

**IN THE HIGH COURT OF FIJI**

**AT SUVA**

**CRIMINAL JURISDICTION**

**CRIMINAL CASE NO. HAC 164 OF 2016S**

**STATE**

**vs**

**MR. UMESH PRASAD**

**Counsels** : **Ms. K Semisi and Ms S. Lodhia for the State**  
**Mr. A. R. Singh for the Accused**

**Hearings** : **27, 28, 29 November, 1 and 5 December, 2017**

**Summing Up** : **6 December, 2017**

**Judgement** : **6 December, 2017**

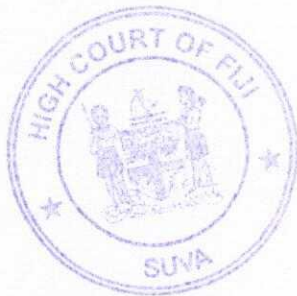
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**JUDGEMENT**

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1. The three assessors had returned finding the accused guilty as charged on all 13 counts.
2. Obviously, they had accepted the prosecution's version of events. This meant they had accepted the nine female complainants' evidence and version of event.
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. The assessors' verdict 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 the guilt or otherwise of the accused. Assessors represent the public and their views must be taken seriously.

6. On my assessment of the evidence, I agree entirely with the three assessors' unanimous opinion. The nine female child complainants' evidence was credible in my view. They were forthright when giving their evidence. In my view, they were telling the truth and I accept their evidence.
7. As for the accused's denial, I reject the same. When I compared the accused's position on the case to those of the nine female complainants' evidence, I find the nine complainants' evidence were very credible. The accused's reasons for the girls' allegations does not appear credible, in my view.
8. Given the above, I accept the three assessors' unanimous opinion on the thirteen counts and find the accused guilty as charged on all counts. I convict him accordingly on all the counts.
9. Assessors thanked and released.



  
**Salesi Temo**  
**JUDGE**

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