



INFORMATION SHEET FOR CRIMINAL DEFENDANTS

Have you been charged with an offence or a crime?

Criminal cases begin with the filing of an 'information' which details the charge against you.

What will happen next?

If you have been arrested and kept in custody you must be brought before the court as soon as possible.

If you have been summoned on a criminal charge, you must appear before the court on the date stated in the summons. If you do not appear then the police may get a warrant to arrest you and take you into custody or the to the police cell.

The first time you appear in court is called your 'first appearance'. The first appearance is a hearing, usually before a Justice of the Peace. You do not have to enter a plea (either guilty or not guilty) to the charge against you.

Do you need a lawyer for your first appearance?

You should have a lawyer represent you, as they can offer you legal advice and help defend you and protect your interests in court. It is best to contact a lawyer as soon as you can after being arrested or summoned, so that they have time to prepare your case for court.

If you do not have a lawyer at your first appearance, you can ask for time to get one. There is a list of lawyers who deal with criminal law on this information sheet. If you

think you can't afford a lawyer you can also ask for legal aid, which is a lawyer paid for by the Ministry of Justice.

Applying for bail

At the first appearance, the court will decide whether you will stay in custody if you have already been in custody, or whether you may be let out on bail. How much money you have to pay for the bail bond and what conditions are attached to your bail (eg: curfew, staying away from certain persons, handing in your passport) will depend on many factors such as the seriousness of the crime you are charged with, and whether or not the court considers that you pose a danger to the public and whether the court thinks you may run away. The police might oppose bail and ask the court that you be kept in custody so you should get legal advice as soon as possible.

If you are released on bail it will be until another date and you must come back to court on that date. If you do not appear then the police will get a warrant for your arrest and you will be taken into custody. If you are released on conditions, you must keep to those conditions. If you do not comply with the conditions then the police can arrest you for breaching bail and you may be charged and taken into custody. This means that you must be sure you can keep to any bail conditions – if you are not sure you can you must tell the Court why.

How can you get the best from your lawyer?

Be on time for any meetings with your lawyer and court appearances; Let your lawyer know if you change your address or phone number;

Let your lawyer know if anything changes that could affect your case; and Get back to your lawyer quickly when they need to talk to you about your case.

What can you expect from your lawyer?

Your Lawyer will:

Have the skills and qualifications needed to provide you with a high quality legal service; Treat you fairly and respectfully; Talk with you about what you want to achieve and the best way to do that; Follow your reasonable instructions as they progress your case; and Keep you informed about their work for you and the progress of your case.

What are your obligations during the court process?

The law requires both the defense and the prosecution to ensure that a case follows a set procedure and meets certain timeframes.

Your lawyer will keep you informed about these requirements as the case goes through court.

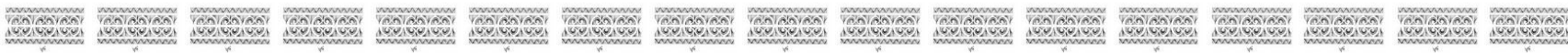
If you don't meet all the courts requirements you might have to pay costs to the prosecutor or to the court

If you do not appear at court when required, a warrant could be issued for your arrest or your case might continue without you.

Lawyers who do Criminal Court work

David McNair	21514/79623
Norman George	28802
Wilkie Rasmussen	24567

Cook Islands
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Turanga o tei Tapeka'ia e te Ture.

Akamata te oro'anga a te Akava'anga na roto i te au ripoti'anga tei tua-tata'ia no to'ou au 'apa.

Te rua o te tika'anga ka tupu kia koe

Me kua tapeka te Akava'anga ia koe ki roto i te Are Tapeka'anga, ka tu koe ki mua i te Akava'anga, i to'ou ra akava'anga.

Me ngaropoina ia koe to'ou ra akava'anga, no tetai au tumu puapinga tikai, e , kare koe i akakite i teia au mea nei ki te Akava'anga, ka tuku te Akava'anga i tetai tamanu'anga no'ou, e, ka tapeka ia koe, ki roto i te Are Tapeka'anga. NO reira e mea puapinga kia tu koe ki mua ite Akava'anga i to'ou tuatau ta ratou i iki mai. Me kare koe e rauka ite aere mai ki to'ou Akava'anga, kia akakite koe ki to'ou Roia, e, nana e akara mai i tetai ra takake no'ou.

Me kua tamanu ia koe kia tu ki mua i te Akava'anga , e mea tau kia oki mai koe no te tu ki mua i te Akava'anga i to'ou ra i iki'ia .

Me ko to'ou ati'anga mua teia ki mua i te Akava'anga, ka tata ia teia ki roto i to'ou ripoti'anga kite te Akava'anga e to'ou Roia, e, ka tai nei koe ka tu ki mua ite akava'anga.

Ka tu koe ki mua i te aroaro o te Akava Akamoe'au (Justice of the Peace). Kare koe e inangaro ia kia amama to'ou va'a, e kia pa'u koe ite au tapepe'anga, uatu te au tu aka'apa'anga no'ou, no te mea kare teia i te tuatau kimi ora no'ou mari e tuatau kia kite koe e kia akarongo koe i te au aka'apa'anga no'ou.

Ka inangaro koe i tetai Roia No'ou?

Me kare o'ou Roia, e tika'anga to'ou kia akaue i te Akava'anga kia oronga mai i tetai tuatau no'ou no te kimi i tetai Roia no'ou.

Tena te akapapa'anga ingoa Roia i raro nei i teia karere. Na te Tipatimani o te Ture, (Ministry of Justice) e tutaki i to'ou Roia.

Tiki'anga i tetai TAUTURU no'ou

Ka akara te Akava'anga me kua tau koe kia aka'oki ia ki te kainga, me kare kia tapeka iatu rai ki roto i te Are Tapeka'anga.

Me aka'oki ratou ia koe ki te kainga, ka inangaro ia koe kia oki mai ki mua i te Are Akava'anga i te ra o to'ou akava'anga.

Me kare koe e oki mai, ka tamanu iatu koe, e ka opu te Akava ia koe, no te mea kua a'ati koe i ta korua koreromotu.

No reira, me kare e rauka ia koe i te tu ki mua i te Akava'anga i te ra i tapapa ei ratou no'ou, e mea tau kia akakite koe i teia au tumu ma'ata nei.

1. Penei, e maki to'ou tokorua e ta korua pepe. Kare e tangata e tiaki iai raua
2. Penei e maki to'ou Papa e kua tangata metua. Kare ona tangata tiaki takake meia koe.
3. Penei kare o'ou pere'o i te apai mai ia koe ki te Akava'anga, no te mea e no'o ana koe ki vao ake ia Avarua.
4. Penei kare koe e anga'anga moni ana, no reira kare e peke to'ou patete ki runga i te pere'o Bus.
5. Penei e anga'anga ana koe, e ka riro to'ou tu'anga ki mua i te Akava'anga ei tu – kaui ki ta'au ngai anga'anga.
6. E au ravenga teia kia mama ta'au apainga, e kia akarongo ia ta'au au tatarara ia muake i to'ou akava'anga.

To'ou Roia, to'ou Tauturu

Kia tae tikai koe ki ta'au au uipa'anga ki to'ou Roia, e ki te Akava'anga.

Akakite ki to'ou Roia me tau i to'ou kainga moe e to'ou numero foun. Oronga ki to'ou Roia i to'ou kainga ou e to'ou numero foun ou.

Me e au akatuke'anga e te tau'anga tetai, ka inangaro ia kia kite to'ou Roia i tei reira. Penei, ka riro tei reira muna, ei ora no'ou.

Pati ki to'ou Roia kia akamarama mai kia koe i to'ou turanga no to'ou au aka'apa'anga kia kite e kia marama koe. Ta to'ou Roia ka rave no'ou

Kua api'i ia to'ou Roia no te anga'anga Roia. Kua tu-katau aia i tana anga'anga Roia, e kua pati aia i tona peapa api'i Roia.

Ka rave aia i tana anga'anga ma te turanga Teitei e te Tau tikai

Ka akangateitei to'ou Roia ia koe. Ka tarai mai a ia i te ravenga tau no'ou kia ora koe.

Ta'au ka Rave me tupu to'ou Akava'anga

Ka inangaro te Ture i nga Roia - to'ou e to te tua aka'apa - kia rave ite akava'anga ki runga i te au

akateretere'anga e te au ora e te tuatau tei tapapa ia no to'ou oro'anga.

Ka akakite atu to'ou Roia kia koe i te au mea te ka tupu kia marama koe i to'ou akava'anga. Ka inangaro ia koe kia tae mai ki to'ou ra akava'anga

Me kare ra koe e tu mai ki mua i te akava'anga, teia te au mea ka tupu kia koe;

1. ka tamanu iatu koe kia tu aka'ou a tetai tuatau ki mua, ki roto i te Are Akava'anga,
2. Me kare, ka rave iatu rai to'ou akava'anga, uatu kare koe i roto i te Are Akava'anga.

Kare teia nga turanga nei i te turanga meitaki no'ou.

No reira;

1. auraka koe e akatau akava'anga, kia kore to'ou utunga e nui atu. Penei ka ora tikai koe, no tei akatau akava'anga ra koe, pe'ia atu nei koe ki roto i te Are Auri. Riro atura te mamae ngakau ki to'ou nga metua, to'ou tokorua e te tamariki.
2. auraka e 'akatoatoa ia koe ite au ati'anga taukore. E ngingiti'anga aue ta'au e akatupu ra no'ou e te au metua, te tokorua inangaro ia e koe, te tamariki, are teina, are tuakana, are tuaine – kopu tangata. Kauraro ki te ture, e viviki ei koe i te ora.
3. kia toa koe. E tu ki mua i te tangata tei aka'apa ia koe kia kite mai ratou ia koe, e kia akarongo katoa mai i to'ou reo, e ta'au tataranga mei te au tapepe'anga taukore, e kia rauka ia korua ko to'ou Roia i te ranga i tetai paruru ora no'ou.
4. Me kare koe e tu ki mua ite Akava'anga i to'ou ra Akava'anga, te akakite ra koe ki te Akava'anga e te au tangata tei tapepe ia koe, e, kua tano ratou e ta ratou au tapepe'anga e ta ratou aka'apa'anga. Kua 'ara rai koe. Kua tika rai te aka'apa'anga.

Nga Ingoa Roia ei Tauturu No'ou

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