

BETWEEN: ESTATE OF GEORGE NAIIO, ANGELA
NAIO & CHILDREN of Port-Vila, Efate in
the Republic of Vanuatu
Claimants

AND: SUE BEDFORD of Port-Vila, Efate in the
Republic of Vanuatu
Defendant

*Mr Juris Ozols for the Claimant
Mr Nigel Morrison for the Defendant*

ASSESSMENT OF DAMAGES

UPON hearing counsel, Mr Juris Ozols for the Claimant and Mr Nigel Morrison for the Defendant, and **UPON** considering the evidence and submissions of counsel, the Court makes the following Order on the assessment of damages:

1. The Claimants are entitled to the following damages:
 - (a) Damages under the Law Reform (Miscellaneous Provisions) Act:
 - (i) Damages for pain and suffering caused by the Defendant's act between commission of the act and death assessed at VT100,000; and
 - (ii) Damages for loss of expectation of life. This head has been abolished in the United Kingdom, but still applies here) assessed at VT500,000;
 - (b) Damages under the Fatal Accidents Acts:
 - (i) Claim under this head is for five Defendants, Angela Naio, George Naio's widow, and four (4) children:
Assessed at VT10,000,000.
 - (ii) Claim for the loss of benefit of husband and father's business activities assessed at VT5,000,000;



- (iii) Special Damages: Funeral expenses and other additional expenses assessed at VT1,000,000.
- (c) Customary claims: No evidence of any customary claim established to this claim.
2. The Claimants are entitled to a total award of damages assessed at VT16,600,000.
 3. The Claimants are entitled to their costs to be agreed or determined.
 4. The reasons for this Order be published as soon as possible.

Dated at Port Vila this 14th day of November 2008

BY THE COURT



**Vincent LUNABEK
Chief Justice**