

**IN THE TONGOA SHEPHERDS ISLAND COURT**  
**OF THE REPUBLIC OF VANUATU**

No. Civil Case 27 of 2006

*(Civil Jurisdiction)*

In the Matter of Child Maintenance and In the Matter of Child  
Maintenance Act Cap 46;

**BETWEEN:**      **LEINASEI SIRI**  
   **Plaintiff**

**AND:**            **BERRY OBED**  
   **Defendant**

**JUDGMENT**

Appearance; Only the defendant appear in person.

The plaintiff on this matter, Mrs Leinasei Siri filed an application before this Court in the nature of Child Maintenance under Child maintenance Act Cap 46. Brief facts of her application was to the effect that she have been having de facto relationship with the Defendant Mr Berry Obed between 1995 – 1996. Two children were born as result of this relationship. Plaintiff claim that the defendant now has a different family and that she wanted the defendant to pay child maintenance and to continue support them in their daily needs. Defendant Berry Obed admitted the claim and claimed that both children are now living with him in Emae whilst the plaintiff is residing at Vila.

Having hearing the defendant and read the plaintiffs claim, the Court learn that both children are residing at Emae under the defendant's care.

Before making the orders, the court informed the parties of the followings;

1. This case raises concern for the welfare of the children

2. Because of the de facto relationship, the children becomes the victim and so both parties have some degree of responsibility over their welfare.

3. The court encourages the defendant to make sure the children have access to formal education and the fact that they are living with him, he shall continue to maintain them accordingly.

After informing the parties of the above, the court hereby order;

This matter is dismissed accordingly.

Dated at Tongomea village, Emae this 7<sup>th</sup> of June, 2006.

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**Justice Roy Harry**

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**Justice Kalfau Pakoa**

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**Justice David Timatasa**