

**IN THE HIGH COURT OF FIJI**  
**AT SUVA**  
**CRIMINAL JURISDICTION**  
**CRIMINAL CASE NO. HAC 188 OF 2019S**

**STATE**  
**Vs**  
**VANI VATUBULI**

**Counsels** : **Mr. N. Sharma and Ms. W. Elo for State**  
**Mr. K. Prasad for Accused**  
**Hearings** : **23, 24 and 27 July 2020.**  
**Summing Up** : **28 July, 2020.**  
**Judgment** : **28 July, 2020.**

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**JUDGMENT**

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1. The three assessors had returned with a unanimous opinion finding the accused guilty as charged.
2. Obviously, the three assessors had accepted the prosecution's version of events and had found the accused guilty as charged. That also meant that they accepted the complainant's evidence and version of events. It also meant they had rejected the accused's sworn denials.

3. I had reviewed the evidence called in the trial and directed myself in accordance with the summing up I gave the assessors today.
4. The assessors' opinion was not perverse. It was open to them to reach such conclusion on the evidence.
5. Assessors are there to assist the trial judge come to a decision on whether or not the accused was guilty as charged. Assessors represent the public and their opinions must be treated with respect.
6. Like the assessors, I accept the complainant's evidence and version of events. She was more credible than the accused as a witness. I reject the accused's sworn denials. In my view, she was not a credible witness.
7. I also reject DW2's evidence. In my view, she was not telling the truth. I accept PW2's evidence. She was also a credible witness.
8. Given the above, I accept the three assessors' opinion and I find the accused guilty as charged and convict her accordingly.
9. Assessors thanked and released.



**Solicitor for the State**  
**Solicitor for the Accused**

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**Office of the Director of Public Prosecution, Suva.**  
**Legal Aid Commission, Suva.**



**Salesi Temo**  
**JUDGE**