

GOVERNMENT OF NIUE

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ANNUAL REPORT

2011-2012

FOREWORD

This report is a very full indication of the extent of the work carried out for the administration of Justice in Niue.

As is often the case, the bare facts do not necessarily disclose the full picture and more needs to be said of the administration of justice.

I want first to acknowledge the dedication of the Court staff who give service to the people of Niue on a day to day basis. It must be observed that Darren Tohovaka and Celina Tiakia and their staff work tirelessly in the interests of the people of Niue in the administration of justice. For them it is much more than simply a job and they give fully and freely of their time and their expertise.

Secondly, I want to pay my respects to the local judiciary of Niue. I admire them so much for the way that they tread their difficult path. They are members of Niue communities but must also sit as Judicial Officers and deliver judgments in an objective and dispassionate way. They are deserving of your great gratitude and respect. They give of themselves for this purpose freely and generously.

Third, I want to acknowledge that the Government of Niue has recognised the importance of the rule of law and the proper administration of the infrastructure of a legal system in the country that it governs. I must also specifically thank the Secretary for Justice Mr Justin Kamupala for his help and co-operation. Of course we would like a purpose built courthouse and of course we would like more staff and more training. We are rapidly reaching the point where there will have to be more sittings of the High Court in Niue. Those matters are being addressed as well as can be. The fact remains that there are financial constraints. I, as Chief Justice, am well satisfied that the executive Government is doing what it can in this regard.

The problems are not just financial but are caused partly by the isolation of the Island, the small population living there, and the fact that Niuean people live, by an overwhelming majority, off the Island.

I want next to refer to the service given by volunteers in the legal system, particularly those in the legal profession of New Zealand. These practitioners arrive for sittings of the High

Court under their own steam and act at no charge, (pro bono) advising and appearing for people. They act as a service and this service is given in the true spirit of the legal profession as it should be. I commend them to you, the people of Niue, as an asset to be cherished.

In a similar vein I want to publicly recognise the efforts made by the staff and the administration of the Māori Land Court in New Zealand. Over the period of this report we the Judges of the High Court of Niue have organised for two staff members to come to New Zealand and become acquainted with what is being done in the Māori land system in New Zealand. This is not because there is any suggestion that New Zealand does it better but simply so that you can see the options from which you could choose. In the same way we have sent a senior Māori Land Court staff member to Niue to advise on these options, having seen the way that the Court administration works on the ground.


Finally I should refer to the High Court and the Appellate Court. The High Court basically sits twice a year. The Judges attending Niue have a very heavy workload and sit long hours. All the Judges are members or retired members of the Māori Land Court. This is an advantage because to understand Māori land issues in New Zealand is to have a head start in understanding similar problems in Niue. Judges are much more likely to understand the deeper rhythms and drivers of Polynesian society. On a more prosaic level there is a cost advantage in that Judges need not be paid and when they return to New Zealand they will have access to the Court's infrastructure there to complete their Niue work.

I must report however, that over the last week one of our four Judges, Norman Smith, has passed away. He was a fine Judge, a man of great humility and kindness and a very hard worker. When I went to Niue last it was with three other Judges including Judge Smith and we had four Courts sitting simultaneously. Judge Smith would start early and finish late and deal with matters with endless patience and complete courtesy. He will be sadly missed.

Now that we are down to three Judges of the High Court we must appoint another so that we have the capacity to convene our Court of Appeal, which at the moment has a number of outstanding matters awaiting hearing. A number of those matters are capable of being heard in New Zealand because the parties live in New Zealand and when we have a full bench I will be looking at setting a number of those matters down for hearing.

From what I have said, you will understand that while the administration of justice in Niue does face the same problems as are faced by Courts throughout the Commonwealth, but also has its own peculiar difficulties. However our system is inherently stable and functional. There are no major or immediate threats to the administration of justice in Niue. We must simply strive to do what we must do more efficiently.

Dated this 6th day of August 2013



P J Savage
Chief Justice of Niue

Introduction

The Department was deeply saddened to learn of the passing of Mrs. Alana Tauetau Utalo on the 28th March 2012. Mrs. Utalo had been on medical referral in New Zealand for approximately two years. Mrs. Utalo was a long serving and integral component of the High Court Criminal Division, and she will be sorely missed.

Traditionally the majority of the work of the Department revolves primarily around the administration of the Niue High Court and Court of Appeal and the Titling of Niuean land. However it is believed that taking such a limited approach limits the benefits that Department can derive for society in general.

The Department has identified certain areas that need attention and an advocate to pursue and resolve these issues such as the CHOBS initiative, findings of the Coroner's court and legislative reform in the areas of Mental health, Family law, Criminal law, Land law, the Judicature and General Elections legislation.

The Department has initiated some of this work and that it hopes to further this work in the financial year 2012/2013. It is envisaged that such work will increase the profile and relevance of the Department as an integral component in supporting the judicial arm of Government.

The public service transformation process poses many benefits but also many challenges for the Department to address. The process will provide opportunities for the Department to reflect on current practices and procedures to determine the appropriateness and whether or not there should be an amendment to such practices.

The major events conducted by the Department over the 2011-2012 were as follows:

- a) Convening of the Niue High Court and Court of Appeal in March 2012, the last sitting was three years previously and it is believed appropriate that there needs to more regular sittings of the Court of Appeal. An interval of three years is believed to be appropriate at this time given the number of cases that are lodged.
- b) The conducting of the 2012 Toi Village Constituency By- Election on the 31st March 2012. The acquittal report for this By- Election was submitted to Cabinet on the 5th April 2012.
- c) The on going participation in regional initiatives such as the POA (Pacific Ombudsman Alliance), PIANZEA (Pacific Island Australian, New Zealand Electoral Association) and staff participation at PJDP (Pacific Judicial Development Program), training workshops and regional meetings.
- d) Staff attachment to the Maori Land Court Registry funded through the PDJP

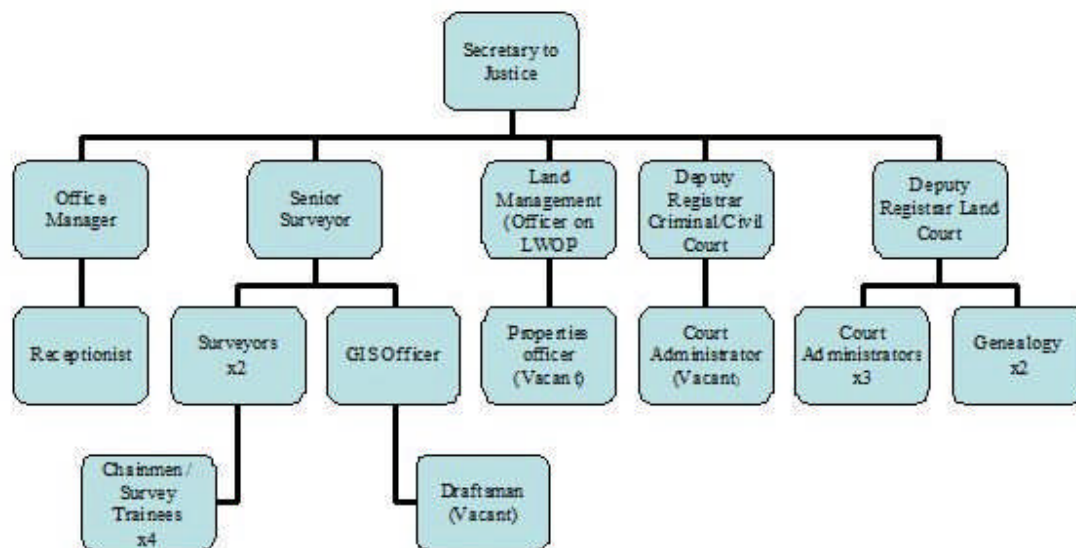
- e) The continuing efforts by the Department to implement and report on the progress of implementing the Niue National Strategic Plan such as the implementation of the Complaints Handling Ombudsman Backed Service (CHOBS) which commenced in February 2010 and ongoing Pacific Plan reporting requirements.

Background

Staffing issues

The Department currently comprises of a total number of 20 Staff who are divided between the 4 Divisions. The Department remains housed in two residential premises at Fonuakula, Alofi. There are currently 2 staff undertaking training overseas (both are undertaking the Niue Government reverse scholarship).

Corporate Structure



Department 2011/2012 Budget:

Expenditure	2010/2011	2011/2012	2011/2012
	Voted	Voted	Actual
Administration	181,000	172,000	176,613
Civil/Criminal Court	60,000	72,000	40,216
Land Court	109,000	68,000	69,261
Land Management	156,000	196,00	195,925
TOTALS	506,000	508,000	482,015

Revenue	2010/2011 Voted	2011/2012 Voted	2011/2012 Actual
Administration	15,000	15,000	12,939
Civil/Criminal Court	10,000	10,000	9,944
Land Court	10,000	10,000	12,114
Land Management	23,000	23,000	42,901
TOTALS	58,000	58,000	77,898

In comparison to the 2010/2011 annual allocation there was a minor increase of \$2,000.00 in proposed overall expenditure and a decrease in revenue expectation by \$8,000.00 this was due to a more realistic estimate in revenue generation.

Due to a number of staff on LWOP and training during the year and a number of other cost saving measures adopted by the Department the annual budget was under spent by approximately **\$25,985.00**, this is comparative to previous year expenditure. It is also noted that within this under-spent amount, are contingency funds that are only utilized if and when required i.e. By election contingency, annual allowance for Chief Justice etc.

Revenue was above forecast by **\$19,898.00** for the year, which is a positive reflection of efforts to date. However it is noted that revenue derived is subject to fluctuations dependent on demand.

The outstanding rental issue of the Niue Noni sublease for Vaiea farm remains an issue that needs to be resolved with the Government. At this time this issue continues to contribute to the revenue shortfall in the Land Management Division expectations in addition to being a continuing annual expense in terms of rent payable to land owners. The Department has invoiced Niue Noni however no payments have been made at this time.

Administration Division

Department Output:

To ensure the effective and efficient implementation of all administrative functions of the Department within prescribed annual allocation and the targets of the NISP. Managing and maintaining the Births, Deaths and Marriages Registry and the running of the General and Village Council Elections in a manner that is professional and timely, in order to maintain the confidence of the general public in the integrity of the Department.

The Administration Division in addition to the general administration of the functioning of the Department such as general inquires, personnel and employment issues, the processing of payments and receipt of monies, administration of Crown lands and leases, and is also responsible for the management of the Births, Deaths and Marriages registry

and the processing of and receipting funds derived from the Births, Deaths and Marriage certificates.

The major functions of this Division are administered by Mrs. Nooroa Marsh who is assisted by Miss Stephanie H. Peaufa.

The Revenue expectation estimate for 2011/012 was **\$15,000.00** actual revenue derived for the period was **\$12,939.00**

This revenue was derived largely from the issue Births, Deaths or Marriage Certificates and other miscellaneous fee and charges over the 2011-12 period which is a decrease from last year. As noted the remaining revenue being derived from other miscellaneous costs and fees i.e. Marquee hire and the 5% land lease administration fees, charged by the Department.

This Division also provides key logistical support for the running of General Elections, Village Council Elections and By-Elections.

Criminal /Civil Court Division

Department Output

To ensure the effective and efficient administration of the Niue High Court in the adjudication of Civil and Criminal matters, maintaining a high level of support to the Niue judiciary to ensure that matters brought before the High Court of Niue is dealt with in a fair and timely fashion.

This Division is headed by Mr. Darren Tohovaka and he is currently assisted by Miss Liliokalani Laufoli who has been providing this support role in the absence of Mrs. Tauetau Utalo.

The vacancy created by the passing of Mrs. Tauetau Utalo has not been filled at this time however the matter has been brought to the attention of the Niue Public Service and steps are being taken to address the issue.

The Revenue expectation estimate for 2011/012 was **\$10,000.00** actual revenue derived for the period was **\$9,944.00.** Revenue being derived mostly from Court imposed fines and application costs.

However such revenue is subject to fluctuation depending on the Offences committed within that year. The Department has close to a 99%-100% collection rate on imposed fines.

The Division has been fundamental in the establishment and the running of the CHOBS Trial which was implemented in February 2010.

Efforts to increase the number of court sittings presided on by the local judiciary during the year continues. However this has still been hindered by a number of ancillary issues which the Department is endeavoring to resolve with the Niue Police and the appointed judicial officers.

The Division launched the code of conduct for judicial officers in March 2012. This coincided with the sitting of the Niue Court of Appeal.

That the Niue Court of Appeal has been required to convene on two different occasions in New Zealand to deal with certain issues relevant to the July 2012 Court hearings. Fortunately the New Zealand Maori Land Court has provided technical and logistical support for this which reduced to costs of this exercise considerably.

Further training opportunities were provided by the PJDP throughout the year that Department staff and judicial officers were able to take advantage of. However this did raise certain concerns regarding the allowances provided to judicial officers attending such forum.

That further assistance of the PJDP in conjunction with Mr. Tohovaka has compiled the Land Court Commissioner Bench Book of which 45 copies have been printed and are awaiting the subsequent appointment of the new Land Commissioners.

The Department would like to recommend that Government consider making certain provisions within the annual allocation to provide for a living/transit allowance for judicial officers attending training overseas.

a) **Criminal Court stats**

Application	Jul 09- Jun 10	Jul 10- Jun 11	Jul 11- Jul 12
Transport Act 1965			
Driving with excess breath alcohol	14	9	7
Driving in a negligent manner	12	12	4
Speeding within village boundaries excess of 40km/hr	27	1	-
Dangerous Driving	2	2	2
Driving while unfit through drink	1	1	-
Fail to register m/vehicle for licensing yr	5	5	3
Fail to provide specimen of breath for Breath test	1	1	-
Exceeding speed limit	1	2	-
No Safety Helmet	2	1	1
Driving whilst disqualified	1	-	-
Drive vehicle with only 1 head lamp	1	1	-
Fails to give signal before stopping	1	-	-

Fail to renew drivers license	1	-	3
Fail to yield right of way	1	-	-
Application for a Limited License	3	-	-
Drive m/vehicle w/out license	1	-	2
Operate a vehicle w/out current WOF	4	20	4
Fail to affix Reg. Plate to m/vehicle	2	2	-
Driving a Bus under the age of 20yrs	-	1	-
Operating a unsafe motor vehicle on the road	-	1	-
Other			4
Niue Act 1966			
Obscene Language	5	2	-
Assault	5	6	3
Affray	-	-	-
Actual Bodily Harm	-	1	5
Indecent act in a public place	1	-	-
Disorderly conduct	6	6	-
Threats to kill	2	-	1
Willful trespass	2	-	-
Unlawful entry of dwelling house	1	-	2
Break & Enter	-	-	-
Theft	2	1	3
Fraud	-	1	-
Party to an Offence	1	1	-
Drunk in a public place	3	1	-
Unlawful possession of firearm	1	-	-
Possession of firearm without lawful purpose	1	1	1
Discharge of firearm within 100mtrs of dwelling house	1	1	1
Fail to stop and render assistance	2	2	-
Application for Medical Custody Order	2	2	-
Application for Rehearing	-	-	1
Application for a Search warrant	1	1	4
Notice of Motion	-	-	-
Wilful mischief to property		3	1
Resisting a constable in the execution of his duty		2	-
Other			16
Dogs Act 1966			
Fail to pay Annual License for Dog	2	-	-
Fail to register female dog for licensing yr	1	-	-
Fail to register dog for licensing yr	1	-	-
Pig Control Act 1988			
Allow pigs to wander at large	1	1	-

TOTAL	121	86	68
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b) Civil Court stats

Application/Motion/Petition	Jul 09- Jun 10	Jul 10- Jun 11	Jul 11 - Jun 12
Medical Custody	-	-	-
Injunctions	-	-	1
Damages	-	-	-
Claim unpaid goods/services	3	-	-
Claim for Compensation	-	1	2
Enforcement of fine	2	-	-
Restore a Company	-	-	4
Information - Income Tax Act 1961	-	-	3
Order for arrest absconding debtor	-	-	-
Motion for directions as to service	4	1	-
Proceedings Companies Act	3	-	-
Petition for Dissolution of Marriage	-	2	3
Notice of Appeal	1	1	3
Application for guardianship	-	1	4
Eviction	-	1	1
Other			10
Total:	13	7	31

Land Court Division

Department Output

To ensure the effective and efficient administration of the Niue land titling system, to provide and maintaining a high level of support and advice to the High Court of Niue and to the general public in relation to the titling and registration of Niuean land.

This Division is headed by Mrs. Celina Tiakia and she is assisted by Mrs. Valentine Mautama, Miss Tiara Tukuniu and Mrs. Ketalina Tahikona. This also includes the Genealogy unit comprising of Miss Goretta Poumale and Miss Liliokalani Laufoli.

Over the 2011 - 2012 period the Niue Land Court dealt with a number of cases however at the writing of this report no information has been received from this division as to the number of cases submitted.

It is suffice to say that cases were submitted to the November 2011 sitting, March 2012 and a few cases at the July 2012 sitting of the Niue High Court. These court sittings were held over a one week period respectively. As noted the last sitting of the Court was in July 2012 with Judge Craig Coxhead presiding however proceedings in the Criminal Court took precedence at those hearings.

The major concern for this Division is in terms of capacity within the Division. The limitations in terms of any formal qualification within the division highlights the need for staff to be multi skilled in terms of the different steps in the land titling process so that staff shortages can be addressed on a short term or on a needs basis.

This can also have a positive effect in terms of long term career development and other employment opportunities within the Department and possibly throughout the Public Service.

Applications processed by Land Court	2009/10	2010/11	2011/2012
Determine Title/ Appoint Leveki	34	35	
Partition/Appoint Leveki	12	6	
Re hearing	3	2	
Appeal	-	5	
Change/ Add Leveki	17	17	
Confirmation of Alienation	2	3	
Charging Order	33	11	
Discharge Charging Order	-	1	
Relative interest	-	-	
Receivership Application	-	-	
Occupation Order	5	1	
Injunction	1	5	
Dismiss injunction	-	-	
Access	-	2	
Evictions	-	1	
Motions to strike out	2	-	
Memorandums to Court	-	-	
Application to dismiss	-	1	
Confirmation of Lease	6	3	
Transfer of Lease	-	-	
Terminate Lease	-	1	
Amalgamation	-	3	
Revoke Occupation order	-	1	

Demolition Order	-	65	
Claim of Lost	-	1	
Extension of Time	-	1	
TOTAL	94	160	
Matters adjourned	-		
Warrants issued for final survey	30		

Genealogy unit

This unit is staffed by Miss. Goretti Poumale and Miss Liliokalani Laufoli. The duties of this unit, is to assist individuals and families seeking access to genealogical information relevant to them that is held by the Department.

The unit is also responsible for reviewing, cross referencing and entering any previously unrecorded information that the particular Magafaoa would like to have entered to their genealogical records. Any new information to be added to the Database must be verified with the submission of original documents.

However due to staff shortages in other divisions of the Department these two staff have been required to assist other Divisions of the Department from time to time.

	2009/10	2010/11	2011/2012
Genealogy requests	-	84	45

The unit derived **\$1,482.80** from requests received during the course of the year this somewhat below than what was received last financial year but it is subject to fluctuations in demand.

Land Management Division

Department Output

To ensure the effective and efficient administration and management of the operations of the Land Survey division of the Department to ensure the delimitation of land titles and boundaries and to ensure that the formalization of the appropriate documentation pertaining to the formal registration of Niuean land is undertaken in a ordered and timely fashion within the parameters of the law. To have oversight of the administration of all Crown leases.

This Division comprises of two components the major component being the land surveying division headed by Senior Surveyor Mr. Hubert Kalauni and the other being the land registration division headed by Mrs. Joanna Tauati.

The surveying aspect of the work is self explanatory and requires that the division is staffed by appropriately qualified personnel. The formal registration is in the compilation of the documentation that is required in the registration process.

The Department would like to reiterate that the number of investigations and final land surveys completed is dependent upon the number of qualified Land Surveyors available to the Department. Unfortunately the number of qualified surveyor within the Department remains limited. Steps have been taken to attempt to address the issue in the Department Human Resources Plan.

The Division, in particular Mr. Hubert Kalauni, Senior Surveyor has also been providing key technical advice in supporting the Crown Law Office in the finalization of a treaty for the establishment of the maritime boundary of Niue and the Cook Islands. It is expected that this treaty will be signed by the Premier in the Cook Islands at the 2012 Pacific Island Leaders Meeting.

The Department is grateful to the Niue Public Service Commission for taking into consideration the issues relating to the remuneration of senior chainman Mr. Danny Panama and Survey Cadet Mr. Tofuatose Puletama, who have exercised the ability to conduct or assist with the completing a final survey.

a) Surveying

Applications	Jul 09- Jun 10	Jul 10- Jun 11	Jul 11- Jun 12
Investigations/provisional surveys completed	26	29	27
Final surveys completed	22	26	31
TOTAL	48	55	58

Area of Land surveyed	Jul 09- Jun 10	Jul 10- Jun 11	Jul 11- Jun 12
Investigations/provisional surveys completed	78.6 ha	16.9 ha	28.57
Final surveys completed	32.2 ha	65.07 ha	73.80
TOTAL	110.9 ha	81.97 ha	102.37 ha

Plans and Certificates of Title issued	Jul 09- Jun 10	Jul 10- Jun 11	Jul 11- Jun 12
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Plans Approved	12	6	5
Plans Drawn	13	14	12
CT drawn & updated	65	29	26

The trend over the last three years indicates that the area of land that has undergone the final survey process and formal registration has increased again this year. This is despite the difficulties that arose during the year attributed to mechanical problems with the Department vehicles.

The land survey division for much of the 2011-2012 period functioned with the use of 2 vehicles. These vehicles are subjected daily to heavy usage and often in very rough terrain this gives rise to considerable wear and tear. The Department spent approximately \$4,000 in 2011-2012 to maintain one of the survey vehicles while the other after extensive repairs was written off due to an electrical fire which caused substantial damage considered too expensive to repair.

The Department is currently in discussion with the Niue Police to purchase one of their vehicles with funding from the 2012-2013 asset maintenance allocation as an interim measure to alleviate the short term need for a vehicle.

The Department needs to acquire at least 1 late model 4x wheel drive vehicle in the 2013-2014 financial year to ensure that the Department program of work is not compromised.

It is also noted that the Division is responsible for the Government marquee or tent. This entails the storage, delivery, set up and dismantling of the marquee when needed by the Village Councils and the general public. In order to offset the cost of vehicle hire required to move the marquee the Department charges a fee of \$200.00 per hire. During the year there were 30+ bookings for the use of these tents. At times given the demand the set up and dismantling of these tents can be quite time consuming.

As mentioned in previous years the outstanding backlog of work is a concern that the Department is endeavoring to address. The following table indicates the progress that has been achieved over the last three years.

Backlog	Jul 08- Jun 09	Jul 09- Jun 10	Jul 10- Jun 11
Outstanding Final Surveys	178	134	101

b) Registrations

These statistics are in relation to the formal documentation completed and finalized as per the relevant land registration process.

This work is undertaken by Mrs. Joanna Tauasi and it is noted that the position of Properties Officer who is the assistant to Mrs. Tauasi in conducting this work remains vacant.

At the writing of this report Mrs. Tauasi is currently on a leave of absence on LWOP and it is uncertain if she will return to work. This has created problems for the registration of instruments and there is a need to find a suitable replacement.

Given the difficulties faced by the Department of finding a suitably qualified candidate to fill the position of Properties Officer it is determined better to down grade the role and merge the position with the role of the Registrations Officer. This process is being undertaken by the Department with the NPSC so that rather than 2 positions to fill we would only need to find 1 candidate.

Instruments issued	Jul 09- Jun 10	Jul 10- Jun 11	Jul 11- Jun 12
Order Determining Magafaoa	9	26	20
Order appointing Leveki Magafaoa	11	49	20
Change of Leveki Magafaoa	8	1	26
Occupation Order	5	10	5
Order of Partition	1	7	3
Charging Order	9	12	13
Discharge of Charging Order	-	3	3
Confirmation of Alienation	3	12	32
Surrender of Lease	1	-	3
Registration of Niuean Land	14	46	26
Registration of Crown Land	-	-	10
Warrant	1	6	1
Power of Attorney	-	1	1
Assignment of Lease	1	4	1
OA	-	2	2
OT	-	1	14
Order to Revoke Occupation Order			2
Warrant varying Public Purpose			1
Warrant Granting Right to Utilize			1
Amalgamation Order			2
Variation Lease			2

Lease Renewal			1
TOTAL	63	180	189

Niue National Strategic Plan 2009-2013:

The Department is tasked with meeting certain targets as stipulated in the Niue National Strategic Plan which are annexed to this report for reference.

For the 2011-2012 financial year the Department has endeavored to address all the strategic objectives as identified by the NNSP that come within the responsibility of the Department. The re-occurring theme of limited resource and capacity continue to cause problems.

The Department has initiated steps to determine certain initiatives as key performance indicators for the next 5 year NNSP term.

2011 -2012 Targets

The Department set a number of targets that it endeavored to meet but was unsuccessful for the following reasons.

- a) Expansion to the Huihui Crown Land subdivisions:- Government policy direction to refrain from further expansion of these sites in order to encourage development in the other villages.
- b) Develop, implement and maintain a register of Niuean land that the owners thereof would like to lease to potential investors: - limited staff numbers made it difficult for the department to implement this initiative however it understood there is a private sector provider is now providing such services.
- c) Employment of the following staff: Properties Officer, Draughtsman/ Survey Cadet: - Due to the difficulties of finding an appropriately qualified candidate the Properties Officer position will be downgraded and merged with the Registration Officer position it is envisaged that a the new position will be advertised in year 2012-2013. The Department has not advertised for a Draughtsman/Survey Cadet at this time.

2012-2013 Targets

The Department has a number of issues that it would like to achieve within the next twelve months which are additional to the day to day operations of the Department and targets as indicated by the NNSP which are as follows:-

- 2012 Village Council Elections;

- The drafting and submission of a Family Law Bill to the Niue Assembly;
- To complete the restructure of the Department as per the recommendations of the NPSC in the Government transformation process;
- To acquire a vehicle for the Land Survey Division to replace the vehicle lost by fire and to seek a further vehicle to replace the current Mitsubishi van.

Conclusion

This report endeavors to encapsulate all the work that has been undertaken by the Department during the course of the year.

The running of the March sitting of the Court of Appeal in Niue and the 2011 General Election were the significant exercises undertaken by the Department within the relevant period of which the acquittal report has been submitted to Cabinet.

Justin Kamupala
Secretary to Justice

ATTACHMENTS

Niue Integrated Strategic Plan 2009-2013:

The Department is tasked with meeting certain targets as stipulated in the Niue Integrated Strategic Plan which are as follows:

Governance:

Ensure that Good governance reflects the principals of transparency and accountability and is practiced at all levels.

Strategies	Targets/Indicators	Progress
Good Governance applied at all levels	National Ombudsman's Office established by 2013 or access to similar regional facilities.	Implementation of the CHOBS trial in Feb 2010. The trial was extended by Cabinet in March 2011 for a further period of two years. Participation of CHOBS

		<p>secretariat in a Commonwealth Secretariat workshop.</p> <p>Financial assistance was requested and received from the Commonwealth Secretariat to develop promotional material.</p> <p>Chief Complaints Officer Mr. Justin Kamupala appointed to POA Executive Board as representative for Small island Countries without Ombudsman Offices.</p>
Strengthen national judicial systems	Increased High Court sittings by 2012	<p>Continuing bi annual High Court Sittings Nov and April of each year.</p> <p>Assistance has been received from the Pacific Judicial Development Program (PJDP) to develop a code of conduct for the Niue Judiciary and for the development of a Bench book for Land Court Commissioners.</p>
Improve Land Court processes and policies and access to the processes to take account of customary laws	<p>Re-engage and strengthen the capacities of the Land Commissioners and Justices of the Peace to adjudicate land court and criminal matters respectively, by 2011.</p> <p>Strengthen capacity of Justice Department by 2010 in developing national</p>	Potential Candidates for the positions of Land Commissioners are being sought.

	jurisprudence guidelines.	
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Economic Development:

Maximize Niue’s benefits from resources in a sustainable manner focusing on private sector development, targeting Tourism, Agriculture and fisheries supported by safe, reliable and affordable healthy infrastructure.

Strategies	Targets/Indicators	Progress
<p>Review access to land systems while protecting customary ownership.</p> <p>Ensure where appropriate, consistency with the Forum Principles on Customary Land Management and Conflict Minimization</p>	<p>Develop long-term land use policies by 2009 that will result in legislative guidelines (and land registration system) to facilitate improved access to, and security of tenure for:-</p> <p>Residential, private and communal property;</p> <p>Agricultural and recreational use;</p> <p>Economic and private sector development needs</p> <p>and</p> <p>Bio diversity, sustainable land management and environmental protection.</p>	<p>Release of the Land Valuation Report : June 2010</p> <p>GIS mapping of Government utilities and infrastructure.</p> <p>The provision of technical support and advice to the Crown Law Office for the preparation of a Treaty to establish the maritime boundary of Niue and the Cook Islands.</p>