

IN THE SUPREME COURT OF
THE REPUBLIC OF VANUATU
(Civil Jurisdiction)

Civil Case No. 11 of 2011

BETWEEN: JANET BOEDOVO
Claimant

AND: THE REPUBLIC OF VANUATU
First Defendant

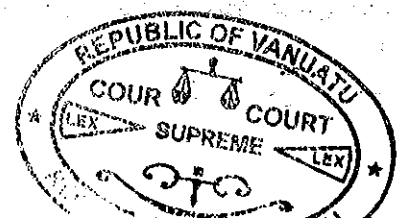
AND: MR JOE ANTAS
Third Claimant



Conference: 2 April 2012
Before: Justice RLB Spear
Distribution: **Claimant:** Britten Yosef
First Defendant: Frederick Gilu
Second Defendant: Saling Stephens

MINUTE

- 1) Mr Yosef appears to have experienced some difficulties in relation to preparation of the claimant's case. Mr Yosef explains that he now has a bundle of documents that have only just been provided to him by the claimant which he wishes to present to the Court by way of a sworn statement.
- 2) Another complication is that his attempt to search the file relating to Vanua Land on Santo has been unsuccessful. He states that he was informed by a member of staff at the Department of Lands that the file relating to Vanua Land was taken from the office by the Director of Lands who is currently under suspension and is, for that reason, unavailable to search.
- 3) This case relates particularly to Vanua Island on (strictly, by) Santo. The second defendant Joe Antas wishes to develop the island and claims that the island is part of the land declared to be the customary land of his father being part of the "Jindonaru" Land



dealt with by a decision of the relevant land tribunal. The amended claim, however, asserts that the decision in respect of Jindonaru Land does not cover Vanua Island or Vanua Land which is separated from Jindonaru Land by the Vanua river.

- 4) What is important is that the pleadings are completed and the evidence is formally presented. To that extent, the following timetable applies and must be kept to strictly:-
 - a) the defences to the amended claim (filed today) by 13 April 2012;
 - b) all sworn statements for claimant by 27 April 2012;
 - c) all sworn statements by defendant by 18 May 2012;
- 5) I expect that the complaint advanced by Mr Yosef today that the file relating Vanua Land has being taken by the suspended Director of Lands will be addressed in a clear and unequivocal way by the sworn statement or statements filed for the State.
- 6) I have informed Mr Yosef that I am not prepared to tolerate further absences from conferences. It is important that this case is progressed as quickly as possible for everyone's sake and that cannot happen if counsel do not attend conferences or comply with timetables.
- 7) At this stage, costs are reserved although it should be noted that this matter has not been progressed for almost 2 months because Mr Yosef has not attended the conferences. That will need to be taken account of in due course.
- 8) Next conference at 8 am 13 June 2012.

BY THE COURT

