



## PRESS RELEASE (No. 1 of 2026)

### **ODPP completes review of the COI files**

The Office of the Director of Public Prosecutions (ODPP) confirms that it has completed its review of the Commission of Inquiry (COI) files that were submitted to the ODPP for legal advice.

The ODPP received a total of twelve (12) files from the Fiji Police Force for review last year. Of these, one file was closed and returned earlier last year with the decision not to charge in the matter of *State v Barbara Malimali*, due to insufficient evidence to support any prosecution.

The remaining eleven files have also been reviewed, and the outcomes together with the summaries of each file will be returned to the Fiji Police Force later this week.

The complaints stemmed primarily from allegations against Ms Barbara Malimali arising out of the COI, which in turn led to several other complaints and cross-complaints involving a number of public officers and well-known senior legal practitioners.

Due to the sensitivity of the matters and the significant public interest generated by the COI, the files were assessed by multiple senior prosecutors who had no prior involvement or connection with any of the parties named in the complaints.

The initial assessments conducted by these senior prosecutors were subsequently subjected to an independent review by a senior consultant engaged by the ODPP. The ODPP was privileged to obtain the services of Mr Ian Lloyd KC, who concurred with the initial assessments and provided further recommendations on the analysis of the evidence.

Each matter was examined individually and collectively within the ambit of the law. The assessments were guided by relevant legislation, including but not limited to the FICAC Act, the Electoral Act, and the Crimes Act, as well as applicable Court of Appeal authorities and the supreme law of Fiji, the Constitution.

In considering the evidence, the ODPP took into account several critical factors, including the sufficiency of evidence to meet the criminal standard of proof, reasonable prospects of conviction, public interest considerations, statutory limitation periods, applicable immunity provisions, and the distinction between criminal and civil liability.

Having carefully considered the initial assessments and being guided by the independent review and recommendations of Mr Ian Lloyd KC, the ODPP has concluded that there is insufficient evidence to sustain any criminal charges to the required criminal standard of proof in respect of the files assessed.

The Acting DPP, Ms Nancy Tikoisuva underlined that it will not be pressured or rushed into making decisions without following due process, and remains committed to upholding the rule of law, fairness, and independence in the discharge of its constitutional mandate.

“The ODPP is an independent constitutional body with its own mandate and operates strictly in accordance with the Prosecution Code and internal governance processes. Our review and decision-making processes are guided by evidence, the law, and established prosecutorial principles, and decisions are not dictated by, nor influenced by political individuals or political agendas including social media posts and opinion,” said Ms Tikoisuva.

**-END-**

22 January 2026.