

Advice Matters

The office of the Director of Public Prosecutions (ODPP) not only prosecutes on behalf of the people but also provide legal advice on criminal matters.

Police and Stakeholders that require advice from the ODPP forward their request for advice to ODPP.

The matter is allocated to a prosecutor who is tasked to provide a legal opinion on the matter.

Legal Opinions must be endorsed by the DPP before they are sent back to the stake holders requesting the advice.

Based on recommendations, police and stakeholders will continue or discontinue their investigations.

We prosecute on behalf of the State

The ODPP works with RSIPF and other government agencies. The Police and enforcement officers of other government agencies conduct investigations. The investigated matter is forwarded to ODPP and the ODPP prosecute on behalf of the State. The "State" is the people of Solomon Islands.

POWER TO WITHDRAW CHARGES

Matters reported to the police which are already before the court MUST be prosecuted. Only the DPP has the power to withdraw charges.



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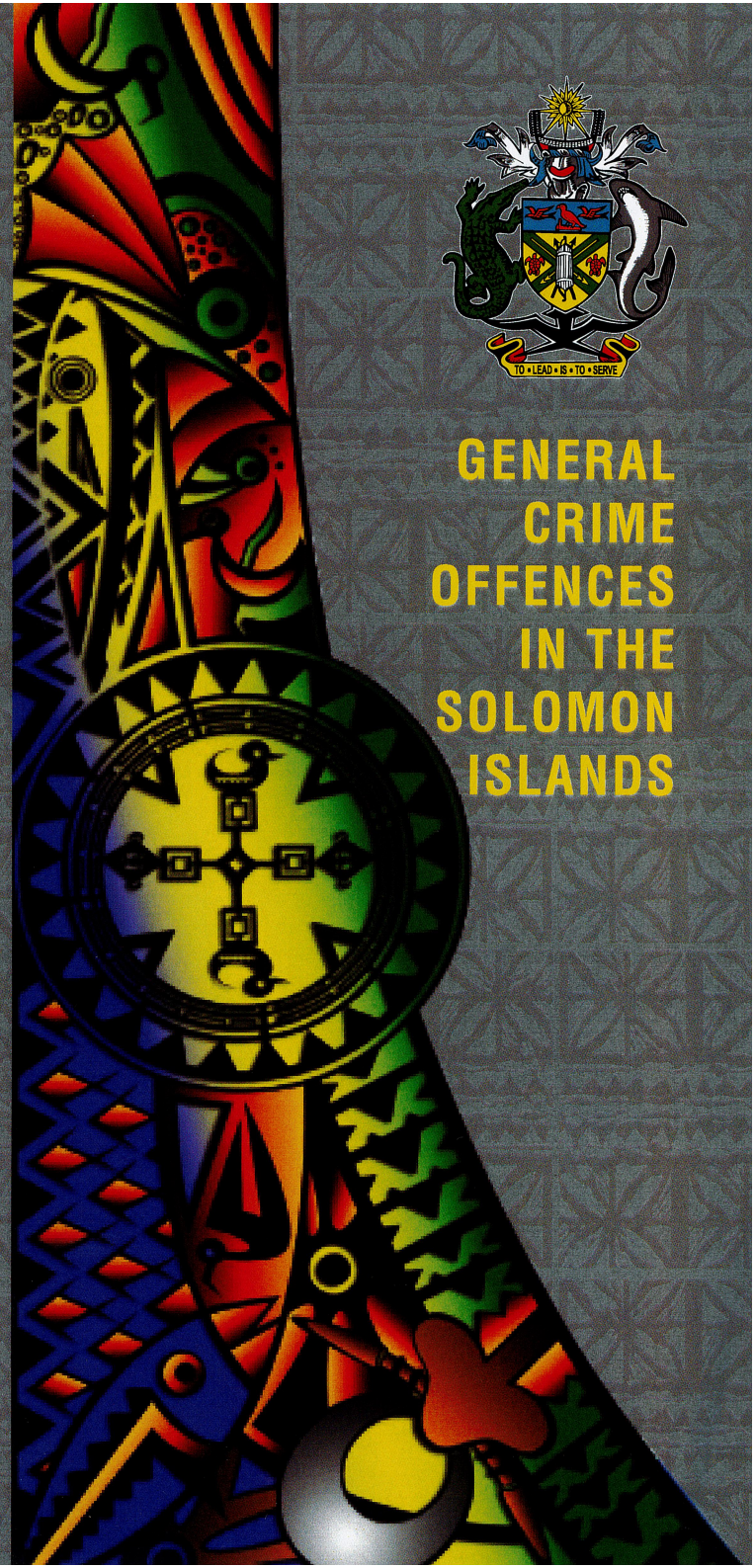
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This small booklet is part of the 7 booklets that provide information to help you understand how the justice system works in Solomon Islands.

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GENERAL CRIME OFFENCES IN THE SOLOMON ISLANDS



OFFICE OF THE DIRECTOR OF PUBLIC PROSECUTIONS

VISION

A SAFE AND JUST SOLOMON ISLANDS SUPPORTED BY A CONSTITUTIONALLY INDEPENDENT PUBLIC PROSECUTION SERVICE UNDER THE RULE OF LAW.

MISSION

DELIVERING AN INDEPENDENT, FAIR AND EFFECTIVE PROSECUTION SERVICE.

VALUES

The office of the Director of Public Prosecutions (ODPP) values are:

- (a) Independence
- (b) Accountability
- (c) Respect
- (d) Ethical with Integrity
- (e) Efficiency

GENERAL CRIME OFFENCES IN THE SOLOMON ISLANDS

The General Crime Unit

The General Crimes Unit is one of the 5 units in the Office of the Director of Public Prosecutions (ODPP). It was established to advise on, prosecute and monitor general crime matters that are under the carriage of ODPP. The unit is responsible for monitoring and reporting on the progress of general crime matters. Offences that do not fall under the other 5 Units come under this category of offences.

Offences other than Sexual offences, Corruption related offences, Police Professional Standard Investigated matters and Tension matters. For example:

- Offences against person, like
- Murder
- Attempt murder
- Theft/ Robbery
- Arson
- Grievous Harm, Assault
- Offences against property like

Prosecuting General Crime Offences

The ODPP prosecutes general crime offences at the Magistrates Court and the High Court.

Matters that can be heard in the Magistrate Court:

- Less serious offences – such as common assault, traffic offences etc.
- Offences that carry not more than 5 years as the maximum imprisonment term.
- Offences that carry a maximum penalty fine of \$10, 000.00

Most General Crime offences are sentenced in the Magistrates Courts.

Principal Magistrates can impose sentence:

- 1 count = maximum 5 years imprisonment
- Multiple counts = maximum 10 years imprisonment
- Fine = maximum \$10 000

Sentences are determined on the basis of the seriousness of the offence and the maximum penalty it carries.

High Court

Serious offences are all heard in the High Court, which has inherent jurisdiction and can impose life imprisonment sentence and penalty fines of more than \$10, 000.00.

Process?

1. Criminal Offence committed – example, a fight resulting in grievous harm
2. Complainant/Report must be made to police
3. Police conduct investigations after receiving complainant. Charge is laid against the accused
4. Case is forwarded by Police to ODPP after investigations
5. File is received in DPP's office and registered under respective units, in this case General Crimes Unit
6. The DPP allocates the file to a Prosecutor based on the recommendation of the Practice Manager
7. The file is allocated to a Prosecutor.
8. The Prosecutor will consider the evidence, provide legal opinion to the DPP or Police, lay the right charges and Prosecute the offence.