

IN THE HIGH COURT OF FIJI

AT SUVA

CRIMINAL JURISDICTION

CRIMINAL CASE NO. HAC 329 OF 2011S

STATE

VS

JOELI TAWATATAU

Counsels : **Mr. M. Vosawale for the State**
Mr. J. Savou for Accused

Hearings : **3rd June, 2013**

Summing Up : **6th June, 2013**

Judgment : **6th June, 2013**

JUDGMENT

1. The three assessors have returned with a unanimous guilty verdict against the accused for raping the complainant on 22.09.2011, at Newtown in the Central Division, Contrary to Section 207 (1) and (2) (a) of the Crimes Decree 2009.
2. Obviously, they have accepted the prosecution's version of events and have found the complainant to be a credible witness, therefore finding that the prosecution has proven its case beyond reasonable doubt.

3. I have reviewed the evidence called in the trial.
4. I have directed myself in accordance with the Summing Up I gave the assessors today.
5. The assessors' verdict was not perverse. It was open to them to reach such conclusion on the evidence. I accept the assessors' verdict and I find the accused Guilty as Charged and convict him accordingly.
6. Assessors thanked and are released.

Salesi Temo
JUDGE

Solicitor for the State : **Office of the Director of Public Prosecutions, Suva**
Solicitor for Accused : **Legal Aid Commission, Suva**