

(Ministry of Justice) GOVERNMENT OF THE COOK ISLANDS PO Box 111 Rarotonga Cook Islands Phone (682) 29410 Fax (682) 28610 www.justice.gov.ck

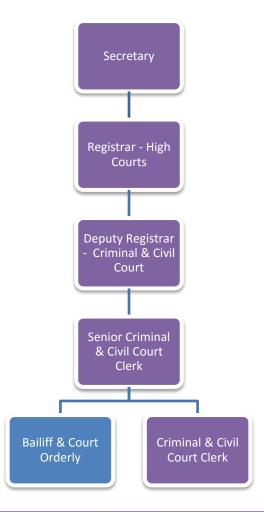
POSITION SUMMARY

Job Title:	Bailiff & Court Orderly	
Division:	High Courts	
Responsible To:	Registrar – High Courts	
Responsible For:	None	
Job Purpose:	The role of the Bailiff & Court Orderly is to facilitate the management and administrative compliance of the criminal and civil division of the High Courts and related tribunals and boards within the Cook Islands legal framework and Ministry of Justice systems, polices, processes, and procedures. This is a technical role requiring specialized skills and knowledge in legislation and regulations, legal and court processes, police, probation, and prison processes, security protocols, records management, compliance, and information systems, while ensuring accuracy, timely reporting, and efficient and effective administration of court hearings and processes. The position provides key services integral to maintaining court order and security, efficient court administration, and execution of court orders that impact on the enforcement of justice in the Cook Islands community. The position must work at a high level of competence in legal and compliance principles and technical requirements to deliver and support the provision of Ministry court related services to the public in an environment moving towards greater use of available technology.	
Job Classification:	Function: Technical and Service delivery	
	Job band: F	
	Jobwise Code: S6 – Senior Specialised Business Support	
Date updated:	April 2019	

AGENCY VISION

"For a **safe**, **secure**, **just** and **fair** society with a **trusted** land management and information and register systems"

ORGANISATIONAL STAFFING STRUCTURE (PROVISIONAL)



KEY RESULT AREAS (KRA'S)/OUTPUTS

KRAs for this position (maximum of 6)

1. Criminal and Civil Court Administration

- Assist in the provision of advice and input into the development, implementation, and updating of policies, procedures, and manuals relating to criminal and civil court, tribunal, or board matters.
- Provide timely advice and information to Secretary and senior management when requested, and when there are changes in Ministry operations or applicable legislation, regulations, and government policy.
- Using available technology, efficiently and effectively assist in managing criminal and civil court records to ensure the criminal and civil court records are organized, updated, preserved, digitized, and compliant with legislation, regulations, and Ministry policies and procedures.
- Efficiently and effectively assist in managing, reviewing, and facilitating criminal and civil applications, document filing, and processes, including verifying and authenticating information provided to support such applications and filings, checking with current information on court records, ensuring compliance with legislation, regulation, procedures and practice notes (e.g.

Key Performance Indicators (use SMART principles)

- Ministry policies and procedures are updated and consistent with legislative and regulatory requirements, and best practices.
- Accurate and timely advice and information is provided.
- Criminal and civil court records are complete, have no errors, and all applicable documents have been scanned and no backlog.
- Applications, filed documents, and processes are timely reviewed for legislative and regulatory compliance, and appropriately actioned.
- Monitor compliance and ensure correct processes are adhered to.

- requirements for Adoption, dissolution of marriage, civil claims, criminal charges), scheduling for court where necessary, and monitoring outcomes, status, and progression of such applications and documents.
- Ensure prescribed fees are paid and receipted, recorded, and trading revenue is collated and timely reported within policies and procedures.
- Assist in retrieving and preparation of criminal and civil records for relevant public enquiries and Criminal and Civil Court hearings (including High Court, Court of Appeal, Children's Court, Privy Council, Tribunals and Boards).
- Monitor, manage and update relevant information systems and ensure data entered, and any related registries and lists, are verified and accurate, maintained and secure.
- Review and verify Court orders relating to criminal and civil matters are accurate, sealed and witnessed where applicable, and compliant with legislation and regulations, and assist with drafting such orders where necessary.
- Execute applicable Court orders relating to criminal and civil matters (e.g. warrants, summons, orders, decisions, and sentences, including reparation payments and injunctions) and ensure records are updated accordingly while ensuring data integrity.
- According to Court orders and requirements, facilitate third party payments (e.g. reparation) and payments involving the law trust (e.g. security costs).
- Assist in issuing required advertisements and notices, including reminder notices to applicants, lawyers, and agents, within legislative requirements, policy, procedures, and best practices.
- Assist in preparing and organizing, and providing secretarial services and logistical support for tribunal and board meetings, when required.
- Assist in facilitating the provision of court transcripts.

- Appropriate fees are collected, receipted, recorded, and reported.
- Criminal and civil records are properly prepared to facilitate court hearings and public enquiries within agreed parameters.
- Information systems data are accurate and kept up to date.
- Court orders are reviewed, accurate and timely issued executed.
- Records are accurately and timely updated to reflect Court orders received.
- Reparation and security cost payments are effectively and efficiently managed to ensure accurate and timely resolution and recording.
- Appropriate advertisements and notices are provided.
- Tribunal and board meetings are appropriately supported when required.
- Requests for court transcripts are provided to the Stenographers and monitored until completion.

2. Records and Courtroom Management

- Manage hard copy documents so they are timely and properly scanned, digitized, preserved, filed, and maintained according to Ministry policies and procedures.
- Digital records are organized, internally accessible and searchable, and configured for public access in accordance with Ministry policy, procedures and set parameters.
- Undertake faxing, photocopying, scanning, printing, laminating, binding, filing, distribution and dissemination as required.
- Physical records are organized, cared for, digitized, and properly stored.
- Digital records are organized, backed up, secured, complete, and timely updated when necessary, and properly maintained to ensure referential integrity and prevent corruption and

- Regularly liaise with IT staff to ensure digital backups of division files and records are being done and are maintained.
- Ensure management of records meets legislative and regulatory requirements, and best practices, and maintained in a manner to facilitate quick and easy reporting and appropriate access.
- Prior to court hearings, assist in organizing the courtroom, calibrating and checking audio recording system is operational, ensuring appropriate courtroom security and access (e.g. public, media, police, etc.), and Judge(s) and Justice(s) of the Peace have accurate and complete information available relating to cases being heard.
- Manage courtroom sessions to ensure court protocol and processes are efficient and adhered to, court decorum is maintained requested translation services are available, audio recording equipment is functional, and Judges and Justices of the Peace are supported and secure before, during, and after court hearings.
- Assist in ensuring Ministry records and information systems are accurately and timely updated after court hearings, tribunals, and board meetings to reflect the status and disposition of cases.
- Ensure members of the Jury are safeguarded and assisted in their Jury duties, including accompanying them outside the courtroom if required.
- Maintain courtroom and building security and order, and where required screen visitors prior to courtroom or building entry.
- When required by the Court (or assist when safety and security circumstances require it), take persons into custody, maintain persons already in custody, and transport persons in custody.
- Assist in ensuring record storage and courtroom areas are kept clean, healthy, tidy, safe, secure, organized and clear of clutter, within Ministry policy and procedures.

- unauthorized access or duplication.
- Tasks are completed within set parameters.
- Digital records are actively being backed up, and backups are maintained.
- Records management meets requirements and best practices.
- Any backlog in records management is timely reported to senior management and properly dealt with, and any indexing completed.
- Courtroom and audio equipment are prepared prior to court.
- Members of the Judiciary are safeguarded when performing judicial functions.
- Courtroom processes and protocols are followed and organized.
- Translation services are available when requested within set parameters.
- Members of the Jury secured during their Jury duties.
- Courtroom and building is secure.
- Persons ordered into custody are kept in custody until release or transfer of custody is properly made.
- Record storage and courtroom areas are tidy, secure, and regularly cleaned in a manner to maximize efficiency and effectiveness of court and tribunal hearings, and coordinated with the Janitor or HR & Asset Manager.

3. High Courts Division and Pa Enua

- Assist with general queries relating to services provided by the High Courts division, and facilitate accurate and timely responses.
- Assist with divisional tasks and logistical support when required.
- Assist in the training of divisional staff, outer island staff, and other relevant persons on matters relating to criminal and civil court, tribunal, and board matters.
- General enquiries relating to the High Courts division are facilitated and responded to.
- Tasks are timely completed within set parameters.

- Provide support and advice to, and collect data from, Pa Enua staff on matters relating to criminal and civil court, tribunal, and board matters, and facilitate processing of applications, court filings and the provision of information where appropriate.
- Inform and consult with Secretary, HR & Asset Manager, and relevant senior manager in relation to any management issue.
- Support the Secretary and senior management in resolving conflicts related to work related issues.
- Take on responsibilities of divisional staff in their absence or vacancy where required.

- Appropriate persons are trained on relevant matters.
- Pa Enua staff are provided accurate and timely advice and support, and appropriate data is obtained.
- Secretary, HR & Asset
 Manager, and relevant
 senior management are
 provided with accurate
 and relevant information
 and management support
 to resolve work related
 issues.
- Court, tribunal, and board related duties are met and managed during staff absence or vacancy, and High Courts division is supported.

4. Reporting, Compliance, and Collections

- Review and verify submitted applications and other documents for compliance with legislative and regulatory requirements and processes.
- Compile and submit regular accurate reports on criminal and civil court, tribunal, and board applications, including the number and type of cases, court status and outcomes, and related revenue, fines, fees, ordered payments and any other relevant information.
- Assist in the development and implementation of appropriate policies and procedures, and ensure compliance with legislation and regulations.
- Alert relevant senior management to discrepancies, errors, and concerns.
- Provide reports to Secretary and senior management regularly and as requested.
- Collect daily information and statistical data for periodic reports and ministry use.
- Assist in developing case fixture lists for court scheduling and appropriate distribution or publication.
- Using peaceable means, and within Ministry policies, procedures, legislation and regulations, collect fines, costs, reparations and other moneys ordered by the Court, and timely receipt collected funds and properly record and document actions taken, and status and progress made.

- Documents are timely reviewed to determine compliance and actioned in accordance with policies, procedures, and legislative requirements.
- Reports are accurate, timely, and submitted at least monthly, and within set parameters.
- Appropriate policies and procedures are in place, regularly updated, and complied with.
- Timely reporting of discrepancies, errors, and concerns.
- Requested reports are accurate and timely provided.
- Statistical data is collected, accurate, complete, and collated for reports.
- The court fixtures are timely and properly compiled and distributed/ published, with copies sent to lawyers and land agents.
- Collection efforts are documented and payments are progressed and receipted.

5. Customer Service and Risk Management

- Timely safeguard against health, safety, and security risks and hazards to the public, the proper order of court proceedings and Ministry services, and mitigate and report all incidents.
- Assist in efficiently and effectively managing and responding to local and international enquiries by phone, email, or over the counter, relating to criminal and civil court, tribunal, or board information, applications and court processes and their outcomes, and any other relevant matters.
- Assist in ensuring Ministry data and information, including customer and financial information, are kept secure.
- Provide timely advice to senior management regarding matters that may impact the operation of Ministry services.
- Assist in the organizing, coordination, and logistical support and security of all Ministry led and staff related events and activities.
- Support the implementation of Ministry Plans, policies, and procedures endorsed by the Secretary.
- Where appropriate, educate and inform customers of services and processes, and facilitate appropriate access to information.

- All incidents relating to health, safety, and security are resolved, documented, and reported to the Secretary and relevant senior management.
- Enquiries are professionally managed with accurate and appropriate advice, and complaints and attempts to resolve them are documented.
- Timely respond to enquiries (including phone and email) within set parameters.
- No breaches in data and information security.
- Advice to senior management is accurate, timely, and appropriately communicated.
- Ministry led and staff related events and activities are timely organized within set parameters.
- Ministry plans, policies, and procedures are supported, and a performance management agreement is in place.
- Customer Satisfaction.
- Performance management agreement targets are met.

6. Systems Development

- Assist in the development, implementation, and improvement of IT systems that improve efficiency, effectiveness, reporting, management and accessibility to Ministry services (e.g. online payment methods; case management system; online accessibility to land information) related to the High Courts division.
- Assist in community outreach programs, initiatives, and events relating to High Courts division.
- Undertake any project or task assigned that is reasonably expected to support the Ministry.
- IT solutions are identified, and implemented where approved by the Secretary and where resources are available.
- Community outreach programs, initiatives, and events are appropriately supported.
- Projects and tasks are completed within agreed parameters.

WORK COMPLEXITY

Indicate most challenging problem solving duties typically undertaken (3-4 examples):

Time Management: Efficiently and effectively prioritizing and multitasking in order to timely respond to daily enquiries by email, phone, and over the counter, while

	ensuring proper prescribed fees are paid, applications and their determination are verified and compliant with legal requirements and court orders, records are properly managed, customers are efficiently educated on legal requirements, courtroom duties are properly performed, and reports are timely submitted.
2	Counselling customers and managing their criminal and civil concerns, and assisting with advice on Ministry and Court processes.
3	Enforcing Court orders and seeking collections of Court fines, fees, and Court ordered third party payments (e.g. reparation payments ordered by Court to victims) directly from persons with overdue payments in an environment with no official address system.
4	Assisting with research that necessitates the enquiry into several old and disparate legacy systems that retain errors and omissions, and physical records that may be incomplete due to lost documents or documents damaged by the old courthouse fire.
5	Enforcing courtroom protocols and ensuring the safety of members of the Judiciary, Jury, Ministry staff, and the public in criminal court matters, in a manner consistent with applicable Ministry processes, procedures, legislation and regulations.
6	Ensuring court documentation and records are in order, warrants are properly signed, sealed, and enforced, and reparation and other third party assisted payments ordered by the Court are facilitated.

AUTHORITY

Authority levels expressed in terms of routine expenditure, granting loans, and recruiting and dismissing staff. (*Explain the authority if any*)

Financial	None
Staff	None
Contractual	None

FUNCTIONAL RELATIONSHIPS

The requirement for human relations skills in dealing with other personnel and external contacts. (List the external and internal types of functional relationships)

Nature of Contact	External	Nature of Contact
Light: Providing advice on any activities that may impact on the apprations of the	Service Providers	Minimal: System support for online platform(s).
High Courts division during the absence of the senior management in the division. Heavy:	Lawyers and Land agents	Routine: Exchanges information to facilitate appropriate responses to enquiries and compliance with court orders, and the registration of instruments, deed
projects, and courtroom and service counter administration, prepares		documents, and mortgages. Facilitates security payments to the law trust.
facilitates court filings and proper witnessing, sealing, and any official endorsements, and seeks advice on complex issues. Where necessary, assumes responsibilities of Senior Criminal & Civil Court	Plaintiffs, defendants, Inmates, probationers	Routine: Facilitates court applications and document filing, enforces court warrants, summons, orders, decisions, and sentences, including reparation payments and collections. Assists in taking into custody, maintaining
	Light: Providing advice on any activities that may impact on the operations of the High Courts division during the absence of the senior management in the division. Heavy: Coordinates tasks, projects, and courtroom and service counter administration, prepares and delivers reports, facilitates court filings and proper witnessing, sealing, and any official endorsements, and seeks advice on complex issues. Where necessary, assumes responsibilities of Senior	Light: Providing advice on any activities that may impact on the operations of the High Courts division during the absence of the senior management in the division. Heavy: Coordinates tasks, projects, and courtroom and service counter administration, prepares and delivers reports, facilitates court filings and proper witnessing, sealing, and any official endorsements, and seeks advice on complex issues. Where necessary, assumes responsibilities of Senior

Clerk or Criminal & Court custody, and transporting Clerk in his/her absence. those in custody. Medium: Routine: Deputy Ministry of Registrar -Corrective Exchange of information to Assist with general Land Court, queries, tasks, courtroom Services, facilitate offender Senior Land and service counter Police management systems and processes. Executes court Court Clerk. administration, and Land Court logistical support when warrants, summons, orders, Clerk(s) requested. decisions, and sentences. and facilitates court filing Stenographers Heavy: and reports. Manages courtroom audio recording and Other Routine: exchanges information to Government Assists in providing information to facilitate facilitate timely production Ministries and availability of court and Agencies other Ministries and hearing transcripts. Agencies functions and services (e.g. travel ban Judges and Heavy: lists at airport). Assist with Provide information government and Justices of the Peace requested by Judiciary, government facilitated executes relevant court enquiries. orders, provides logistical support, and ensures Banks Medium: court protocol, efficiency, Assists in ensuring order and security. compliance with Ministry investment and banking policies and interfaces with Medium: Corporate Services staff Provides and obtains banking institutions, and information and support information sharing to relating to finance, IT, and facilitate payments and HR matters. reporting. Medium: Media Finance Medium: Seeks advice on complex Advertises required notices. Manager financial issues, coordinates collection Jury Routine: initiatives, assists with Members Assists in preparing Jury summons, managing Jury financial reconciliations. reports and audits, and selection process. where necessary obtains coordinating Jury trials, and approval on trust facilitating Jury distributions. compensation. Provides Jury security, and assists **Janitor** with their duties and Medium: Assists in the proper accompanies Jury members cleaning, maintenance, when needed. and security of record storage and courtroom General Routine: areas. public Manages and responds to enquiries, facilitates Medium/Heavy: research of Ministry criminal Pa Enua offices Provides information. and civil records, provides advice, support, and advice, training, and training to Pa Enua staff community outreach, related to court, tribunal. ensures payment of and board prescribed fees, manages criminal and civil court responsibilities.

All Ministry staff	Medium:	application processes and	
•	Provides information and	facilitates OIA requests.	
	assists with logistical	·	
	support and the		
	facilitation of Ministry		
	services. Cultivates staff		
	cohesion.		

QUALIFICATIONS

Level of education required to perform the functions of the position. This combines formal and informal levels of training and education.

Essential: (least qualification to be competent)	Desirable: (other qualifications for job)	
 A bachelor's degree, preferably in	 Post-graduate qualifications in law,	
law, criminal justice, political	criminal justice, political science,	
science, pacific island studies,	pacific island studies, conflict	
conflict resolution, or management.	resolution, or management.	

EXPERIENCE

The length of practical experience and nature of specialist, operational, business support or managerial familiarity required. This experience is in addition to formal education.

Essential: (least number of years to be competent)	Desirable: (target number of years you are looking for)	
4 – 5 years of work experience in legal, criminal justice, compliance, police, office management, pacific island studies, conflict resolution, or similar role.	5 – 6 years of work experience in legal, criminal justice, compliance, police, office management, pacific island studies, conflict resolution, or similar role.	

KEY SKILLS /ATTRIBUTES/JOB SPECIFIC COMPETENCIES

Level of ability	
required for the job	
Expert	 Understands Ministry of Justice policies and procedures, role and functions, and committed to public service. Excellent attention to detail and customer service. Communicates with clarity and vision, actively listens to others and responds with respect. Takes ownership and acknowledges important outcomes of decisions. Knowledge of Cook Islands court protocol, processes, and procedures. Understands the workings of government. Ability to quickly respond to and mitigate hazards and risks. Ability to negotiate and solve problems quickly. Highly developed written and oral communication skills, preferably both English and Maori.
Advanced	 Knowledge of the Cook Islands Act 1915 relating to court, Part IV of the Constitution, Judicature Act 1980-81, Code of Civil Procedure of the High Court Act 1981, Criminal Justice Act 1967, Criminal Procedure Act 1980-81, Prevention of Juvenile Crime Act 1968, Money Laundering Prevention Act 2000, Victims of Offenses Act 1999, Family Protection and Support Act 2017, Crimes Act 1969, Evidence Act 1968, Juries Act 1968, Prisons Act 1967, Justices of the Peace Act 2017, and any related amendments, legislation, and regulations. Knowledge of Ministry of Justice prescribed fees, and court processes involving payments to and from the Ministry.

	Models high level of accuracy, professionalism, and dedication to high performance and athical habitings.
	dedication to high performance and ethical behaviour.Ability to work in harmony with conflicting perspectives and
	diverse activities in a large organization.
	Ability to prioritize and multitask, and work both independently
	and cooperatively.
	Knowledge of security policies and protocols.
	Knowledge and skill in self-defence.
Working	Knowledge of bench book and manuals relevant to court
	operation.
	Knowledge of processes and procedures relating to
	administration of land and titles registry, and survey.
	Familiarity with legislation enabling all services provided
	through the Ministry of Justice.
	Knowledge of Microsoft Office suite (Word, Excel, Powerpoint).
	 Knowledge of Microsoft Windows operating system interface and basic IT troubleshooting.
	Average computer typing speed of at least 36 words per
	minute.
	Knowledge of scanning and preserving legal documents for
	archiving.
	Knowledge of case management software, record
	management, online platforms facilitating case management,
	and online payment processes.
	Proven ability in collating factual information and producing
	reports.
	 Ability to think on one's feet and has a sound sense of judgement.
	 Ability to handle confidential and sensitive information.
	 Recognises the boundaries between politics, governance and
	management and acts accordingly.
	Knowledge of the Cook Islands culture, language, protocol
	and history for engagement, including safe appropriate
	communication.
	Knowledge of conflict resolution.
	Adapts and responds flexibly to changing circumstances.
	Identifies opportunities for innovation and improvement.
	Strength and stamina to lift heavy objects.
	Knowledge of First Aid, CPR, and fire safety.
	Knowledge and skill in self-defence and self-defence weapons
Awaranaa	is an advantage.
Awareness	Knowledge of Law Practitioners Act 1993-94, Crown Law Office Act 1990, Small Claims Act 1996, Small Claims
	Office Act 1980, Small Claims Act 1986, Small Claims Tribunal Act 2008, Police Act 1981, Official Information Act
	2008, Declaratory Judgements Act 1994, Harassment Act
	2017, Defamation Act 1993, and any related amendments,
	legislation, and regulations.
	Knowledge of banking services and processes of Cook
	Islands licensed domestic banks and international payment methods.
	 Understands and exemplifies Ministry and public service
	values.
	Knowledge of policy and guideline development and implementation.
	Applies understanding of the unique and special nature of the Cook Islands to decisions and actions.
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CHANGE TO JOB DESCRIPTION

Changes to the Job description may be made from time to time in response to the changing nature of the Agency work environment - including technological or statutory changes.

Approved:	
HoM/Manager	Date
Employee	