

**NOTE: PURSUANT TO S 139 OF THE CARE OF CHILDREN ACT 2004,
ANY REPORT OF THIS PROCEEDING MUST COMPLY WITH SS 11B TO
11D OF THE FAMILY COURTS ACT 1980. FOR FURTHER
INFORMATION, PLEASE SEE
[HTTP://WWW.JUSTICE.GOVT.NZ/COURTS/FAMILY-
COURT/LEGISLATION/RESTRICTIONS-ON-PUBLICATIONS](http://www.justice.govt.nz/courts/family-court/legislation/restrictions-on-publications).**

**IN THE FAMILY COURT
AT PALMERSTON NORTH**

**FAM-2013-054-000775
[2016] NZFC 2414**

IN THE MATTER OF	THE CARE OF CHILDREN ACT 2004
BETWEEN	TIFFANY SUTTON Applicant
AND	HARLAN OHI Respondent

Hearing: 18 March 2016

Appearances: L M Faimalie for the Applicant
R Bedford for the Respondent
M Woods as Lawyer for the Child

Judgment: 18 March 2016

ORAL JUDGMENT OF JUDGE T M BLACK

[1] These are proceedings between Ms Sutton, represented by Ms Faimalie, and Mr Ohi, represented by Mr Bedford. The proceedings relate to Tamati Ohi who is six, he will be seven in [date deleted].

[2] This matter was set down for a hearing today to determine contact between Tamati and his father. Mr Ohi is a sentenced prisoner. He was sentenced to five years and one month's imprisonment in December of last year and is currently serving that sentence at Linton.

[3] The issue was whether Tamati should go to the prison to visit his father. The parties have had some further discussions, agreement has been reached, and I can make an order by consent. I am happy to do so, and congratulate the parties for having reached consent.

[4] I make the following orders. The interim parenting order made 24 April 2015 is discharged. In its place I make a final parenting order on the following terms:

- (a) Tamati is to be in the day-to-day care of his mother.
- (b) He is to have contact with his father on the following basis:
 - (i) Face to face contact on the [contact details deleted] in the months of [contact details deleted], at the Linton Prison, [contact details deleted], subject to any change of that time, which is necessitated by prison requirements. That contact is to be supervised by PARS. Ms Sutton will meet the cost of supervision. Mr Ohi's mother, Ms Aubrey Saddler may be present at contact.
 - (ii) Mr Ohi may have fortnightly telephone calls with Tamati. I record the parties will negotiate about how that is to be effected. If possible it will be arranged so that Tamati or his mother can ring into the prison to allow the phone calls to happen.
 - (iii) Mr Ohi may send letters and parcels to Tamati at [address deleted].
 - (iv) Further or other contact as agreed. It is a condition of contact that Shea Grocer is not part of the contact directly or indirectly. That is to say she is not to be present at face to face contact, and neither is she to be present indirectly through texting or that sort of thing.

(c) As both parties are legally aided, then in accordance with the High Court's decision in *Re Pomeroy* I am unable to make a cost contribution order. No cost contribution orders are, therefore, made.

[5] All previous parenting orders are discharged.

T M Black
Family Court Judge