

Justice staff 'overworked and underpaid'



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Justice ministry shown here in better times during 2009's Tiare Festival, are described as 'over-worked' and 'underpaid'. 13052217

The Ministry of Justice has released an annual report detailing the operations of the Court of Appeal and High Court that highlights the lack of resources in the country's judicial system.

"The court staff are generally over-worked and under-resourced. As identified in the business plan, staff are generally underpaid relative to other government servants," the report said.

The annual report also acknowledges complaints to the justice system regarding staff not replying to emails and other methods of correspondence, and the excessive burden placed on staff from the land jurisdiction of the court.

"In part this reflects the poor quality of land records and the need to undertake manual searching in many instances," the report said.

On Wednesday, acting registrar Marie Haupini reiterated statements from the report.

"We try to ask for more staff from the government," she said.

When asked if the government has responded to their appeal for more resources, Haupini said she hasn't seen any acknowledgment of those requests.

In a foreword to the report written by Prime Minister Henry Puna, he says "Despite the challenges of an ever-changing society, and the numerous constraints we face as a small island nation, the Ministry of Justice has continued to maintain access to justice as one of its main core functions."

"The government will continue to provide the necessary resources and support to ensure that the right of any individual to access justice is not adversely affected, or denied."

Justice ministry registrar Claudine Henry-Anguna said the report is meant to provide detail for "key indicators and various other key performance data and results" for the period July 1, 2011 to June 30, 2012.

In a 2012 meeting, Chief Justices of participating countries of the Pacific Judicial Development Programme (PJDP) agreed to publish an annual report. The publication is part of that new initiative, which promotes a mandate of promoting justice, the rule of law, and good governance.

Henry-Anguna said the Cook Islands is one of fourteen nations in the Pacific region currently participating in the PJDP programme.

The report, which is available to the public, also contains information from the designated period with details on the complaints process, case statistics, and personnel details on Judges of the Court of Appeal, Judges of the High Court, Judges of the Land Division of the High Court, and Justices of the Peace (JPs).

Two complaints about JPs were investigated by the Chief Justice and dealt with administratively, with one complaint concerning a JP dealt with by the HOM in conjunction with the Chief Justice. No complaints were filed concerning Judges, the report said.

Staff dedicated to court matters included one registrar, two deputy registrars, four court officers, two court administrators and two stenographers.

Henry-Anguna said the PJDP is designed to promote a more effective justice system, and future reports from the ministry are expected to be more thorough.

"The PJDP is meant to provide the mechanism for programmes promoting justice, the rule of law and good governance," she said. "This is a baseline report and it is envisaged that future reports will contain more in-depth information of court business."

The PJDP is implemented by the Federal Court of Australia with funding support from the New Zealand Ministry of Foreign Affairs and Trade. - EM

Number of hearings for the year to June 2012:

- **Appeals - Usually two scheduled one-week sittings. Due to a shortage of appeals, the Court of Appeal sat only once and heard five appeals.**
- **High Court - Five scheduled sittings of the High Court of two weeks duration each presided over by Judges. There was an additional sitting of the High Court for Operation Eagle, with one week pre-trial hearing.**
- Land Court - Two sittings of three weeks duration each of the Land Division of the High Court.
- JP Convened High Court Hearings - 48 weekly JP criminal call conducted on Thursdays, 17 single JP criminal defended court, 12 monthly civil call conducted on Fridays, 11 monthly triple JP criminal court conducted on Wednesdays, four-triple JP criminal defended court, 11 monthly Children's Court conducted on Fridays, 18 Land Court (Of the 18, 13 were conducted in Rarotonga and five in Aitutaki.)
- High Court Appeals - 12 appeals were filed and 12 were determined.

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