

IN THE TONGOA SHEPHERDS ISLAND COURT
OF THE REPUBLIC OF VANUATU

(Civil Jurisdiction)

Civil Case No. 21/1189 IC/MTNC

BETWEEN: ELSIE BERRY
Claimant

AND: PHILLIP SAM
Defendant

Justices: Amos Willie
Kalfau Pakoa
Apia Samoa

Clerk: Joel Jacob

Date of Hearing: 17th May 2021

Venue: Morua Court House

MATTER: CLAIM FOR CHILD MAINTENANCE

JUDGMENT

Elsie Berry hemi putum klem ia akensem Phillip Sam from hemi wantem se bae kot i elpem hem blong Phillip Sam imas pem child maintenance blong tufala pikinini blong hem. Further long hemia, hemi ting se papa blong tufala pikinini Lineth Sam mo Winnie Sam hemi Phillip Sam.

Issue:

Tufala party ilif tuketa long wan aos?

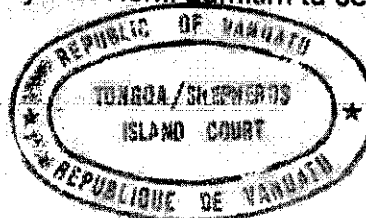
From wanem nao Elsie Berry iwantem mekem Phillip Sam ipem child maintenance?

Hemi tru se papa blong tufala pikinini ia Lineth Sam mo Winnie Sam hemi Phillip Sam?

Full Storian

Claimant blong keis hemi statem storian blong hem mo talemaot se tufala istap tuketa longtaem ikam be fulap taem, hemi stap tritim nokud hem. Taem we itoktok kros smol nomo be Phillip Sam imas karem knife ronem hem long foret blong tufala pikinini blong hem. Hemi talem se ol kind tritmen ia ibing apen longtaem finis ikam, mo lastwan ia nao long last manis we Phillip Sam isentemaot olketa long aos. Oli stap kat ol smolsmol vilij kot we Phillip Sam ibing stap promes se bae inomo mekem ol fasin ia be hemi stap kiaman nomo. Hemi endem storian blong hem se bae hemi neva acceptem blong stap wetem hem pakeken from ol rafis fasin ia we hemi stap mekem long hem.

Taem we defendant Phillip Sam hemi kivimaot toktok blong hem, hemi admitim se itru, everysamting we claimant istap talem oli tru everyone. Hemi admitim tu se tufala pikinini



ia Lineth Sam mo Winnie Sam hemi pikinini blong hem. Be, hemi stap stanap long kot ia blong talemaot se hemi wantem blong oli mas stap tuketa pakeken from fulap property blong ol family blong Elsie Berry oli stap long kraon blong hem (Phillip Sam). Hemi promesem kot ia tu se bae inomo mekem ol rafis fasin ia pakeken. Lastly hemi se wok blong stap kros kranke nomo imekem se hemi sentemaot olketa long aos.

Olketa findings blong kot long issue ia:

Taem we kot hemi mekem faendings blong hem, hemi faenemaot se yes itru oli stap longtaem finis ikam mo tufala ikat two smolsmol kel. Ol sem kaen issue ia ibing pass long vilij kot finis be yet Phillip Sam ino stop long fasin blong hem, eventhough hemi promes se bae inomo mekem fasin ia pakeken. Kot hemi faenemaot tu se, fulap long ol kros blong tufala parties ia, hemi ol smolsmol kros nomo insaet long aos we tufala ineva stopem, ikam kasem taem we Phillip isentemaot Elsie Berry wetem tufala pikinini long aos. Lastly, kot hemi faenemaot se claimant blong case, Elsie Berry, inomo wantem stap wetem man ia Phillip Sam eventhough, Phillip Sam istill laekem olketa.

Order

1. Bae Phillip Sam imas pem child maintenance blong tufala pikinini ia, Lineth Sam mo Winnie Sam.
2. Phillip Sam imas kivim 8,000VT long wan manis iko long Elsie Berry kasem taem we tufala pikinini ikasem 18 years old. Sipos hemi nokat mani, child maintenance ia isave apen tu long wan narafala samting we value blong hem hemi 8,000VT long wan manis.
3. Tufala pikinini ia Lineth Sam mo Winnie Sam tufala ifil free blong muf blong save ko stap wetem papa or mama anytime tufala iwantem.
4. Yu we yu no klad long decision ia, yu kat 30 days blong apil iko long magistrate kot stat today iko.

Dated long Morua Kot Aos, Tongoa Island this 17th May 2021.

BY THE COURT



Apia Samoa



Amos Willie



Kalfau Pakoa

