

IN THE HIGH COURT OF FIJI
AT LAUTOKA
CRIMINAL JURISDICTION

CRIMINAL CASE NO.: 183 OF 2011

STATE

-v-

JOHN DOUGHTY

Counsels : Mr. F. Lacanivalu for the State
Ms. M. Tarai for the accused

Date of Trial : 11 February 2014 to 14 February 2014

Date of Summing Up : 17 February 2014

Date of Judgment : 17 February 2014

JUDGMENT

1. The Accused is charged under following count:

First Count

Statement of Offence

RAPE: Contrary to Section 207 (2) (a) of the Crimes Decree No. 44 of 2009.

Particulars of Offence

John Doughty on the 6th day of September 2011 at Vunavutu in Sigatoka in the Western Division, had carnal knowledge with a woman namely **AD** without her consent.

2. All three assessors unanimously found accused guilty of the above count.
3. I direct myself in accordance with the law and the evidence which I discussed in my summing up to the assessors.
4. Considering the nature of the evidence before the Court, I am convinced that the prosecution had proved the case beyond reasonable doubt.
5. I find the verdict of the assessors were not perverse. It was open to them to reach such a conclusion on the evidence. I concur with their verdict. Considering all, I find the accused guilty as charged in respect of the count of Rape.
6. Accordingly, I convict John Doughty for Rape charge under Section 207 (2) (a) of the Crimes Decree, 2009.
7. This is the Judgment of the Court.

Sudharshana De Silva

JUDGE

**At Lautoka
17th February 2014**

**Solicitors : Office of the Director of Public Prosecution for State
Office of the Legal Aid Commission for Accused**