

IN THE HIGH COURT OF FIJI

AT SUVA

CRIMINAL JURISDICTION

CRIMINAL CASE NO. HAC 251 OF 2013S

STATE

VS

- 1. JOSEFA SAQANAVERE**
- 2. TUIMOALA RAOGO**
- 3. SAVENACA BATIBAWA**

Counsels : **Ms. J. Prasad and Ms. A. Khan for State**
Mr. A. Vakaloloma and Mr. N. Bulisea for All Accused

Hearings : **23 to 26 February, 29 February, 1 to 4 March, 7 to 11 March,**
14 March, 2016

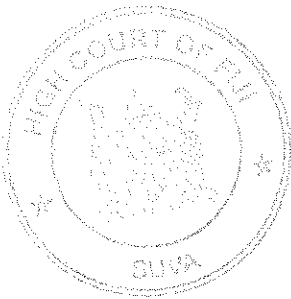
Summing Up : **15 March, 2016**

Judgment : **15 March, 2016**

JUDGMENT

1. The three assessors had returned with unanimous guilty verdict against all accuseds on the counts they faced. They found Accused No. 1 and 2 guilty as charged on count no. 1 and 2. They also found Accused No. 1 and 3 guilty as charged on count no. 3, 4 and 5.
2. Obviously, the three assessors had accepted the prosecution's version of events and had found the accuseds guilty as charged on the counts that applied to them.
3. I have reviewed the evidence called in the trial and I have directed myself in accordance with the Summing Up I gave the assessors today.

4. Assessors are there to assist the trial judge come to a conclusion on the guilt or otherwise of the accuseds. In my view, the assessors' verdict was not perverse. It was open to them to reach such conclusion on the evidence.
5. I agree with the assessors' opinion and I accept their verdict. I accept the evidence of all the prosecutions' witnesses. Their evidence was credible. I accept the prosecution's circumstantial evidence against all accuseds.
6. I reject the accuseds' denials.
7. On the evidence and on the credibility of the prosecution witnesses' evidence, I find all accuseds guilty as charged and I convict them accordingly.
8. Assessors thanked and released.



Salesi Temo
JUDGE

Solicitor for the State : **Office of the Director of Public Prosecution, Suva.**
Solicitor for the Accused : **A. Vakaloloma, Barrister and Solicitor, Suva.**