



## NATIONAL COURT OF JUSTICE WAIGANI

### Summary Determination List: Human Rights Matters

Notice is given to all parties listed below that pursuant to Order 10, Rules 9A(15)(1)(b) and 2(a) of the *National Court Rules* your matters have been listed for summary determination (for want of prosecution) by the Court. If you wish to maintain the proceedings you or your lawyer must appear before the National Court at Waigani and show cause why your matter should not be summarily determined, on **31 July 2018 at 9.30 am**.

If there is no appearance, the Court will summarily determine the matter without further notice. For any queries, contact the Acting Assistant Registrar (Equity) or Senior Human Rights Clerk on phone: 3245 765/3245847 or email [thani@pngjudiciary.gov.pg](mailto:thani@pngjudiciary.gov.pg) or [banjuande@pngjudiciary.gov.pg](mailto:banjuande@pngjudiciary.gov.pg).

**JUSTICE CANNINGS,  
JUDGE ADMINISTRATOR, HUMAN RIGHTS**

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#### HUMAN RIGHTS APPLICATION (HRA)

No	File reference	Applicant	Lawyers for applicant	Respondent	Lawyers for respondent
1	HRA 4/2011	Mendai Johnson & Johnson Tia	In person	Samson Kandio	In person
2	HRA 2/2012	Mathew Michael	In person	Education Department & The State	In person
3	HRA 43/2012	Emmanuel Doli Poka	In person	Police & The State	In person
4	HRA 206/2014	Kenneth Kunda Siune	In person	Lakiemata CI	In person
5	HRA 1289/2014	Bona Ltd t/as 911 Armed Escort Services	Various	Joseph Ingistine & Ors	Various
6	HRA 108/2015	Dr Theo Yasause	Public Solicitor	Kiddy Keko as Bomana Jail Commander, 1 Or & The State	Solicitor-General
7	HRA 193/2015	Mosley Elly & 39 Ors	Jeffersons Lawyers	Mcqueenie Waia, 3 Ors & The State	Talopa Lawyers
8	HRA 235/2015	Zebedee Jabri Kalup	Public Solicitor	Police & The State	Solicitor-General

9	HRA 2/2016	Andrew Vagi	In person	Arro Ruben, Yaroson Nambis & Nambis Leo	In person
10	HRA 48/2016	Alois Erebebe	Public Solicitor	The State	N/A
11	HRA 56/2016	Taros Togote	Public Solicitor	The State	N/A
12	HRA 151/2016	Andrew Koga	Public Solicitor	The State	N/A
13	HRA 166/2016	Benjamin Kageni	Public Solicitor	The State	N/A
14	HRA 169/2016	Joe Forova	Public Solicitor	Commissioner of CS & The State	N/A
15	HRA 171/2016	John Vali	Public Solicitor	The State	N/A
16	HRA 195/2016	Elizah John Karoea	Public Solicitor	Parole Board & The State	N/A
17	HRA 200/2016	Martin Malson	In person	PNG Micro Finance Ltd & 2 Ors	N/A
18	HRA 262/2016	Wilson Simon	In person	Supreme Court Registry	N/A
19	HRA 267/2016	Mafu Eva & Viva Ivahau	In person	Ben Wia, Louis Londati Wia & NHC	N/A
20	HRA 279/2016	Mr Moses Benjamin	Public Solicitor	Bomana CI & The State	N/A
21	HRA 281/2016	Rakatani Mataio	In person	Magistrate Gerry Unjo & Central Provincial District Court	N/A
22	HRA 282/2016	Gamini Murray	In person	National Aids Council Secretariat	N/A
23	HRA 284 /2016	Joe M Robert & 2 Ors	In person	GutawaYuomope & Elsie Passingan	N/A
24	HRA 292/2016	Michael Umba	In person	Samson NHUL, Emmanuel Pilai & Willie Mia	N/A
25	HRA 294/2016	Michael Umba	In person	CEO Air Niugini Mr Foo, Mr Rei Logana, Mr Kilembe Nemani & Miss Caroline Aribi & Sarah Bun	N/A
26	HRA 296/2016	Ate Nori Kofu	In person	OIC Reception Insp Bottin Mande, Bomana Jail Commander Haraha Kidi Keko, Court Registrar Ian Augerea & The State	N/A
27	HRA 300/2016	Margaret Ango	In person	Commissioner of CS & The State	N/A
28	HRA 301/2016	Adolf Hokuwaie	Public Solicitor	Bomana Jail Commander, Commissioner of CS & The State	Solicitor-General
29	HRA 302/2016	Augustine Arope	Public Solicitor	Commissioner of CS & The State	N/A
30	HRA 303/2016	David Hora	In person	Justin Tkatchenko & NCDC	N/A
31	HRA 313/2016	Jimson Pep	In person	Department of CS	N/A
32	HRA 318/2016	Andrew Salatum	In person	Justice Bernard Sakora, BSP Kimbe, BSP Mt Hagen, BSP Police Reservist & Public Solicitor	N/A

33	HRA 343/2016	Joseph Yawit	In person	Wesley Tomugweda Tabubil PSC, Sgt Kepo Undi & Sgt Jeffter Kalkiup of CID Tabubil Police Station	N/A
34	HRA 345/2016	Andrew Nyeta Nangi	In person	Court Reporting Services at National & Supreme Court of Justice	N/A
35	HRA 348/2016	Richard Pagen & Sharon Pagen	In person	Jimmy Kaimalan & Alle Kaimalan	N/A
36	HRA 5/2017	Dr Prabhakar Rao Pelluru	Western Pacific Legal Services	CEO Daru General Hospital, CEO Lorengau General Hospital & The State	Solicitor-General
37	HRA 11/2017	Vincent Rauma	In person	Det Const Jacob Jimbengi (Investigator), Miti Talao & Raphael Apul	N/A
38	HRA 12/2017	Alex Job Ronfelt	In person	Jeffery Kolowe of the office of the Public Solicitor & Pondros Kaluwin of the Office of the Public Prosecutor	N/A
39	HRA 13/2017	Timon Antiki	In person	Bomana Jail Commander, Corporal Eric Ton & Corporal Gibson Dariu all of CS	N/A
40	HRA 14/2017	Simon Aoae Ovu	In person	Asi Loko, Eda Legal Services, Sheriff of National Court & Supreme Court, Bola Engineering Ltd & Nelson Lawyers	N/A
41	HRA 28/2017	Henry Suruba	In person	Public Prosecutor Pondros Kaluwin, Michael Waipo CS Commissioner & Secretary for Justice & Attorney-General Lawrence Kalinoe	N/A
42	HRA 31/2017	Damien Tom	In person	Commissioner of CS	N/A
43	HRA 32/2017	Wesley Konny	In person	Baran Sori, Samson Wagihomie & Teaching Service Commission	N/A
44	HRA 35/2017	Murray Willie	In person	Police Officer Samson Ipara of CID General Squad Section Boroko Police Station	N/A
45	HRA 38/2017	Nick Pareka	In person	Insp Jerry Yawa PSC, Sgt Robert Nolwai Konje 2IC & Snr Const Willy Wara Konje OIC Shift all of Waigani Police Station	N/A
46	HRA 40/2017	Maria Lawi	Public Solicitor	Isuri Kularatne & International Education Agency of PNG	N/A
47	HRA 42/2017	David Simon	In person	National General Secretary & others including National Management Committee within the PNG Teachers	N/A

				Association	
48	HRA 47/2017	Frank Yalikiti	In person	Bomana CI Classification Board, Bomana CI Administration & Parole Board Assessment Officer & CBCS Management	N/A
49	HRA 51/2017	Brian Tau	Public Solicitor	Lawrence Kalinoe as chairman of Parole Board, Parole Board & Kiddie Keko as Bomana Jail Commander	N/A
50	HRA 61/2017	Roger Ondku Wai	In person	Dean Henderson, consultant to NJSS, 2 Ors & The State	Ashurst Lawyers
51	HRA 62/2017	Kora Madi	Public Solicitor	Mariah Koromango	N/A
52	HRA 64/2017	Lewis Yoofi	In person	Chief Migration Officer & Immigration Department	N/A
53	HRA 65/2017	Benny Peter & David Mandi	Yansion Lawyers	Barrick Niugini Ltd	N/A
54	HRA 66/2017	Dauma Gelema & Veyali Gelema	In person	Jenny Lakoro, Mark Small & Westpac Bank Ltd	N/A
55	HRA 73/2017	Tore Sandy Foo Nukusieh	In person	Ben Kauri Foo & 7 Ors	N/A
56	HRA 90/2017	Linda Tule	In person	Moses Koim & Snr Const Leo Bessie of Waigani Police Station FSVU	N/A
57	HRA 92/2017	James Makamo's son Wamuna Makamo	In person	Health Secretary Pascoe Kase & Human Resource Manager Joseph Lipu	N/A
58	HRA 93/2017	Maria Lawi	Public Solicitor	Isuri Kularatne & International Education Agency of PNG	N/A
59	HRA 95 /2017	Damien Tom	In person	Department of CS & The State	N/A
60	HRA 97/2017	John Beno	In person	Kiddie Keko, Michael Waipo & The State	N/A
61	HRA 101/2017	Ate Nori Kofu	In person	Department of CS & The State	N/A
62	HRA 102/2017	Mark Poroli	In person	Parole Board & The State	N/A
63	HRA 111/2017	Joanne Gamiandu	In person	Antonia Stella Nakau & Ors	N/A
64	HRA117/2017	Pauline Kenna Dee	In person	Peter Dee & Margaret Herman	N/A
65	HRA 134/2017	Jack Kanu	In person	CS Commissioner Michael Waipo, Bomana Jail Commander Kiddie Keko & CS Inspector Bill Emma	N/A
66	HRA 135/2017	Sylvester Minjimari	In person	PNG Correctional Service & OIC Reception & Discharge Bomana CI Chief Insp Botin Mande	N/A
67	HRA 136/2017	Moses Benjamin	Public Solicitor	Commissioner of the CS & The State	N/A

68	HRA 163/2017	Lapex Maso	In person	The State	N/A
69	HRA 168/2017	Allan Hashat	In person	Michael Wundia Vanimo Jail Commander & Michael Piai Policeman Vanimo Police Station	N/A
70	HRA 173/2017	Aloysius Peter Iropo	In person	Parole Board	N/A
71	HRA 174/2017	Billy Sapsi Pokea	In person	Denis Tien Editor of The National & The General Manager of The National	N/A
72	HRA 185/2017	Albert Monave	In person	Auditor-General Mr Philip Nauga	N/A
73	HRA 206/2017	John Karo	In person	CS CPL Henry Aisa CS officer Yelly Oiufa, CS Sgt Karapai& 9 Ors	N/A
74	HRA 209/2017	Keith Lasi	In person	CS officers Private Nicodemus & 11 Ors	N/A
75	HRA 214/2017	Chris Yamba	In person	CS Jail Commander, CS members CPL Henry Aisa & Ors	N/A
76	HRA 215/2017	Joe Kapinias	In person	CS CPL Henry Aisa CS officer Yelly Oiufa, CS Sgt Karapai& 9 Ors	N/A
77	HRA 217/2017	Ivan Kaini	In person	The State	N/A
78	HRA 234/2017	Philo Amai	In person	Lou Nou & Kwahu Nou	N/A
79	HRA 236/2017	Jason Konga	In person	Ins Ereman Henry & First Const Jill Mario of Mobile Squad 15 Bulolo	N/A
80	HRA 240/2017	Edward Sasale for himself & 30 Ors whose names are attached herein	In person	Kumul Training Institute	N/A
81	HRA 242/2017	Sandy Kelly Kagl on behalf of himself & on behalf of Jiga tribe, Hagen Central, WHP	In person	The State	N/A
82	HRA 243/2017	Noi Helano	In person	NHC, Registrar of Titles, Department of Lands & Physical Planning & The State	N/A
83	HRA 1 /2018	Mokari John Bonne	In person	Police, Leon Yakumbu & Simon Yakumbu	N/A
84	HRA 5 /2018	Koroto Atepa	In person	Clerk of District Court	N/A
85	HRA 8/2018	Andrew Konga	In person	Bomana CI	N/A
86	HRA 15/2018	Patrick Timo, Anthony Onne & 22 Ors	In person	Task Force Commander Superintendent Michael Tilae, 2 Ors & The Sate	N/A
87	HRA 17/2018	Helen Kura	In person	Probation Officer	N/A
88	HRA 34/2018	Peter Marese	In person	Bomana CI	N/A

**HUMAN RIGHTS COMPLAINT (HRC) – NIL**

**HUMAN RIGHTS OWN INITIATIVE (HROI) – NIL****MISCELLANEOUS PROCEEDINGS (HUMAN RIGHTS) (MP (HR))**

<b>No</b>	<b>File reference</b>	<b>Applicant</b>	<b>Lawyers for applicant</b>	<b>Respondent</b>	<b>Lawyers for respondent</b>
1	MP (HR) 65/1998	Paul John Kaitam	Public Solicitor	Captain Andy Napi, 4 Ors & The State	Solicitor-General
2	MP (HR) 144/1998	Jayson Sagembo	Public Solicitor	Paulinias Uhena, & Ors & The State	Solicitor-General
3	MP (HR) 423/2010	Peter Irvine Richard	In person	The State	In person

**ORIGINATING SUMMONS (HUMAN RIGHTS) (OS (HR))**

<b>No</b>	<b>File reference</b>	<b>Plaintiff</b>	<b>Lawyers for plaintiff</b>	<b>Defendant</b>	<b>Lawyers for defendant</b>
1	OS (HR) 4/2011	Mendai Johnson & Johnson Tia	In person	Samson Kandio, Anton Kakas, Juka Services Ltd 7 Interol Ltd	In person
2	OS (HR) 1/2012	Joseph Wragomani, Wilbert Panguhe & 25 Ors	In person	John Hasimani & The State	In person
3	OS (HR) 25/2012	Michael Kekac	Robert Mai & Co Lawyers	Puis Yafaet, Const Mondo Dua, Const Haro & The State	N/A
4	OS (HR) 3/2017	James Yali	Napu & Co Lawyers	Hon Peter O'Neil as Prime Minister & Chairman of NEC, 4 Ors & The State	N/A
5	OS (HR) 5/2017	Paul Steven	Public Solicitor	The State	N/A
6	OS (HR) 6/2017	Azam El Cheikh	Young & Williams Lawyers	Kidi Keko Superintendent & Commanding Officer Bomana Gaol, 2 Ors & The State	Bradshaw Lawyers
7	OS (HR) 17/2017	Paul Alexander - Acting Medical Director Pacific International Hospital (PIH)	Ashurst Lawyers	Hafshejani Erfan Mirzakhani	N/A
8	OS (HR) 1/2018	Joyce Ottio for herself and on behalf of her next of kin the deceased Kato Ottio	In person	Kevin Korave & Anton Abavu	Various

**WRIT OF SUMMONS (HUMAN RIGHTS) (WS (HR))**

<b>No</b>	<b>File reference</b>	<b>Plaintiff</b>	<b>Lawyers for plaintiff</b>	<b>Defendant</b>	<b>Lawyers for defendant</b>
1	WS (HR) 132/2009	Elizah Tupo	Mirupasi Lawyers	Ray Okoro, Gari Baki Commissioner of Police & The State	Solicitor-General
2	WS (HR) 670/2009	Philip Leli Tokori for & on behalf of 8 Ors	In person	Insp Julius Tasion as Commander of Police Task Force & members of Police Task Force, Gari Baki Police Commissioner & The State	In person
3	WS (HR) 4/2011	Mendai Johnson & Johson Taia	In person	Samson Kandio & 3 Ors	In person
4	WS (HR) 814/2011	Paul Hanemo for & on behalf of himself & 5 Ors	Gagma Legal Services	Const Ian Busia, Anthony Wagambie Commissioner of Police & The State	Solicitor-General
5	WS (HR) 1087/2011	Jeff Joe Lome	Jeffersons Lawyers	Katu Sele, Anthony Wagambie Commissioner of Police & The State	Solicitor-General
6	WS (HR) 6/2012	Andreas Hara Wabiria	In person	The State	N/A
7	WS (HR) 17/2012	Miso Aikya	In person	The State	N/A
8	WS (HR) 23/2012	Billy Jacob Aura	In person	Sgt Raphael Rokipa, Const David Poesan, Tom Kulunga & The State	N/A
9	WS (HR) 29/2012	Lieutenant Yasang J Steven	In person	Major Amataya C, MajorTau Rupa, Lieutenant Colonel Wanzel Ezekiel & The State	N/A
10	WS (HR) 43/2012	Emmanuel Doli Poka	In person	Police & The State	N/A
11	WS (HR) 1146/2013	Golu Tau & 5 Ors	In person	Const Paul Simon, Commissioner of Police Toami Kulunga & The State	N/A
12	WS (HR) 19/2014	John Seko Wel	Public Solicitor	Const Philip Poka, Geoffrey Vaki Commissioner of Police & The State	Solicitor-General
13	WS (HR) 3/2015	Kingsley Kimoi	Public Solicitor	Snr Const Peter Yumbun, 3 Ors & The State	Solicitor-General
14	WS (HR) 26/2015	Lemson LMabiria & Andy Hamaga on their behalf & on behalf of 15 other clans of Honoka clan, Para village in Komo District, Hela	Posman Kua Aisi Lawyers	The Provincial Police Commander Jimmy Ondpoia, The Police Commissioner Gari Baki & The State	Solicitor-General

		Province			
15	WS (HR) 26/2015	Lemson LMabiria & Andy Hamaga on their behalf & on behalf of 15 other clans of Honoka clan, Para village in Komo District, Hela Province	Posman Kua Aisi Lawyers	The Provincial Police Commander Jimmy Ondpoia, The Police Commissioner Gari Baki & The State	Solicitor-General
16	WS (HR) 120/2015	John Tindaka	In person	Romily Kila Pat Secretary Department of Lands & Physical Planning & The State	Solicitor-General
17	WS (HR) 90/2016	Catherin Rhabu	In person	Powes Parkop, Leslie Alu, NCDC & The State	N/A
18	WS (HR) 239/2016	Kevu Sevendi for himself & on behalf of his family	In person	Major Rodney Yahamani & Major Nomefa as members of the PNG Defence Force, 1 Or & The State	Solicitor-General
19	WS (HR) 248/2016	Lowaiye Mindili	Kari Bune Lawyers	Sgt Philip Numa, Gari Baki Commissioner of Police & The State	Solicitor-General
20	WS (HR) 266/2016	Joel Luma	Napu & Co Lawyers	Hon Francis Awea MP Member for Imbongu & Minister for Works, 2 Ors & The State	Guardian Legal Services/ Solicitor-General
21	WS (HR) 269/2016	Gabriel Make	Baniyamai Lawyers	Const Bukum Jacob, Leo Kambao & Ors, Ben Kua as Station Commander of Hohola Police Station, Gari Baki Commissioner of Police & The State	Solicitor-General
22	WS (HR) 275/2016	Brian Takaboy on behalf of himself & 7 Ors	Kipes lawyers	Snr Const Wellington Oswald as MS 04 Squad Team Leader based in Yangoru Sausia Electorate, Gary Baki Commissioner of Police & The State	Solicitor-General
23	WS (HR) 277/2016	The Late Ija Halo Hundai (Deceased) by his next friend Peter Hundai	T M Rei Lawyers	Steven Nubus, Gari Baki Commissioner of Police & The State	N/A
24	WS (HR) 796/2016	Yokonda Matai	Jeffersons Lawyers	Peter Prasad & Austrade Pacific Suppliers Ltd	Yansion Lawyers
25	WS (HR) 7/2017	Jerry Wailyo	Bristle Lawyers	Const Samson Kaki, Gari Baki Commissioner of Police & The State	Solicitor-General
26	WS (HR) 14/2017	Lovako Peter	Public Solicitor	Const Martin Wapindu, Sgt Tom Maita & The state	N/A
27	WS (HR)	Paul Steven	Various	The State	Various



	10/2017				
28	WS (HR) 1/2018	Yasling Akianang	Various	Nellie Nelson & John Nelson	N/A

ABBREVIATIONS	SUMMARY
<p>CI – correctional institution  Co – company  Const – constable  CS – correctional service  Hon – honourable  HR – human rights  HRA – human rights application  HROI – human rights own initiative  IEA – International Education Agency  Ltd – limited  MP – miscellaneous proceedings  MS – mobile squad  MVIL – Motor Vehicles Insurance Limited  N/A – no appearance  NCDC – National Capital District Commission  NHC – National Housing Corporation  No – number  OIC – officer in charge  Ors – others  OS – originating summons  PNG – Papua New Guinea  Sgt – sergeant  WS – writ of summons</p>	<p>HRA                88  HRC                0  HROI               0  MP (HR)           3  OS (HR)           8  WS (HR)          28  <b>TOTAL            127</b></p>