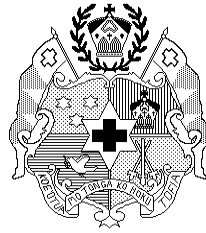


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Our Reference: AK 126/19- c.14

**‘OFISI ‘O E ‘ATENI SENIALE  
FAKAMATALA FAKA‘ATĀ KI HE MITIA  
NGAAHI FAKAMATALA KI HE KAKAI FELAVE‘I PEA MO E PEKIA ‘A SIONE  
FEIMOEFIIFI  
8 Fepueli 2019**

- 1 ‘Oku loto‘a e ‘Ofisi ‘o e ‘Ateni Seniale ke fakaha ‘a ‘e ne hoha‘a lahi felave‘I pea mo e lahi ‘a engaahi fakamatala ki he kakai felave‘i pea mo e ngaahi me‘a na‘e hoko ‘o pekia ai ‘a Sione Feimoefiifi ‘o Pootilani, ‘Olekoni, ‘Amelika, ‘a ia na‘e hoko ‘i he ‘aho Monite 4 Fepueli 2019 ‘i Nuku‘alofa.
- 2 ‘Oku totonu ke mahino‘i kakato ‘e he kakai kuo hanga ‘e he Kau Polisi Tonga ‘o fakaha ‘i he ‘aho Pulelulu 6 Fepueli 2019 kuo nau faka‘ilo ‘a e ni‘ihi ‘i he Fakamaau‘anga Polisi ki hono fakapoongi ‘o Sione Feimoefiifi, pea ko e ngaahi faka‘ilo ni ‘oku malava ke fakahoko ‘a e hopo ‘i he Fakamaau‘anga Lahi ‘i he kaha‘u.
- 3 Kuo a‘u ‘a e ngaahi fakamatala ki he kakai ki ha tu‘unga ‘oku malava ke faka‘ilo hia ‘a e ni‘ihi na‘a nau fakahoko ‘a e ngaahi fakamatala ni ki he ‘ulungaanga ta‘efaka‘apa‘apa ki he Fakamaau‘anga, pe ki he hia ko e kaunoa ta‘etotonu ‘i he ngaue ‘a e Fakamaau‘anga ‘o maumau ai ‘a e kupu 65 ‘o e Lao ki he Ngaahi Hia, pe ki he hia ko e tuku atu ha ngaahi tohi fakamanamana ki he famili ‘o e kau faka‘iloa, tautautefito ki he fanau ‘o e kau faka‘iloa, maumau ai ‘a e kupu 111 ‘o e Lao ki he Ngaahi Hia.

- 4 Ko hono 'aofangatuku pe ko e kau faka'iloa ni na'a nau fakatupu 'a e pekia 'a Sione Feimoefiafi 'o fakatatau pea mo e lao 'o Tonga, ko e fatongia faka-Konisitutone mo faka-lao ia 'a e Ngaahi Fakamaau'anga 'o Tonga, pea 'ikai ko ha to e taha kehe.
- 5 'Oku **'ikai** 'aupito ko ha me'a ia 'a e kakai ke nau tu'utu'uni ko hai na'a ne fakatupu fakatatau ki he lao, 'a e mate 'a Sione Feimoefiafi, pea ke fakaha ia 'i he letio, ngaahi nusipepa, 'initatnei pe 'i ha fepotalanoa'aki.
- 6 Ko e tu'utu'uni koia 'e fakahoko ia 'i he Fakamaau'anga Lao, 'i hano fakamaau'i 'e ha fakamaau tau'ataina, pea mo ha sula tau'ataina, kapau 'e fili ki ai 'a e kau faka'iloa.
- 7 Koia ai 'oku faka'amu 'a e 'Ofisi 'o e 'Ateni Seniale ke fale'i ki he kakai kenau kataki 'o ngaue'aki 'a e fakama'uma'u, pea ke nau faka'ehi'ehi ke nau fakahoko ha fakamatala ki he kakai felave'i pea mo e ngaahi mo'oni'i me'a na'e hoko 'o fakatupu ai 'a e pekia 'a Sione Feimoefiafi.
- 8 Ko e ngaahi fakamatala ki he kakai 'oku hoko ko e 'ulungaanga ta'efaka'apa'apa ki he Fakamaau'anga 'oku kau ai 'a e ngaahi fakamatala ki he kakai 'oku 'i ai 'a e fakatu'utamaki lahi ke kau noa pea mo e ngaahi fakahoko fatongia mo e ngaahi ngaue ; 'a e Fakamaau'anga ke ne fakahoko totonu mo lelei 'a e fakamaau totonu.
- 9 'Oku kau foki, pea tautautefito ki he me'a ko'eni na'e hoko, 'a e ngaahi fakamatala te ne malava ke fakaloto'i 'a e kakai, 'a ia 'e malava ke fili kinautolu ko e kau sula ke nau fai fakama'opo'opo 'a e ngaahi me'a na'e hoko, pea mo fakahoko 'a e tu'utu'uni felave'i pea mo e tu'unga halaia, ke nau ma'u ha loto taufehi'a pe faka'ofa'ia felave'i pea mo e ni'ihii na'a nau kau ki he me'a ko'eni na'e hoko.
- 10 'Oku mateuteu 'a e 'Ofisi 'o e 'Ateni Seniale ke faka'ilo hia ha taha pe 'oku ne fakahoko ha fakamatala 'oku ne tui ko e fakahoko 'a e 'ulungaanga ta'efaka'apa'apa ki he Fakamaau'anga, pe ko e hia ko e kaunoa ta'etotonu 'i he ngaue 'a e Fakamaau'anga 'o maumau'i ai 'a e kupu 65 'o e Lao ki he Ngaahi Hia, pe ko e hia ko e tuku atu ha ngaahi tohi fakamana maumau ai 'a e kupu 111 'o e Lao ki he Ngaahi Hia.

11 'Oku 'oatu ai 'a e kole ki he kakai ke nau fakamo'oni 'oku kei pule 'a e lao 'i Tonga ni, pea ko kitautolo kotoa, ko e fonua, 'oku tau faka'apa'apa'i mo malu'i 'a e tau'atina 'a e Fakamaau'anga, pea mo e totonu 'a e kau faka'iloa kotoa pe kuo faka'ilo ki he Fakamaau'anga ki he fakamaau'i tau'atina, neongo 'a e mafatukituki 'a e ngaahi hia kuo faka'ilo'aki kinautolu.

----- NGATA'ANGA 'O E FAKA'ATĀ FAKAMATALA -----

**Ki ha toe fakamatala, kātaki 'o fetu'utaki kia:**

'Aminiasi Kefu,

'Ateni Seniale Le'ole'o mo e Talekita ki he Ngaahi Talatalaaki Hia 'a e Pule'anga,

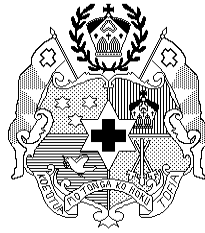
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**ATTORNEY GENERAL'S OFFICE  
MEDIA RELEASE**

**PUBLIC COMMENT REGARDING THE DEATH OF MR SIONE FEIMOEFIAFI  
8 February 2019**

- 1 The Attorney General's Office wishes to express its serious concerns regarding the extent of public comment regarding the circumstances of the death of Mr Sione Feimoefiafi of Portland, Oregon, United States of America, that occurred on Monday 4 February 2019 in Nuku'alofa.
- 2 The public should be now fully aware that Tonga Police announced on Wednesday 6 February 2019 that certain persons were charged in the Magistrates Court for the murder of Mr Feimoefiafi, and these charges are likely to be prosecuted in the Supreme Court in due course.
- 3 The public comments have reached a point that persons may be criminally prosecuted for contempt of Court, or interference with the course of justice contrary to section 65 of the Criminal Offences Act, or sending threatening documents to family members, especially the children, of accused persons, contrary to section 111 of the Criminal Offences Act.
- 4 The determination of whether these accused persons are responsible under the laws of Tonga for the death of Mr Feimoefiafi, is a Constitutional and legal duty for the Courts of Tonga, and no one else.

- 5 It is **not** for the public to decide as to who has legal responsibility for the death of Mr Feimoefiafi on the radio, the newspapers, the internet or in general conversations.
- 6 The determination will be made in a Court of Law, judged by an independent judge, and an independent jury, if the accused persons so elect.
- 7 The Attorney General's Office therefore wishes to advise the public to please exercise restraint, and to refrain from making public comments regarding the facts leading to the death of Mr Feimoefiafi.
- 8 Public comment that amounts to contempt of Court includes public comment that has a real risk of interfering with the Courts' duties and functions to exercise due and proper administration of justice.
- 9 It also includes, and more particularly to this incident, public comments that may influence persons, who may be selected as jurors to make factual assessments and to render a verdict on guilt, to have prejudice or sympathy regarding those involved in the incident.
- 10 The Attorney General's Office is prepared to criminally prosecute any person who makes public comments that it believes amounts to contempt of Court, interferes with the course of justice contrary to section 65 of the Criminal Offences Act, or issues threatening documents contrary to section 111 of the Criminal Offences Act.
- 11 Members of the public are therefore requested to demonstrate that the rule of law still prevails in Tonga, and that we, as a nation, honour and protect the independence of the judiciary, and the rights to a free trial for all accused persons who are charged before our Courts, regardless of the severity of the crime they are charged with.

----- **MEDIA RELEASE ENDS** -----

**For further information or clarification, please contact:**

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