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**THE CHIEF REGISTRAR
HIGH COURT OF FIJI
GOVERNMENT BUILDINGS
SUVA, FIJI**

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PRESS STATEMENT OF THE "APPOINTMENT OF ASSESSORS"

In loyal defence of his client Mr. Ballu Khan, defence lawyer Mr. Peter Williams QC seems to have gone well beyond his professional duty.

The comments Mr. Williams made after the trial (which he did not attend) appear to have been a "thinking aloud." No evidence was referred to nor were any foundations laid for these wild accusations of unfairness.

When his client achieved a permanent stay before a judge of Fiji's High Court, did Mr. Williams then say "who appointed this judge?" Did he not achieve that favourable result for his client before a "military" judge? The judges are of course appointed not by the military but by the President. The judge in this trial simply took over a departing judge's list, which included this conspiracy case. The judge had not been selected by the military any more than the judge had been who had ordered a permanent stay on the prosecution of his client, Mr. Ballu Khan. If its good news, the judge was okay, if its bad news, he was selected by the military. That conclusion is naive and simplistic.

The military has nothing to do with the selection of the assessors either. Nor do I. This is handled by the officer in charge of the Criminal Registry who makes selections for trials routinely from a carefully screened and updated panel.

Persons with a conflict of interest are not selected, and further the judge at the outset of the trial follows a procedure to ensure assessors with a conflict are de-selected. The courts are much more careful in this regard than they were a few years ago. The sum total of Mr. William's allegations is that a journalist should "dig around." Much easier to smear for which no evidence need be put up. Such unforensic comment has already been branded "damage control" no doubt thought necessary after the judge's apportionment of blame in his sentencing remarks. Mr. William it seems prefers to lash out at others to avoid focus on his own client's role.

**ANA ROKOMOKOTI [MS.]
CHIEF REGISTRAR
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