

**IN THE SUPREME COURT OF TONGA  
CRIMINAL JURISDICTION  
NUKU'ALOFA REGISTRY**

**CR 172 of 2014**

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*27/02/15*

**R E X**

**-v-**

**NOPELE TU'ILAKEPA**

**MINUTE OF THE LORD CHIEF JUSTICE**

1. As noted in my minute of 23 February 2015 the Court received two written applications for documents from the Court file in relation to this matter, the details of which are:
  - 1.1. A written request dated 10 February 2015 from Mr. Viliami Taufu seeking *'a copy of the judgment/sentencing of Lord Tu'ilakepa'*.
  - 1.2. A written request dated 18 February 2015 from Vava'u Press Ltd for *'sentencing submissions that were made by the Acting Attorney General 'Aminiasi Kefu and the lawyer for Lord Tu'ilakepa on January 23'*.
2. I convened a conference for 2:30pm today to hear the applications.
3. Mr Kefu SC appeared before me and advised me that he does not object to the requests.
4. Counsel for Nopele Tu'ilakepa, Mr Clive Edwards SC, did not appear but filed a memorandum advising that there *'is no objection to the requests being allowed'*.
5. There was no appearance for or on behalf of Mr Taufu or the Vava'u Press Limited.
6. Mr Kefu SC expressed concern that the requests have been made against a background of public comment about this case which may impact negatively on judicial independence. Mr Edwards SC (in his memorandum) expressed similar concerns. These are

*Recd 27/02/15  
MK*

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important matters but, as I have noted, there is no objection to the requests and I consider that the principle of open justice requires that that information should be provided.

7. Accordingly I direct that the documents requested will be available for collection by Mr Taufu and Vavu'u Press Limited from the Supreme Court Registry upon payment of the usual Court transcription and photocopying fees.

**DATED: 25 February 2015**



**CHIEF JUSTICE**