

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

(Civil Jurisdiction)

Civil Case No. 21/1315 IC/CIVIL

BETWEEN: ROY JOEL
Claimant

AND: MAXIM WILSON
Defendant

Jastices: Amos Willie
Kalfau Pakoa
Apia Samoa

Clerk: Joel Jacob

Date of Hearing: 17th May 2021

Venue: Morua Court House

MATTER: COMPENSATION CLAIM

JUDGMENT

Roy Joel hemi putum keis ia akensem Maxim Wilson from hemi ting se Defendant Maxim Wilson nao ikilim wan mama buluk blong hem we hemi kat bell finis. Mo hemi wantem tu se bae kot ia ielpem hem blong mekem man ia Maxim Wilson ipem buluk ia long wan amount blong 50,000VT.

Issue:

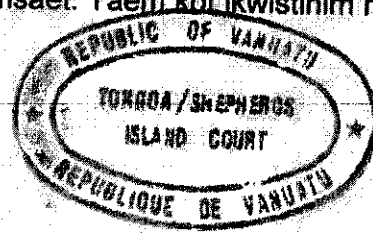
*Itru se Maxim Wilson ikilim buluk ia?
Sipos hemi tru, Why nao hemi kilim buluk ia?*

Full Storian

Roy Joel italem se ol buluk ia oli ko insaet long karen. Taem we Maxim Wilson i kilim buluk ia, hemi ko luk jif or inspector blong karen mo kam kaontem ol damages we buluk hemi kosem long karen blong Maxim. After oli agree se bae ipem ol damages ia mo bae Maxim Wilson bae ipem buluk ia.

Taem we fes witness blong claimant Simeon Joe hemi storian, italem se hem nao hemi ko kaontem karen mo hemi toktok wetem Maxim Wilson blong Roy Joel ipem karen after bae Roy iko usum buluk ia, imekem se Maxim iagree long tingting ia. Long taem blong cros examination, witness italem se karen we buluk idamagem ino blong Wilson nomo be ikat karen blong sam narafala families tu we ol buluk ia oli damagem. Ol buluk ia oli kat fulap ona. Taem we buluk ided, oli katkatem buluk ia mo serem long ol man we buluk idamagem karen blong olketa.

Seken witness blong claimant Erick Joel italemaot se, hem iapia long kot ia blong witnessim nomo mama buluk we ided we pikinini blong hem istap insaet. Taem kot ikwistinim hem,



hemi talem se oli pemaot ol damages finis we buluk hemi kosem be Maxim Wilson bae ipem buluk we isperem. Hemi stap admitim pakeken se ol group blong ol buluk ia ino blong wan man nomo, oli blong fulap man. Hemi stap vinisim toktok blong hem se ol buluk ia oli kat yard istap, we everytaem oli stap sarek olketa long hem be sipos oli kamaout long yard blong olketa pakeken, mo ko insaet long karen, bae Maxim Wilson isave sperem olketa.

Long narasaet storian, Maxim Wilson hemi defendem hem wan mo talem se oli ronem ol buluk ia koko oli taet, mo tu oli trespass. Even oli neva stap kwaet long yard blong olketa from every week nomo oli stap ko kakae karen. Hemi talem se claimant ineva lukaotem mo controlem ol buluk ia from oli nokat yard blong putum olketa long hem. After hemi closem toktok blong hem se ol buluk ia oli ol buluk blong Roy Joel olketa mo mataso we fulap taem nomo oli stap kam kakae karen blong hem wetem ol narafala families.

Witniss blong hem Rachel John italem se fulap taem ol buluk ia oli wokem ko kakae karen blong olketa wetem ol narafala families. Hemi confirmem tu se taem we buluk ided, Roy Joel mo ol families blong hem oli katemaot wan hand nomo after oli kivim long olketa we karen blong olketa idamage. Lastly hemi talem se ikat tufala group blong buluk nomo we oltaem oli stap ko mekem damage.

Olketa findings blong kot long issue ia:

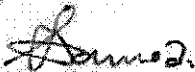
- Ino wan taem nomo we buluk iko kakae long karen
- Tufala parties ibing setelem smol aotsaet finis folem agreement
- Buluk we ided ikat bell istap. Hemia nao risen why Roy Joel ino kiad afta ikam ripotem Maxim long kot.

Order

1. Roy Joel yu mas mekem kud fenis blong buluk blong yu mo Maxim Wilson yu mas mekem kud fenis blong karen blong yu.
2. Tuketa parties imas mekem custom reconciliation, 1 mat plas 5,000vt each. Reconciliation ia imas apen within long 2 weeks taem nomo stat today kasem 28th may 2021.
3. Yu we yu no kiad 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

