also does regular monthly training of the Police Summary Prosecutors from the Central, Southern and Eastern Divisions.

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. Mr Prasad was assisted by fellow ODPP Prosecutors during the course of the training.

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



Eastern Divisional Office

Year in Review

In 2018, major cases included murder, manslaughter and gang rape.

One of the noteworthy cases was that of ***State v John Subramani Goundar HAC 194 of 2016***. In the manslaughter case of ***State v John Subramani***, the accused drove his vehicle under the influence of alcohol and ran over a pedestrian, instantly killing him. The matter proceeded to trial and the accused was unanimously found guilty by the assessors. The Learned Trial Judge concurred with the opinion of the assessors and convicted the accused. The accused was sentenced to eight years' imprisonment with a non-parole period of seven years.

Another noteworthy case was that of ***State v Wame Baleimakogai & Ors HAC 383 of 2016S***. This was a case of gang rape, involving two victims and four accused persons. Both victims were lured for drinks and later sexual advances were made by the four accused. After the trial, all accused were found guilty and sentenced to 14 years' imprisonment with a non-parole period of 12 years.

State v Kelepi Qaqa & Others HAC 261 of 2017. In the second half of 2018, a murder trial took place in the High Court where there were four accused of killing a night club patron through excessive beating and stomping. All accused were charged with murder and were found guilty by the Court and sentenced to life imprisonment.

Also in 2018, the Eastern Division dealt with an influx of sexual offences, mostly children as

victims below the age of 12. In most cases, the accused were family members. Overall, 2018 was a challenging year for ODPP Eastern Division, as two new State Counsel joined the team and with continuous supervision, mentoring and inspiration, they are now Trial Prosecutors in the High Court

Appeals Division

The Appeals Division is a new unit within the Office of the Director of Public Prosecutions (ODPP), which was established on 22 February, 2018 under the DPP's Appeals Division Guidelines.

Team

The Appeals Division was headed by Principal Legal Officer, Ms Pauline Madanavosa. She was assisted by Principal Legal Officers, Ms Seini Puamau and Mr Sekonaia Vodokisolomone. Under the Appeals Division guidelines, in order to qualify as a member of the Appeals Division, a lawyer employed by the ODPP should ideally have a minimum of ten years' practice, five before the Court of Appeal and Supreme Court of Fiji. However, the departure of Ms Seini Puamau in February 2018, shortly after the Division was set up, saw the need to have a replacement officer. Therefore, three officers were included as Acting Principal Legal Officers, working on a rotational basis where each officer served six months within the Division.

Core Function

The establishment of the Division is aimed at bringing a consistent approach and critical analysis for all appeals prosecuted and defended by the Office. Amongst the few func

tions of the Division, one of the main functions

is the vetting of legal opinions relating to appeals to the High Court, Court of Appeal and the Supreme Court before they are submitted to the DPP. Another important function of the Division is to assist other senior officers to



Principal Legal Officer, Ms Pauline Madanavosa heads the ODPP Appeals Division.

conduct training and awareness programmes for legal officers on the state of the law in Fiji at the conclusion of each appeal session, before the Court of Appeal and the Supreme Court, and to keep the DPP immediately apprised of any changes to the common law as it is applied here in Fiji.

Appeals Division

Year in Review

In 2018, the Court of Appeal sessions were in February, May, September and November and the Supreme Court sessions were in April, August and October. However, the appeals prosecuted in the High Court are conducted throughout the year.

One of the cases dealt by the Division was of ***Gordon Aitcheson v State CAV0012 of 2018***. The Petitioner had pleaded guilty and was convicted by the High Court on six counts of rape, five of which were under the Crimes Act and one count of rape and indecent assault under the Penal Code. He was sentenced to a term of 16 years' imprisonment and all sentences were to run concurrently with a non-parole period of 15 years. The Petitioner was the biological father of both child victims. The Court of Appeal quashed the sentence imposed by the High Court and substituted it with a term of 13 years' imprisonment with a non-parole period of 11 years. The Supreme Court being a final appellate Court, granted special leave to appeal in cases which cross the threshold contemplated in section 7 (2) of the Supreme Court Act of 1998. The Supreme Court was satisfied that a question of general legal importance was involved in this case; therefore, leave to appeal was granted. This was a case that involved campaigns of rape commenced on the first victim at the age of six when she was in class two and on the second victim when she was 11 years of age. The Supreme Court held that: "undoubtedly it has been accepted by society that rape is the most serious sexual offence that could be committed on a woman. Further, it is said that: "A murderer destroys the physical body of his victim; a rapist degrades the

very soul of a helpless female." Furthermore, it held that: "this Court is entitled to impose a harsh sentence for the serious offence of rape of children, to reflect the overall criminality of the petitioner's conduct, especially in a case of this calibre, which falls into a category of involving campaigns of rape by the biological father on two of his daughters. The degree of the aggravating circumstances under which the offences were committed could be properly described as 'exceptionally high.' The Supreme Court set a new tariff for rape of children to be between 11–20 years' imprisonment as opposed to the older tariff from 10–16 years.

Appeals Division

Year in Review

In ***Raj v State FJSC 12 CAV 003 of 2014*** (20 August, 2014), the sentence substituted by the Court of Appeal was quashed and a head sentence of 17 years' and 9 months' imprisonment with a non-parole term of 16 years was imposed for the convictions of the rape offence (2-7 counts). All sentences imposed by the Supreme Court were served concurrently effective from 1 June, 2015 as was the date of sentencing.

Another case was that of ***Nausa v State FJCA 64; AAU0042 of 2013***. In June, 2012, the Appellant, Isoa Nausa, was sentenced, upon his guilty plea to a concurrent term of 20 months' imprisonment - 16 months for burglary and four months imprisonment by the Magistrates' Court for burgling a vacant domestic dwelling. On 20 October, 2012, the Appellant's appeal against sentence was dismissed; however, his sentence was enhanced, due to the Appellant being declared a habitual offender (*having 40 priors, of which 29 were active, where the majority were for larceny and theft, with one for burglary*) by the Lautoka High Court, in its appellate jurisdiction, *vide* HAA23/12 to a concurrent term of six years' imprisonment for burglary and four years' imprisonment for theft, with a non-parole term of five years.

On 19 March, 2015, a single Judge of the Court of Appeal allowed leave for the Appellant's (S.22(1A) Court of Appeal Act) second tier appeal against sentence for the sentence being arguably harsh and excessive due to the sentencing Judge having selected a starting point outside the accepted tariff. On 1 June, 2018, the full bench of the Court of Appeal (nil

dissenting), after considering the High Court appeal sentence, dismissed the Appellant's second tier appeal, for want of jurisdiction, as it failed to establish, under section 22 (1A) (a) Court of Appeal Act, that the sentence was an unlawful one or that the sentence was passed in consequence of an error of law. ***R v Hinds 46 Cr. App. R. 327 of 1962*** was relied on in this regard as follows: ***"It should be recalled that it is not sufficient for the notice of appeal to describe a particular ground as involving a question of law alone. Before a right of appeal on a question of law can be asserted, a question of law alone must be shown at the appeal stage to have arisen and has remained undetermined"***.

Appeals Division

Year in Review

Another appeal case was of **Xhemali v State FJCA 63; AAU0091 of 2013**. The Appellant, Elton Xhemali (and co-accused, Muskaan Balaggan) had been indicted together for hard drug offences involving pure cocaine. The Appellant's co-accused had faced a first count of engaging in the unlawful transportation of illicit pure cocaine, weighing 512.6 grams (S.5 (a) IDCA04) while the Appellant had faced a second count of engaging in the unlawful supply of the same illicit pure cocaine (S.5(a) IDCA04). On 04 June, 2012, after trial, the Appellant was sentenced to 10 years' imprisonment with a non-parole period of 8 years.

On 19 March, 2015, a single Judge of the Court of Appeal had allowed an enlargement of time to the Appellant (S.35 Court of Appeal Act and R.40 Court of Appeal Rules) to appeal against his conviction and sentence, which had been 14 months out of time as the Appellant's grounds were judged to be arguable, with together with that of his co-accused; however, for reasons unknown, this direction had not been complied with where the co-accused's appeal was heard separately. Subsequently, during the hearing of this appeal before the full Court on 9 May, 2018, the Appellant voluntarily and unequivocally confirmed abandoning his grounds of appeal against conviction; however, pursued his appeal only against sentence.

On 1 June, 2018, the full Court (nil dissenting) allowed the Appellant's abandonment of his conviction appeal and dismissed the same and also dismissed his appeal against sentence, holding the sentence as not being harsh or excessive. In dismissing the sentence appeal, the

full Court had also considered that the Appellant's co-accused's High Court sentence had later been affirmed by the Court of Appeal and, subsequently, by the Supreme Court, as well as the sentence had not been manifestly excessive, harsh and wrong in principle, having regard to all the circumstances of the case. The full Court had observed that, in this case, deciding the legality of the sentence differently would pave way for disparity in sentencing.

Corporate Services Division

The Corporate Services Division is a central enabler to the operations of the ODPP. It comprises the Human Resources and Training, Finance, Information Technology, Registry, Media and Library Services sections of the ODPP.

This year's Annual Report focuses on performance reporting, which provides the structure for the Division to measure its progress in terms of meeting its goals in alignment with the strategic direction of the ODPP. Over the past year, the Division focused on continuous improvement to increase efficiency and accountability, to improve services to criminal justice and to streamline administration work. The Division also continued to provide leadership with regards to corporate projects, such as active attendance management, moni-

toring human resources policies and procedures, adherence to the Code of Conduct and Human Resources Manual, and formulating and implementing the Annual Corporate Plan, business and training plan. The Corporate Services Division is headed by the Director Human Resources, Ms Charlotte Nambiar.

Human Resources Management

The focus of the Human Resources Manager is 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.



The ODPP Corporate Team with Director Human Resources Ms Charlotte Nambiar (Front 2nd from L-R).

Corporate Services Division

The ODPP Human Resources Department provides administrative duties that are aligned with the values of integrity, excellence and wellness. The core functions of the Human Resource Department are the following.

Organisational Effectiveness

With the aim to strategically plan for future employment needs, the department also seeks to maximise the effectiveness of our current employees. One of the challenges is identifying the competencies we need in the future. A second challenge is evaluating the skills of current employees and getting them well equipped to fill future vacancies.

Employment and Compensation

The goal is to ensure that employees fulfil their contractual obligations, and that contracts are renewed upon satisfactory performance reviews. The HR Department also ensures that employees are well compensated to perform at their best level. The Finance section takes care of employee salaries, wages, emoluments, pay outs, and other financial matters on behalf of the ODPP.

Employee Relations

The HR Department continues to reach out to ODPP staff to work more collaboratively and help improve working relationships. The HR department plays a critical role in providing career counselling, conflict resolutions and

informal problem solving.

Employee Communication

The HR Department has an open-door policy where employees are most welcome to discuss their issues and concerns. The HR Department, in conjunction with Sports and Social Committee, encourages various activities where employee togetherness, socialising and gatherings are encouraged.

A Learning Organisation

The HR Department also focuses on learning and the development of ODPP employees where they are encouraged to perform at required levels. The ODPP's commitment is to align career development practices with the employee's personal goals and existing corporate objectives. Thus, the training team offers organisational development services through various prosecution trainings. It focuses on developing systems, and structuring processes, teams and people within the organisation.

Corporate Services Division

Employee Movement

In 2018, the ODPP recruited two new Assistant DPPs, three legal officers and seven administrators and corporate staff. Eleven staff resigned. Of those that resigned was senior Legal Officer, Mr Timoci Qalinauci and two Principal Legal Officers, Mr Lisiate Fotofili, and Ms Seini Puamau. These three officers took up positions within the Judiciary as Magistrates.

The two ADPPs appointed were Dato Shyamala Alagendra from Malaysia and Dr Andrew Jack from New Zealand.

Ms Alagendra is an International Lawyer with over 20 years of experience as a Criminal Lawyer. She was appointed as an International Prosecutor by the United Nations in East Timor. She was then appointed as a Prosecu-

tion Trial Lawyer at the Special Court for Sierra Leone, where she successfully prosecuted military and rebel leaders, as well as the former President of Liberia, Charles Taylor. She has prosecuted and defended before the International Criminal Court (ICC) and other international tribunals and has also practiced at her legal firm in Kuala Lumpur. In April 2014, Ms Alagendra was awarded the title of Dato by the Sultan of Perak (both the former Lord and King of Malaysia) for services to international law. This award is the equivalent to a Knighthood in the UK.

Dr Jack also comes with vast experience and knowledge as he has served 14 years in the Legal Section of the New Zealand Police with the last five years as the Chief Legal Adviser. He was a Group Manager Legal and Advisory Services for the New Zealand Customs Service and has also served as a Chief Censor for six years.

Dr Jack has also been in private practice before deciding to take this new role in Fiji as an ADPP.



The two newly appointed Assistant Directors of Public Prosecutions, Dato Shyamala Alagendra and Dr Andrew Jack at the Office of the Director of Public Prosecutions.

Corporate Services Division

The following is a list of staff appointed and resigned in 2018

Staff Appointed in 2018

- Adi Akisi
- Nazmeem Khan
- Mere Sautuca
- Melvin Narayan
- Rakesh Prasad
- Shyamala Alagendra
- Andrew Jack
- Akanisi Lavelawa
- Mosese Ralulu
- Sheenal Swastika
- Setefano Komaibaba
- Inia Rakaria

Staff Resigned in 2018

- Reshmi Peters
- Priyanka Prasad
- Mohammed Kutty
- Seini Puamau
- Timoci Qalinauci
- Lisiate Fotofili
- Rakesh Prasad
- Joji Donu
- Josefa Tosokiwai

Staff Terminated in 2018

- Mr Latanoa Bulivou

Please see appendix II for the Organisational Structure.

Corporate Services Division

Budget Classification

Spending

Major spending for the year consisted of the following:

- Personal emoluments
- Wages – due to increase in overtime for un-established staff (stand-by duties, early morning pickups of witnesses and office staff)
- Travel and communications – subsistence, travel, telephone, Vodafone and wi-fi
- Office stationery and printing
- Purchase of toners and IT equipment
- Incidentals – tea, biscuit items, bottled water
- Training – local and overseas

- Payment of monthly utility bills

Savings

Major savings are from SEG 1 and SEG 4. This is due to the following:

- Existing vacant positions
- Vehicle repair and maintenance – due to less repair and maintenance of vehicles

Electronic Fund Transfer (EFT) vs- Cheques

Most of the payments made during the year were via EFT. EFT has increasingly been accepted by vendors because the Government has encouraged its use. However, cheques are issued in exceptional cases to avoid disruption of service.

For Summary of Expenditure, See Appendix 1.



The ODPP accounts team (Back L-R) Ms Michele Singh, Mr Melvin Singh, Mr Shivneel Sharma, Senior Accountant, Ms Sharon Prasad with Director

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 Office of the Director of Public Prosecutions and 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 ODPP Library was allocated its own budget, which is used to pay subscriptions for legal texts from overseas publishers and to purchase local statutes. Mr Ziad Hussien is the ODPP Librarian based at the ODPP Headquarters at Gunu House. By the end of 2018, the DPP decided to relocate the Library to the former corporate building at Lomanikoro due to the increased number of books and to make space for new officers.

Collection of Judgments

The ODPP library has completed indexing and sorting of all hardcopy judgments received in 2017. The Librarian is currently in the process of paginating the same. Once this is completed, these judgments will be sorted and stored in alphabetical order.

Library Requests

Apart from acquiring and updating library resources, the ODPP Library also ensures that all

daily library requests, including searches for case laws (local and overseas), legal research, photocopying, binding and preparing disclosures for filing, are completed and provided to the requesting officer on required time.

Library Management Software

All judgments received by the Library from January to December 2018 have been successfully converted into e-format and also uploaded into this system. These authorities include Magistrates' Court, High Court, Fiji Court of Appeal and Supreme Court judgments.



ODPP Librarian, Mr Ziad Hussein.

ODPP Library

Revised Laws of Fiji

The ODPP has also received the Numbers 2-5 service amendments this year for the Revised Laws of Fiji. These amendments were for all 20 volumes and for all 5 sets, which had initially been purchased. The amendments are accordingly updated by the Librarian for DPP's set and for the Library's set.

Law Library Text Books

1. Three copies of "*Criminal Law in Fiji/ Eric Colvin published by LexisNexis*" were purchased from University Book Centre.

2. One copy of "*The Veiled Sceptre: Reserved Powers of Heads of State in Westminster Systems*" was purchased from Cambridge University Press.

Annotated Laws

The following annotated laws were purchased from Chan Law in this quarter:

#	TITLE	QTY
1	Supreme Court Act	2
2.	Fiji Court of Appeal Act	2
3	High Court Act and Rules	4
4	Crimes Decree, CPD and SPD	2
5	Magistrates' Court Act	2
6	Bail Act	2
7	Penal Code	2

Distribution

One complete set each was given to the two new ADPPs who joined the office in April 2018. Two Copies of High Court Rules were distributed to Legal Officers, Ms Mehzabeen Khan and Mr Saif Shah.

ODPP Library

Library Subscription

The Library has made payments for renewal of subscriptions for the following:

Date	Payee	Particulars	Amount
16/02/2018	NZ Law Society	Subscription renewal for NZ Law Talk	NZD \$154.00
04/05/2018	ICLRQ	Subscription renewal for Queensland Law Report – Bound Volumes	AUD \$198.00
01/06/2018	Softlink Aust Pty	Liberty Support and Maintenance	AUD \$1581.30
08/11/2018	Economist Subscription Centre	Economist Newspaper	USD \$300.00
11/12/2018	Softlink Aust Pty	Cloud Hosting for Liberty	AUD \$2473.00

Training

1. Asia-Pacific Islands Library and Information Conference

The ODPP Librarian was given the chance to attend the Asia-Pacific Islands Library and Information Conference (APLIC) in 2018. This was from 30 July - 3 August, 2018 and was held at the Gold Coast Convention Centre in Australia. This conference was organised by ALIA with LIANZA and Library Association of Singapore. This was an opportunity for the Librarian to enhance skills and knowledge on functions and responsibility of the law library.

This workshop proved to be very educational and an opportunity to learn and implement new ideas and ways of improving library services to officers. It not only dealt with law library issues but also focused on issues relating to other types of libraries, such as public, academics and special libraries. Additionally, this conference had more than 400 attendees; therefore, providing an excellent opportunity to network. Networking benefits the library in

equipping it with needed and new resources through contacts who can assist when needed.

2. Liberty National User Group Conference and Masterclass

The Librarian was also given a chance to attend the “Liberty National User Group Conference and Masterclass”. This conference was hosted at the Monash College in Melbourne, Australia, from 24 - 25 August, 2018. The conference was organised by Softlink Australia and had focused on the new and upcoming features developed by Softlink. One of the new developments was bulk-up loading through zip files in pdf format. Other developments were stocktake applications and the ability to set up unique home pages. It also focused on their new mobile app.

Liberty is a library Management Software, de-

ODPP Registry

An efficient file management system is critical for the ODPP to deliver its services to the Courts and to members of the public. The Registry Section continually tries to improve its service delivery by updating and refining its filing systems and by improving on its use of technology. Each divisional and district registry has an officer assigned who is responsible for the smooth running of the registry.

The Registry is responsible for:

- *receiving police dockets, notices from Court, correspondence, entering details into CASES software and opening a physical file;*
- *updating CASES upon receiving next dates and submissions from defence;*
- *preparing a daily cause list;*
- *preparing and filing documents in Court and serving to respective law firms;*
- *following up with police stations;*
- *keeping a proper record of closed files and files sent to archives for safe keeping;*
- *keeping a record of exhibits and movement of station diaries, meal books and cell books used in trials; and*
- *transferring files to and from other ODPP district offices.*

The ODPP Registry Suva was headed by Ms Kiran Singh who was assisted by Shalen Kumar, Susana Vuniani and Mere Makitalena.

Criminal Advocacy Support and Enquiry System (CASES)

The ODPP Registry keeps a record management system called CASES. 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 in 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 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.

The Registry also keeps the Exhibit Register Book, a list of recorded items that are part of the exhibits in court cases. The Registry took a pro-active 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. A similar policy has been established for the management of Warrant Register Books to ensure that all warrants uplifted from the Courts are signed by officers in carriage of the matter before being sent to the Fiji Police Force for execution.

Team

ODPP Registry

Year in Review



The ODPP Registry team: (from L-R) Mr Shalen Kumar, Ms Susana Vuniani, Ms Kiran Singh and Ms Mere Makitalena.

In 2018, the ODPP Suva Registry conducted an audit of records of the physical files each officer had with them. The next file audit will be in December 2019. In 2018, ODPP Suva Registry opened 1216 criminal files. Altogether, 926 files were closed.

The Registry had conducted a CASES Workshop in May 2018 at the Conference room. The purpose of this workshop was to discuss the major changes brought about in CASES and to discuss the overall procedure of Registry. The workshop included the registry of staff of Suva and Nausori, including the Secretaries, Senior Litigation and Administrative Officer, Mr Maciu Nacaucaulevu and the Assistant DPP, Mr Korovou.

The Registry is in charge of keeping all closed files. Old files are sent to the National Archives of Fiji for safe storage. The Registry has made a record of 2010, 2011 and 2012 closed files and these files have been packed into cartons and are ready to be sent to National Archives of Fiji. Cartons are packed and labelled according to the standards required by the Archives.

The following details are recorded before sending files to archive.

- **ODPP Case Number**
- **Accused Name**
- **Charge**
- **Date Matter Opened**
- **Date Matter Closed**
- **Decision**
- **Remarks**

ODPP IT

The ODPP 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.

The ODPP IT was managed by Senior IT Officer, Mr Latanoa Bulivou and Assistant IT Officer, Mr Amitesh Prasad. Mr Latanoa Bulivou's employment was terminated in December 2018.

The IT team facilitates all Skype conference calls between ODPP offices across the country during the Professional Officers' *Talanoa* Sessions and during meetings. The Section is also responsible for the management of training videos and the maintenance of CASES, software that allows State Counsel to work on and view all information relating to prosecution matters through a single interface.

This section is responsible for all IT related-purchases and maintenance.



Standing (L-R), ODPP Assistant IT Officer, Mr Amitesh Prasad and Senior IT Officer, Mr Latanoa Bulivou with Director Human Resources, Ms Charlotte Nambiar.

ODPP IT

Photocopiers and Printers

The ODPP purchased three photocopiers; one was deployed to ODPP Lautoka, the others to ODPP Labasa and ODPP SFD. The two photocopiers sent to ODPP Lautoka and ODPP Labasa were the Konica Minolta Bizhub 554e, which are 55 pages-per-minute photocopiers. The cost of each machine was \$11,880. The photocopier issued to ODPP SFD was a TOSHIBA e-Studio 857, which can copy 85 pages-per-minute and cost \$29,000. These purchases were necessary to replace the existing machines as they had been in continuous use for five years. Maintenance and ser

vice costs began to increase as parts deteriorated and the machines became unreliable.

Servicing of Photocopiers

The ODPP did an overall servicing of most printers branded **RICOH** and purchased a waste toner bottle priced at **\$752.10**. This was a much needed renewal of the old toner bottle as it was necessary to dispose of the toxic content.

Cables and Switch

IT purchased Cat6 cables and TP Link switches for roving purposes, whereby Govnet connections were being used in rooms that do not have Govnet connections. The details are as follows:

Company	Items	Price	Qty	Cost
Janty Bondwell	1. TP Link switches 5-Port Desktop Gigabyte RJ45 Ports	\$42.70	3	\$128.10
	2. Cat6 Cable Patch 5m	\$8.15	3	\$24.45
	3. Cat6 Cable Patch 10m	\$14.25	3	\$42.75
Total				\$195.30

ODPP IT

Keyboards and Mouse

All ODPP Legal Officers are now using laptops; however, the keyboards and mice deteriorate over time. For preventive measures and longer lifespans of laptops, it was highly suggested that an external USB keyboard and a mouse were issued. Below are the purchase details for the keyboards and optical mouse.

Company	Items	Price	Qty	Cost
Janty Bondwell	Logitech MK120 USB Keyboard with Optical Mouse	\$52.15	15	\$782.20
Total				\$782.20

SD Cards

The ODPP purchased some SD cards that were used at a training session held in the High Court and also used in the camera for official video recording purposes.

Company	Items	Price	Qty	Cost
Bondwell	1. Micro SD Cards	\$95.00	5	\$475.00
Total				\$475.00

Toners/ Cartridges

The ODPP purchases numerous toner cartridges each quarter. The brands are HP, Kyocera, Dell, Brother, Lanier and Konica Minolta. There are multiple users using the same toners and cartridges. The ODPP purchases in bulk for cost and efficiency reasons.

\$775.00.

Tools Kit

The ODPP IT purchased a tool kit consisting of the necessary tools used in everyday tasks of repairing IT equipment. This came to a total of \$90.00.

WIFI Extender

The ODPP now has a dedicated line leased from Digicel, which is located at SFD and, in order for everyone to have access, IT decided to extend the range of the router placed near the Senior Secretary. The total cost was

ODPP Media

For the delivery of a modern and professional prosecution service, the ODPP aims to strengthen public knowledge on the role of the DPP in the criminal justice system, to assist the media in the accurate reporting of criminal matters and to improve public access to ODPP policies and publications.

The ODPP also acknowledges that the public's interest in information must be balanced against the need to maintain the integrity of the criminal process. Hence, the ODPP, through its Media Liaison Officer (MLO), diligently strives to assist the public in understanding how the criminal justice system works and, specifically, the role of the DPP within it.

Core Functions

- *Providing quality information service*
- *Writing and editing media releases, in-house brochures, annual reports and other publications*
- *Accurate reporting of progress on cases*
- *Responding to queries from individuals, journalists and other organisations*
- *Maintaining and updating the ODPP website*
- *Analysing media reports, collating articles of interest to the office for follow-up action*



ODPP Media Liaison Officer, Ms Farisha Ahmed.

During 2018, the MLO, Ms Farisha Ahmed, continued to assist media organisations by providing information concerning any matter prosecuted before the Courts. However, the type and nature of information released was dependent upon the stage and nature of the proceedings being commented on and whether they were subject to any legal prohibition or competing public interest.

ODPP Media

Year in Review

Media Updates

A total of 61 media updates were released in 2018, including the monthly sexual and non-sexual offences statistics.

The updates were released on request and as directed by the DPP or if there was heightened 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.

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

ODPP Sexual and Non-Sexual Offences Statistics

The ODPP continued to release monthly sexual and non-sexual offences statistics. These statistics are recorded by the DPP and forwarded to the MLO at the beginning of each month. These statistics also include offences committed by Police Officers.

Each time the DPP signs an 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 are simultaneously uploaded to the ODPP website.

The MLO received numerous requests for statistics from Government and non-government organisations, as well religious bodies and students.

There were also requests for desegregated data, including gender ethnicity and location-based data, which was provided after DPP's approval to the Ministry of Women and Children, as well as Ministry of i-Taukei Affairs. These statistics were used by Ministers during their parliamentary speeches, as well as during awareness campaigns.

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 the ODPP. The ODPP receives updates on news stories, local and overseas, through the Department of Information's media output that collects and disseminates news stories every day. 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 16 corrections were sought from media organisations in 2018. Four corrections were sought from the Fiji Times, five from the Fiji Sun, two from Radio New Zealand, two from the Fiji Broadcasting Corporation (FBC) and three from Fiji Village. These corrections were 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 day's 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 MLO runs 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 for monitoring these two sites as well. All media updates and press releases are also disseminated through the two social media accounts when 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 quarterly reports from Divisional Managers, the MLO compiles all the information and forwards it to the DPP for review and approval. Changes are made to the reports as directed by the DPP.

ODPP Media

Press Releases

A total of 10 press releases were issued in 2018. Below is a list of all the press releases.

Press Release #	Press Release Title
ODPP Press Release (No. 1 of 2018)	No prosecutions for voicing political dissent in
ODPP Press Release (No. 2 of 2018)	DPP welcomes two new ADPPs
ODPP Press Release (No. 3 of 2018)	DPP will appeal Fiji Times decision
ODPP Press Release (No. 4 of 2018)	Chief Magistrate Usaia Ratuveli launches 4 th ODPP Advanced National Prosecution Course
ODPP Press Release (No. 5 of 2018)	ODPP transcriber completes transcript milestone
ODPP Press Release (No. 6 of 2018)	ODPP concludes 4 th Advanced National Prosecution Course
ODPP Press Release (No. 7 of 2018)	ODPP State counsel completes intensive three-day Trial Advocacy Training
ODPP Press Release (No. 8 of 2018)	DPP welcomes Stanford University's Clinical Professor Dr Daryn Reicherter
ODPP Press Release (No. 9 of 2018)	DPP withdraws charges in burglary case
ODPP Press Release (No. 10 of 2018)	ODPP concludes year with staff awards

ODPP Transcription Unit



ODPP Transcriber, Ms Akanisi Vosanibola.



UNDP Access to Justice and Rule of Law Specialist, Grace Kiernan, providing training to ODPP Transcriber, Ms Akanisi Vosanibola at the ODPP Headquarters, Suva.

After the establishment of the ODPP Transcription Unit in 2017, Ms Akanisi Vosanibola as ODPP Transcriber, continued to provide assistance to the ODPP legal officers by transcribing a number of digitally recorded interviews.

In 2018, the Ms Vosanibola successfully completed transcribing over 50 digitally recorded interviews from the vernacular language into English as part of the formal record of interview for serving on the defence, and for use in Fiji's criminal Courts. The ODPP established the Transcription Unit to assist the Police by providing an independent and professional transcription service.

The digitally recorded interview procedure is part of a pilot project, which was introduced in November 2016, marking a new era in Fiji where caution interviews for all suspects will be digitally recorded. The digitally recorded interviews and the transcripts are later used in Court, to provide greater transparency in the arrest and detention procedure and better justice outcomes by reducing the need for preliminary trials (*voir dres*) to determine whether a confession is voluntary.

Ms Vosanibola received various training by the United Nations Development Programme's Access to Justice and Rule of Law Specialist, Grace Kiernan throughout the year. The UNDP also assisted the ODPP by providing specialised transcription devices and software to make the transcription process easier and faster.

Training & Professional Development

Training in the ODPP has been a key priority and has helped support the professional development of its staff, in particular, 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, namely their communication skills, professionalism, leadership, team work, networking and serving with honesty.

Monthly Training Programmes for the Professional Legal Staff

The ODPP organised 10 Monthly Training Workshops for its professional legal staff in 2018. 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. Each division is responsible for arranging 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 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' feedbacks on spe-

cific sessions to review and improve future training programmes.

Each workshop concluded with the presentation of certificates of participation.

Professional Officers "Talanoa" Sessions (POTS)

POTS are informal "talanoa" or discussion sessions between legal staff held every Friday afternoon from 3.00pm-4.00pm. However, by third quarter of 2018, the DPP announced that POTS would be conducted every fortnight, allowing officers one Friday to update their court appearance returns on CASES or close files.

As knowledge and experience sharing among colleagues is part of the culture at the ODPP, this session allows staff to discuss issues and concerns that one may have encountered whilst attending to his or her matters in Court during the week. Discussions include issues relating to court ethics and court etiquette and how legal staff can better their performance and service as advocates of the Bar. POTS also serves as a coaching and mentoring platform where the DPP, ADPPs and senior lawyers listen and exchange experiences with newer members of the ODPP team.

Training & Professional Development

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 court room.

The Basic Prosecution Course and the Advanced National Prosecution Course –The Basic Prosecution Course was a four-week

course while the Advanced Prosecution Course was an intensive six-week course de-

signed to further hone prosecutors' trial preparation skills and advocacy at the bar table. There were 28 officers from the Fiji Police Summary Prosecutions Division and 2 officers from the Republic of Fiji Military Forces. These officers had all successfully completed the ODPP Basic Prosecution Course, which was held earlier this year. These Prosecution Course is a combination of theory and practical work that ran from 2 July - 10 August, 2018 and was open to all summary criminal prosecutors.



Police Prosecutors during the ODPP Basic Prosecutions Course in 2018.

Training & Professional Development

The Basic Prosecution Course for Statutory Regulators – The ODPP launched a Basic Prosecution Course for statutory regulators on 7 May, 2018. The Course was designed for regulatory and statutory bodies with the aim of equipping these officers with basic trial preparation skills in prosecuting matters under their legislation. This was the first time the ODPP had organised training for statutory regulators in its continuous effort to improve the prosecution service in Fiji.



Staff of various Government Ministries and Departments during the Basic Prosecution Course for Statutory Regulators.

Since 2011, various laws have been enacted that give individual regulatory bodies the power to prosecute matters under their own legislation. The ODPP provides assistance to regulatory prosecutors by advising them on charges and providing basic training throughout the year. There were 39 officers attending this one-month course, which included officers from the Ministry of Environment, the Ministry of Labour and Employment, the Ministry of

Fisheries and Forests, the Ministry of Health, the Fijian Competition and Consumer Commission, the Maritime Safety Authority of Fiji, the National Fire Authority, the Fiji National Provident Fund, and the Lami, Levuka and the Nausori Town Councils.



Staff from various Government Ministries and Departments after the completion of the ODPP of the Basic Prosecution Course for Statutory Regulators in 2018.

Training & Professional Development

Trial Advocacy Training for ODPP

Eleven prosecutors completed an intensive three-day Trial Advocacy Training Course in October 2018. The advocacy training was conducted by two International Advocacy Training Council (IATC) accredited advocacy teachers, Mr Giles Surman from Hong Kong and Mr Ravi Nekoo from Malaysia. Mr Surman is a member of the Hong Kong Bar Council and has been involved in advocacy training for over 10 years, and Mr Nekoo is the Treasurer of the Malaysian Bar and the Chairperson of the Malaysian National Legal Aid Committee. They were assisted by two ODPP Principal Legal Officers, Mr Sekonaia Vodokisolomone and Mr Yogesh Prasad. The three-day intensive training, which is conducted by the ODPP twice a year, is part of the ODPP's continuing commitment to raise the standards of criminal trial advocacy in Fiji. The training is based on the Hampel



Mr Giles Surman addressing State Counsel during a mock trial session.

Method of advocacy training, which 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.



ODPP State Counsel with Mr Giles Surman and Mr Ravi Nekoo (kneeling) after the completion of the 3-day Trial Advocacy Training on Sunday, 14 October, 2018.

Training & 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 they attended within 14 days, following their return. They are also required to present their report during the monthly training workshops for professional legal officers.

Below is a list of international training sessions attended by the ODPP staff in 2018

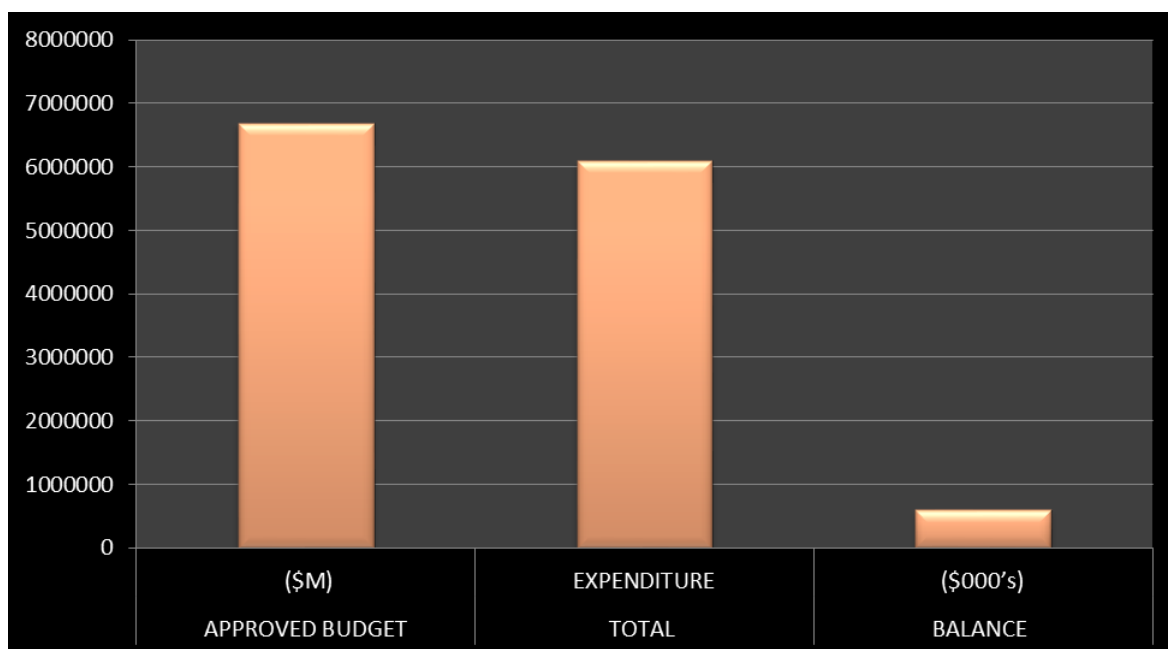
Participants	International Training
Legal Officer, Ms Unaisi Tamanikaiyaroi	Forum Fisheries Workshop – 21–29 May, 2018, New Zealand
Legal Officers, Mr Taitusi Tuenuku and Mr Simione Seruvatu	PILON – 11–15 June, 2018, Tonga
Legal Officer, Ms Moira Konrote	Asia Pacific Group on Money Laundering – 21–7 July, 2018, Kathmandu, Nepal
Legal Officers, Mr Saif Shah and Ms Prenika Lata	Cybercrime Course – 27– 30 August, 2018, Nukualofa, Tonga
Principal Legal Officer, Mr Meli Vosawale, Senior Legal Officers, Mr Alvin Singh, Ms Luisa Latu and Ms Shelyn Kiran	36th Cambridge International Symposium on Economic Crime – 2-9 September, 2018, Jesus College, Cambridge United Kingdom
Director of Public Prosecutions, Mr Christopher Pryde, Legal Officers, Ms Mehzabeen Khan, Ms Kimberly Semisi and Ms Amelia Vavadakua	23 rd Annual Conference and General Meeting of the International Association of Prosecutors (IAP) – 9–13 September, 2018, Johannesburg, South Africa
Senior Legal Officers, Ms Siteri Navia, Ms Rukalesi Uce and Legal Officer, Ms Susan Serukai	PILON – 4–10 November, 2018, Wellington, New Zealand

Appendix I

SUMMARY OF EXPENDITURES JANUARY – DECEMBER 2018

ALLOCATION	APPROVED BUDGET (\$M)	TOTAL EXPENDITURE (\$M)	BALANCE (\$000's)
0905 (DPP'S OFFICE)	6,691,761	6,094,965	596,796

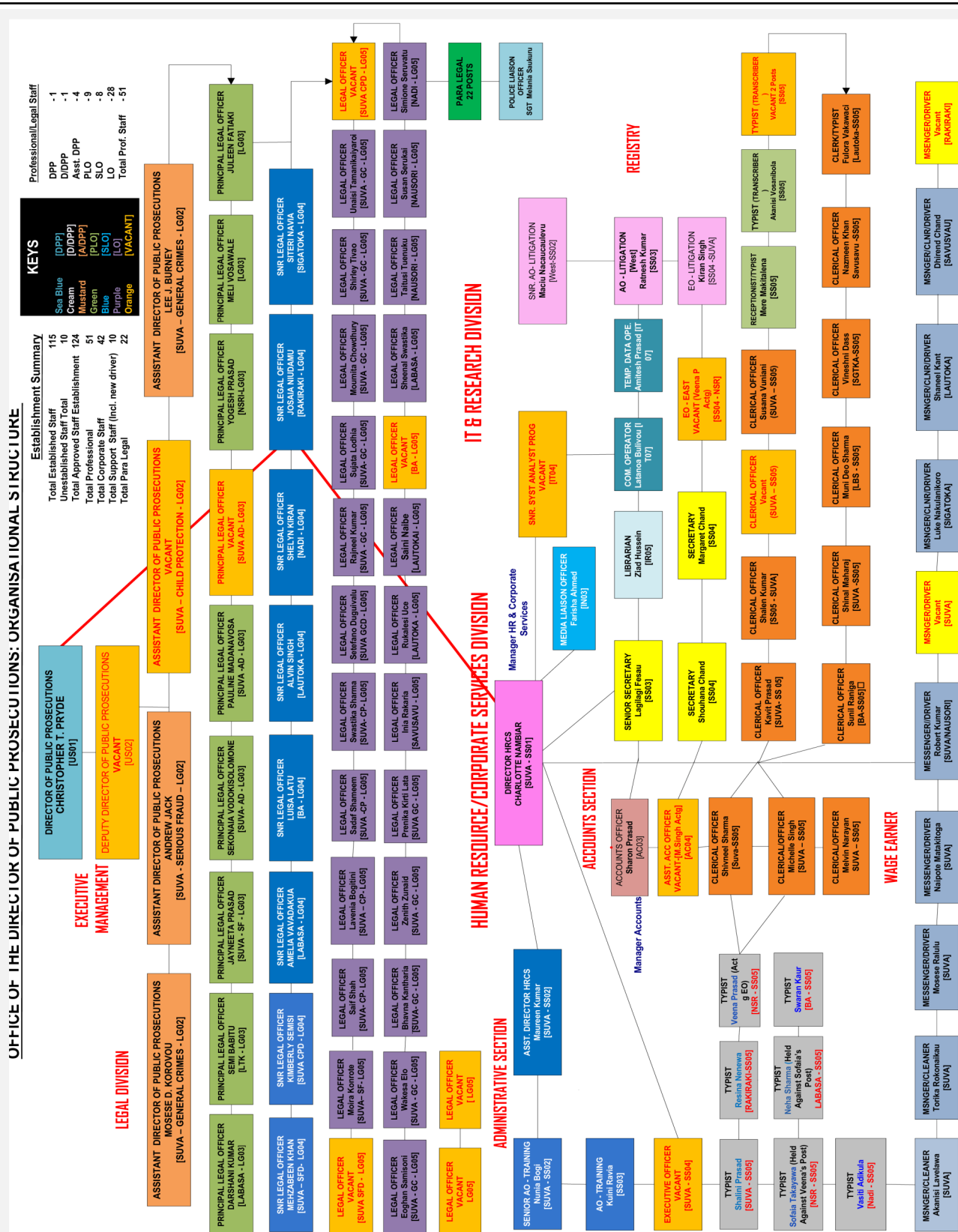
APPROVED BUDGET & TOTAL EXPENDITURE FOR JANUARY TO DECEMBER 2018



ELECTRONIC FUND TRANSFER (EFT) vs. CHEQUES

	TOTAL
CHEQUES	\$997,985
EFT	\$2,363,807
TOTAL PAYMENT	\$3,361,792

ODPP Annual Report 2018



Year in Summary



ODPP Training for Legal Officers in 2018.

Year in Summary



Basic and Advanced Prosecution Course for Police and Statutory prosecutors in 2018.

Year in Summary



ODPP 2018 Sports and Social Committee events (Easter, Eid, Diwali, Fiji Day, Sports Day and Christmas celebrations).

Year in Summary



ODPP concluded 2018 with an Annual Black Tie Dinner and Awards Night at the Eden Restaurant.

Comments and enquiries should be addressed to:

The Office of the Director of Public Prosecutions

P.O Box 2355, Government Buildings,

Suva, Fiji

Attention: The Director of Public Prosecutions

Telephone: (+679) 3211 234

Facsimile: (+679) 3302 780

OR

Attention: The Principal Administrative Officer

Telephone: (+679) 3211 551