

Honourable Gates Spearheads 5th Sir Moti Tikaram Memorial Lecture

Honourable Chief Justice, Anthony Gates spearheaded the 5th Sir Moti Tikaram Memorial Lecture on the topic “Can The Courts Always Deliver Justice And The Rule of Law?” at The University of Fiji, Samabula Campus on September 28, 2018.

Delivering the lecture, Honourable Gates mentioned that the use of video recorded evidence in courts met the need for higher and unquestionable record.

“The video recording with its devices to prevent tampering is the necessary corroborative evidence of the interview, its procedure and content, and its voluntariness, said to have been conducted by the interviewing officer and his witness. Even documents put to the suspect can then be stored without the possibility of loss in the cloud and elsewhere,” he said.

Further to his point, he asserted that despite people having different concerns for different clients, they all wanted improvements to the system.

“I can assure you significant progress has been made, and professional workable relationships continue to achieve those results. Before long I anticipate only video recorded police interviews will be adduced in court. These endeavours may not have been seen as a traditional role for courts. It has been a facilitative role, and if truly successful I can see it as one to deliver justice and fairness to suspects and detainees. For persons to be treated professionally and properly and without violence in police stations is an important pillar in the operation of the Rule of Law,” he affirmed.

Moreover, he discussed that on some issues a pronouncement from the court could be helpful however in matters involving historic and attitudinal positions; the courts could not achieve success.

He stressed that change would not occur in a hurry if society is confined, suspicious, distrustful and medieval in outlook.

“Where there are tribal and religious differences it is important that leaders of both groups begin the business of breaking down misunderstandings and suspicions. To do that, each group must be prepared to mingle, to meet, to talk, to listen, to do things together, indeed to invite each other into their homes and religious houses. Unless this is done, there is little or no understanding of the others point of view. The outwards differences must be de-mystified,” he stated.

He added that these changes were for the Government’s and civil society to achieve.

“Perhaps with the greater use of mediation, the courts will have a larger role to play. But the bitter disputes of today will not be brought to an end through a court case. Prior to 1987, the people of Fiji had been good at sitting down together and resolving their issues. This mediatory form needs to be looked at again,” he explained.

Speaking at the lecture, the Acting Vice-Chancellor, Professor Narendra Reddy welcomed the attendees and stated that an event like the lecture achieved two of the four strategic priorities to realize the institutional objectives of the University.

He further elaborated that the strategic priorities were (1) Investing in the University’s academic portfolio and (2) Being an international University for the global sharing of knowledge.

“Hosting the Sir Moti Tikaram Memorial Lecture is a means of investing in the University’s academic portfolio where the focus is on excellence in learning, teaching, research, enterprise, and interdisciplinary and trans-disciplinary themes and perspectives; and being an international University for the global sharing of knowledge where the focal point is on international collaborations and securing partnerships,” he stressed.

The lecture was attended by over 150 people including people from the legal fraternity, ambassadors, diplomats, members from the corporate sector, students and staff of the University and others.