



ODPP Weekly Court Bulletin

24-28 August 2026

Case 1: State-v-Joshua Rahman

Charge:

- One count of unlawful possession of illicit drugs

The Supreme Court has allowed the State's appeal to reinstate the High Court's conviction and sentence involving Fiji-Canadian national Joshua Rahman at the Veiuto Court Complex in Suva this morning (28.8.26).

This is after the Court of Appeal had quashed Joshua Rahman's conviction and sentence for one count of unlawful possession of illicit drugs. Joshua Rahman was previously convicted and sentenced to 23 years' imprisonment, with a non-parole period of 14 years, for the unlawful possession of 39.5 kilograms of cocaine. He then appealed his conviction and sentence. The Court of Appeal subsequently quashed the conviction and sentence and ordered a retrial.

Following the Court of Appeal's decision, the State filed a petition of appeal to have the Court of Appeal's decision set aside and the High Court's earlier decision reinstated. Joshua Rahman had also filed a cross-appeal against the Court of Appeal's decision for a retrial following the quashing of his conviction and sentence.

Earlier this month, the Supreme Court heard submissions from both parties.

The central issue concerned the interpretation of section 32 of the Illicit Drugs Control Act, which provides for a presumption of possession where illicit drugs are found on premises under an accused's control. The Supreme Court confirmed that the provision imposes an evidential burden, rather than a legal burden, on the accused. The accused is required only to raise evidence sufficient to create a reasonable doubt as to possession.

Although the trial judge initially referred to the burden as a legal burden, the Supreme Court found that, in the final analysis, the correct standard was applied and the prosecution was required to prove the offence beyond reasonable doubt. The Court was satisfied that the conviction was supported by the evidence and that the error did not affect the outcome.

The Supreme Court granted special leave to both parties, dismissed the Defence petition and allowed the State's petition. The Supreme Court then quashed the Court of Appeal's decision, and restored the conviction and sentence imposed by the High Court.

Case 2: State-v-Ratu Kinijoji Ratuva and Ratu Vula Ratuva

Charges:

- One count of murder
- Two counts of assault causing actual bodily harm

A father and son charged in relation to the death of a 38-year-old man appeared for first call at the Lautoka High Court yesterday (27.8.26)

Ratu Vula Ratuva and his son, Ratu Kinijoji Ratuva, are jointly charged with one count of murder and two counts of assault causing actual bodily harm.

It is alleged that the accused persons assaulted the 38-year-old man, his 16-year-old son and another 16-year-old boy over issues relating to stolen horses. The alleged offence occurred on 9 August 2026 along Queens Highway in Sigatoka.

The 38-year-old man subsequently died as a result of the alleged assault.

The State sought time to file the Information and disclosures. The accused persons also applied for bail and the State will be responding and confirming its position on the bail applications within 14 days.

The matter was adjourned to 14 September 2026 and both accused persons were further remanded in custody.

Case 3: State v Apimeleki Colamata

Charges:

- One count of act with intent to cause grievous harm

A police officer convicted of an act intended to cause grievous harm was sentenced by the Suva High Court yesterday (27.8.26)

The accused, Apimeleki Colamata, assaulted the complainant after he questioned him about the failure of police officers to intervene in a brawl in Nausori Town on 17 November 2024.

The accused and other police officers had arrived at the scene while the complainant and his brother were waiting for transport. During the brawl, one of the participants pushed the complainant's brother, causing damage to his mobile phone. The complainant subsequently questioned the accused about the police inability to stop the incident. In response, the complainant was arrested by the accused and escorted to the police station.

At the police station, when the complainant enquired about the reason of his arrest, the accused punched him in the face causing severe injuries to the complainant's jaw which required surgery.

In sentencing, the Court described the accused's conduct as police bullying and emphasised the seriousness of the offence noting the impact on public confidence in the police and the need for an appropriate deterrent sentence.

The Court adopted a starting point of three years, increased the sentence by one year for aggravating factors, and then reduced by one year for previous good character, resulting in a final sentence of three years' imprisonment.

The accused was sentenced to eighteen months imprisonment to be served immediately, with the remaining eighteen months suspended for three years. The court further deducted 9 days for time spent in custody and ordered a sentence of 17 months and 20 days to be served immediately.

The court took into account the accused person's young age and the prospects for rehabilitation as reasons for partial suspension of the sentence.

Case 4: State-v-Nouzab Fareed

Charges:

- Two counts of indecent assault

Former Fijian Holdings Limited CEO Mohammed Nouzab Fareed charged and convicted for two counts of indecent assault, was sentenced to an aggregate sentence of one year, three months and 22 days imprisonment by the Suva Magistrates's Court yesterday (27.8.26)

The court found that the accused engaged in non-consensual physical conduct during two separate encounters with the victim on 25 June and 13 September 2019.

The court found that the accused hugged, sniffed and kissed the complainant without her consent during the first incident. In the second incident, which occurred in his office, the court found he sniffed her hair, kissed her forehead, ran his fingers around her ear and placed his hands around her chest without her consent.

During the incidents, the accused had also made inappropriate remarks. The complainant's evidence was corroborated by an audio recording, which the court accepted as supporting her account.

In her victim impact statement, the victim described the emotional impact of the incidents and said that her expectation of professionalism had instead resulted in a violation of trust. She sought a custodial sentence that would deter would be offenders and better protect women in workplaces.

In determining the sentence, the court considered the accused person's position of authority, breach of trust, the circumstances surrounding the offence and the psychological impact on the victim as aggravating factors. The court also noted that the accused person showed no remorse which affected the weight that could be given to his character reference.

The court sentenced the accused to an aggregate term of one year, three months and 22 days. Of that term, eight months and 22 days imprisonment are to be served immediately, while the remaining seven months are suspended for three years. The suspended sentence can be activated if the accused commits a further offence during the suspension period.

Case 5: State-v-Sevanaia Sedra and Ors

Charges:

- One count of act intended to cause grievous harm
- One count of theft

A station sergeant and three police officers appeared for first call at the Suva High Court this morning (28.8.26).

Justice Daniel Goundar issued an in chamber order for the matter to be remitted to the Suva Magistrates' Court.

Sevanaia Sedra, Ponipate Domolailai, Kurt Yee and Jonathan Whippy are jointly charged with one count of act intended to cause grievous harm while Sevanaia Sedra faces an additional count of theft.

It is alleged that on 25 August 2024, the accused persons acting jointly as principals, or alternatively as secondary offenders or aiders and abettors, unlawfully wounded the victim by continuously assaulting him causing him grievous harm.

It is further alleged that, on the same day, Sevanaia Sedra stole a Samsung Galaxy mobile phone, a jacket and \$200 in cash belonging to the victim.

The matter is now remitted to the Suva Magistrate Court and will be called on 8 September 2026. The accused persons have been further remanded in custody.