

(Civil Jurisdiction)

Between: Daina Carolyn
William Collins
Augusta Rahourou
(Complainant)

And: Stophwel Rose
(Defendant)

Matter: Payment of compensation in the sum of 50,000 vatu for Defamation plus costs
1,000 vatu.

Coram: Justice Keith Hopkins
Justice Phillip Morres Tabe
Justice Reuben Selwyn

Clerk: Fredington Aru

Date of hearing: 05th June 2013

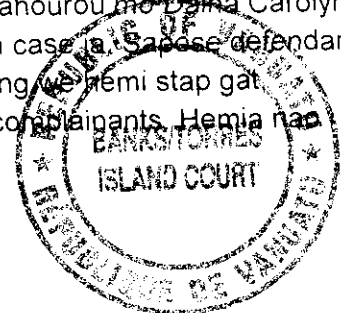
JUDGMENT

Case bitwin Daina Carolyn, William Collins mo Augusta Rahourou agensem Stophwel Rose hemi wan claim blong compensation. Ol complainant's long case ia oli faelem report ia long Kot mo stap claim se defendant Stophwel Rose hemi stap tingting nogud long olgeta from stret husband blong hem Michael Rahourou. Hemi stap tekem se Daina Carolyn, Augusta Rahourou mo husband blong hem Michael Rahouoru oli stap gat affair together.

Michael Rahourou hemi stret brata blong Augusta Rahourou mo hemi papa blong William Collins we hemi husband blong Daina Carolyn. Defendant hemi stret tawi blong Augusta Rahourou, hemi step mother blong William Collins mo hemi palika woman blong Daina Carolyn.

Ol complainants oli stap claim blong defendant stophwel hemi fine ikam long olgeta long amaon blong 50,000 vatu from fasin mo tingting we hemi stap gat agensem olgeta.

Issue blong determination long case ia hemi itru or no se defendant Stophwel istap tingting nogud long husband blong he wetem tufala woman ia Augusta Rahourou mo Daina Carolyn. Mo saposse itru, ol patis imas givim heavy evidence blong pruvum case ia. Saposse defendant hemi admittim claim mo hemi no save pruvum case ia follem tinting we hemi stap gat hamas nao hemi mas pem olsem compensation igo long olgeta complainants. Hemia nao issue blong determination before long Kot long case ia.



Tugeta patis ibin served wetem Court summons mo oli bin appear before long Kot taem Kot isitaon blong harem case ia.

Long Kot Complainant Augusta Rahourou (AR) italem se Defendant we hemi stret tawi blong hem istap tingting nogud long hem from Husband blong hem Michael Rahourou (MR) we istret brata blong hem (AR). Complainant Daina Carolyn (DC) italem tu se Defendant hemi stap talem toktok se William Collins (WC) hemi no pikinini blong MR.

Long kwesten blong Kot long defendant se emia ol tingting blong yu nomo? Long respond, defendant hemi se 'yes emi ol tingting blong mi. From taem MR I luk AR or DC ipass bae hemi stat blong cough nao'.

Long request blong Kot blong defendant iexplenem more, hemi talem se wan taem hemi follem wan rod igo long bush mo hemi faenem husband blong hem MR istap sitaon olsem iredi blong ronem wan samting, istap lukluk ikam taon long rod ia we I lead iko long bush. Defendant hemi se rod ia nao AR, DC oli stap pass long hem.

Court Clerk hemi explenem long defendant se hao nao bae hemi pruvum case ia follem tingting we hemi stap gat agensem ol complainants. Defendant hemi luk confused mo Clerk I mekem wan direct kwesten for clarification long hem long matter ia. Clerk iaskem se 'yu bin lukim long own eyes blong yu se MR i mekem trabol wetem any long ol tufala woman ia (AR mo DC) or no?'

Long respond, defendant emi slowly respond se no.

Kot hemi askem kwesten long ol complainants se yufala ibin sitaon mo lukluk long issue ia finis samtaem or nogat, Long respond, Complainant WC ise yes, oli bin sitaon wetem defendant finis wantaem blong stretem nogud tingting ia mo oli bin mekem smol ceremony.

Oli bin givim long defendant:

- a. Yams (equivalent to 20,000 vatu in custom value)
- b. Mat (equivalent to 10,000 vatu in value)
- c. Cash money (5,000 vatu)

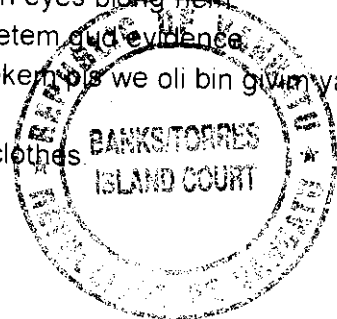
Follem hemia, Kot hemi askem long defendant se wanem nao ol rod blong kasem money blong hem. Defendant hemi se hemi stap somap mo salem ol clothes blong winim money long hem.

Findings blong Kot.

Follem olgeta storian antap, emia nao olgeta findings blong Kot:

1. Defendant hemi stap speculate nomo se igat trabol ibin stap happen bitwin husband blong hem MR mo tufala woman ia AR mo DC be actual happening we I involvem fasin blong gat affair together hemi no pruvum long own eyes blong hem.
2. Defendant hemi fail blong sapotem claim blong hem wetem gud evidence.
3. Ol complainant oli bin mekem wan ceremony blong mekem bae we oli bin givim yams, mat mo money.
4. Defendant hemi kasem money long somap mo salem clothes.

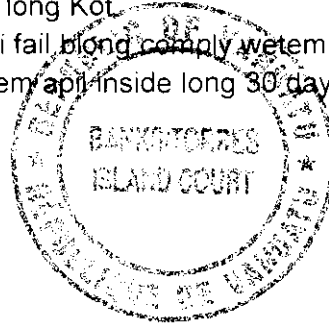
Wetem olgeta findings ia, Kot ia istap mekem ol odas olsem.



Kot odas:

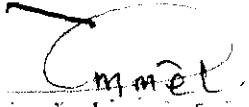
Kot istap odarem defendant blong:

1. Pem igo long ol complainant's 15,000 vatu olsem compensation.
2. Pem 1,000 vatu costs blong tekem case ia ikam long Kot.
3. Go long kalabus blong tri (3) manis sapos hemi fail blong comply wetem ol odas ia.
4. Any pati we ino glad long decision ia blong mekem apil inside long 30 days start tedei 05th June 2013.



DATED AT LOH THIS 05TH JUNE 2013

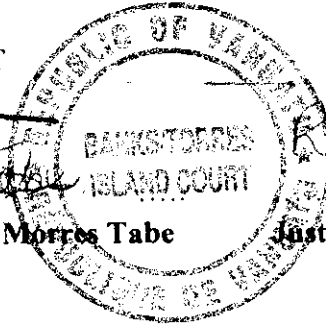
BY THE COURT

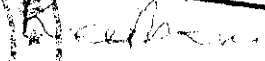


Justice Keith Hopkins



Justice Phillip Morris Tabo





Justice Ruben Selwyn