

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

Matrimonial  
Case No. 24/217 SC/MTRM

BETWEEN: JULIANN WILLIAMS  
Petitioner

AND: ALBERT WILLIAMS  
Respondent

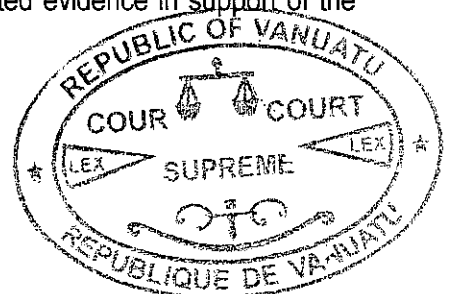
**Date of Hearing:** 3<sup>rd</sup> day of June 2024  
**Before:** Justice W. K. Hastings  
**Counsel:** Mr. R. Tevi for the Petitioner  
Respondent- Self-represented- No appearance

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DECISION

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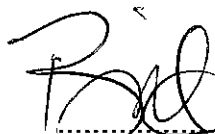
1. Juliann Williams has filed a petition for the dissolution of her marriage to Albert Williams.
2. This matter started in the Magistrates' Court, but because the Respondent contested the petition, the Magistrate transferred it to the Supreme Court.
3. In a letter dated 9 October 2023, the Respondent wrote that he contested the petition because he and the petitioner have two joint loans, and because "*the matrimony was between me, herself and God.*"
4. There are two children of the marriage. They are now 27 and 23 years old.
5. The Respondent is said to be living with his new partner.
6. Mr Tevi indicated that any property issues will be the subject of separate proceedings. He also filed proof that the Respondent was served with copies of the petition, the sworn statement of the petitioner, and the Minute of 12 March 2024. The Respondent did not appear at today's hearing to contest the petition.
7. The ground for dissolution cited in the petition is persistent cruelty that has negatively affected the marriage and family life. The Petitioner's sworn statement sets out in detail incidents of abuse and violence throughout the marriage. The sworn statement is uncontested evidence in support of the petition.



8. Section 9 of the Matrimonial Causes Act 1986 requires the Court, before the hearing, to inquire whether reconciliation is possible, and only if it is satisfied it is impossible, will the hearing go ahead. I have made that inquiry, and I am satisfied that reconciliation is impossible.
9. At the hearing, the Act requires the Court to inquire into the facts alleged and whether there has been any connivance or condonation or collusion between the parties, and the Court must also inquire into any "*countercharge*" against the petitioner. I have made that inquiry, and I am satisfied there has been no collusion, connivance or condonation between the parties, and that there is no countercharge against the Petitioner.
10. I am also satisfied on the evidence, as the Act requires me to be, that the case for the Petitioner has been proved and that the Petitioner has not condoned the cruelty.
11. Having been satisfied of the matters set out in the Act, I declare this marriage to be dissolved (decree nisi).
12. Subject to any appeal, the Court will, without any further proceedings, issue a Notice in Form C of the First Schedule in three months, on 3 September 2024, declaring the marriage to be absolutely dissolved (decree absolute).

**DATED at Port Vila this 3<sup>rd</sup> day of June, 2024**

**BY THE COURT**

  
**Justice W. K. Hastings**

