



Convention on the Rights of the Child

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Committee on the Rights of the Child

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Implementation of the Convention on the Rights of the Child

List of issues concerning additional and updated information related to the consideration of the initial report of Cook Islands (CRC/C/COK/1)

Addendum

Written replies of Cook Islands*

Part I

Reply to the issues raised in part I, paragraph 1, of the list of issues (CRC/C/COK/Q/1)

1. The Government is developing a comprehensive Family Law Bill (the Bill) to encompass child protection rights as guided by the principles and provisions of the Convention. The Bill will give legal effect to provisions in the Convention relating to adoption; rights and responsibilities of families and communities towards children; the child's best interests in all decision-making; the child's right to be heard; the child's right to be protected from all forms of violence; the child's right to special care and protection if deprived of a family environment. The Bill will be a key mechanism for the implementation of the Cook Islands Government's obligations under the Convention at the national level.

2. The Bill will also serve as comprehensive legislation for the principles and provisions of the United Nations Convention on the Elimination of All Forms of Discrimination against Women and where relevant provides for relevant aspects of the United Nations Convention on the Rights of Persons with Disabilities.

3. Under the current draft the purposes of the Bill are set out as follows:

Purposes of Act

* In accordance with the information transmitted to States parties regarding the processing of their reports, the present document was not formally edited before being sent to the United Nations translation services.

The principal purposes of this Act are:

- (a) To provide for the orderly and equitable settlement of the affairs of spouses upon the breakdown of a marriage or de facto relationship;
- (b) To ensure that persons with parental responsibility fulfil their duties, and meet their responsibilities, concerning the welfare, best interests and development of children;
- (c) To ensure that children receive adequate and proper parenting to help them achieve their full potential;
- (d) To encourage, where appropriate, the resolution of issues relating to family relations through negotiation and agreement;
- (e) To ensure the safety and protection of persons, including children, in domestic relationships;
- (f) To ensure that all matters related to family relations included in this Act are consistent with the Cook Islands' commitments to human rights and gender equality, and specifically to:
 - (i) Enact provisions consistent with the United Nations Convention on the Elimination of All Forms of Discrimination against Women;
 - (ii) Enact provisions consistent with the United Nations Convention on the Rights of the Child;
 - (iii) Enact provisions consistent with the United Nations Convention on the Rights of Persons with Disabilities.

4. The initial draft of this submission was prepared in late 2009 following initial country consultations with the support of the United Nations Development Programme (UNDP). Further consultations were carried out in 2010 regarding issues of implementation and policy options on areas of sensitivity. In 2011, the Bill was referred to the Cook Islands Law Society and further legislative drafting is expected. The Bill is expected to be presented to the Cabinet in March 2012 for approval for discussion at the next Parliament sitting at that time.

5. Initial estimates of the costs of the Bill have been identified with the assistance from the United Nations Development Programme in 2011 and are estimated at under \$0.4 million in the first two years of implementation with an annual ongoing resourcing cost of under \$50,000 per annum thereafter.

6. In addition, while the current Education Act provides education for all children until the age of 15, further protections regarding the rights of children will be enshrined in the proposed new Education Bill including new protections around corporal punishment and verbal abuse in the school system. The Bill is expected to be tabled with Parliament in February 2012. Under the current draft the purposes of the Bill are set out as follows:

- 1. The purpose of this Act is to provide for an education system in the Cook Islands, with an emphasis on:
 - (a) Providing education for all age groups;
 - (b) Cook Islands Maori language, culture, perspectives and aspirations;
 - (c) Equitable access to quality learning;
 - (d) A high level of community involvement in determining quality educational outcomes;

- (e) Ensuring everyone involved in the education system is treated with dignity, respect and understanding, in a way that is consistent with:
- (i) The fundamental human rights and freedoms in articles 64 and 65 of the Constitution of the Cook Islands;
 - (ii) The Convention on the Rights of the Child;
 - (iii) The Convention on the Elimination of All Forms of Discrimination against Women;
 - (iv) The Convention on the Rights of Persons with Disabilities.

Reply to the issues raised in part I, paragraph 2, of the list of issues.

7. The Cook Islands has further reviewed the reservations it made to articles 2 and 10 of the Convention on the Rights of the Child. Consideration is now being given to withdrawing those two reservations in light of recent amendments to domestic legislation which led to the initial deposit of the reservations.

Reply to the issues raised in part I, paragraph 3, of the list of issues

8. There are a number of existing Government policies and legislation aimed at different aspects of the rights and development of children such as access to health treatment and prevention of illness, access to education rights, access to juvenile justice, access to safety and protection, and access to welfare entitlements. However, the Government acknowledges that there is no overarching national policy consolidating all relevant policies on children.

9. The Government recognizes the benefits of consolidating these policies under one national policy on children to emphasise the rights and status of children. These can be consolidated using the Convention itself as an appropriate framework. A national mechanism comprising relevant Government departments would need to be established to support this coordinated policy approach including commitments to share relevant information and maintain its currency. This will be reviewed by the Cook Islands Ministry of Internal Affairs in the 2012-13 financial year. The Cook Islands may need to seek assistance from development partners to establish such a system.

Reply to the issues raised in part I, paragraph 4, of the list of issues

10. Identified below are some of the key activities in the 2011-12 National Budget that contribute to the Cook Islands Government's annual investment to implement and promote the rights of children. Due to time limitations, estimates of Government allocations and investment into juvenile justice system are not included in the table below.

	<i>Description</i>	<i>2011-12 Budget (\$NZD)*</i>
Administration and schools Ministry of Education	Funds allocated to the Ministry of Education for administration and school funding (primary and secondary) for all schools in the Cook Islands. This includes donor funding of \$1.7 million from New Zealand.	11,860,000
Child Benefit Ministry of Internal Affairs	A welfare payment of \$70 per month made to parents/caregivers in respect of children under the age of 12.	2,640,960

	<i>Description</i>	<i>2011-12 Budget (\$NZD)*</i>
Health costs (estimate) Ministry of Health	The approximate estimate of the total Ministry of Health (MOH) budget allocated to direct services to children based on personnel costs for staff directly related to children's health (Public Health Nurses) and staff related to maternal care; and pharmaceutical costs on children's medication. This estimate excludes costs related to the Outer Islands and other Ministry overhead costs which also contribute in some way towards children such as public health inspections at schools, general promotion of health issues e.g. NCD issues. Health services continue to be provided free to children 16 years and under as stipulated in the MOH User Pay policy. The total Health annual budget is \$11,395,000.	1,000,000
Child and Family Division Ministry of Internal Affairs	Funds allocated for two staff and operational costs for administration of: child protection; welfare assessments for the purposes of adoptions, family separation and as ordered by the Courts; and supervision of young offenders.	77,000
Youth and Sports Division Ministry of Internal Affairs	Funds allocated for two staff and operational costs for administration of: youth development (ages 16 to 34) and sport development.	75,000
New Born Allowance Ministry of Internal Affairs	A welfare payment of \$1000 on the birth of a child born in the Cook Islands to assist with the costs at the time of birth.	360,000

*Figures are based on the approved 2011-12 National Budget and rounded up to the nearest \$000.

Reply to the issues raised in part I, paragraph 5, of the list of issues

11. The Government acknowledges the value in establishing a comprehensive system for the collection of data on children that can be disaggregated, analysed and regularly evaluated. A number of ministries and agencies currently collect data on children within their own systems but a comprehensive system for collection of data could be developed through a national coordinating mechanism as envisaged at under the reply to the issues raised in paragraph 4 of the list of issues.

12. This will be reviewed by the Cook Islands Ministry of Internal Affairs in the 2012-13 financial year. The Cook Islands may need to seek assistance from development partners to establish such a system.

Reply to the issues raised in part I, paragraph 6, of the list of issues.

13. The Cook Islands Curriculum Framework (CICF, 2002) recognizes that all students should have the opportunity to develop essential skills through study in essential areas of learning. This would enable them to develop their capabilities to engage in lifelong learning, and to participate effectively in the communities in which they live and work. The CICF applies to all schools in the Cook Islands, both Government and private schools; and all students regardless of gender, ethnic group, religion, location, background, ability or disability.

14. The Social Science Curriculum (SSC, 2006) encourages students to take an active role in learning, using their diversity of cultural experiences and backgrounds to enhance the learning of their peers and appreciate their own uniqueness. It aims to prepare all students in the Cook Islands to become confident, informed and responsible members of society. The SSC reinforces human rights education and children's rights through the social organization and identity strand, where students learn about and develop their own rights, roles and responsibilities as individuals and as part of a group/ community.

15. The Ministry of Education's Inclusive Education Policy 2010 aims at ensuring that the education system is inclusive, equitable, fair and just and that the teaching curriculum of the Ministry of Education is accessible by all children of the Cook Islands. The overarching aim of the Policy is aligned with the definition of inclusive education and the spirit of the document is to ensure that stakeholders continually engage in dialogue and processes that will bring about changes in school settings to ensure that the school culture is promoting the principles of inclusiveness that builds a system where everyone is "valued and does belong".

16. In recent years, there has not been any formal training provided for professionals working with and/or for children on the practical implementation of the convention but within the various sectors staff have received development opportunities on improving their capacity in their relevant areas of responsibility. For example, within the Ministry of Internal Affairs, senior staff have benefitted from secondment training with the New Zealand Ministry of Social Development to improve internal processes and policies to better deal with children, particularly in the area of juvenile justice and care and protection.

Reply to the issues raised in part I, paragraph 7, of the list of issues

17. Current Cook Islands criminal and civil laws do not specifically recognize the rights under the Convention on the Rights of the Child, however, the Cook Islands Constitution provides for fundamental human rights including non discrimination on the ground of gender. The rights provided by the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of the Child are not yet codified in Cook Islands statute but several moves forward are being made in that regard.

18. The Crimes Act review is expanding the sexual offences provisions to be enforced in the Cook Islands in accordance with the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of the Child including providing for a domestic violence offence including sexual abuse as a factor in the definition of domestic violence.

19. The Family Law Bill provides for children in need of care and protection including children who are sexually abused. It too will provide the civil law protections of victims of domestic violence including sexual abuse as a ground for the making of immediate Police Safety Orders and for long term protection orders. The Cook Islands Disability Act 2008 is not child specific but it does generically provide for the prohibition of discrimination against disabled persons.

Reply to the issues raised in part I, paragraph 8, of the list of issues

20. The status of the Crimes Act review is that there is a draft policy document which is a comprehensive review of all crimes including for example consideration of exceptions to liability. Consultations on the draft policy is expected to be undertaken in January 2012 with technical assistance from the Australian Government's Attorney General's Department to discuss the contentious issues raised by the review. There is also discussion and recommendations regarding computer crimes and child pornography.

21. Action to combat low reporting of domestic violence is largely focused on awareness campaigns. There is a dedicated programme for domestic violence awareness by the Cook Islands Police in association with New Zealand Police under the Pacific Prevention Domestic Violence Programme (PPDVP). In addition, a period of concentrated awareness occurs annually in partnership with the PPDVP, relevant non-governmental organizations under government during the 16 activist days against violence.

Reply to the issues raised in part I, paragraph 9, of the list of issues

22. Corporal punishment at home is addressed in the Crimes Act Review policy paper. It has yet to be debated more fully and publicly.

23. Corporal punishment at school is also being addressed in the Crimes Act review but is also being addressed in the Education Bill, currently being edited for approval by Cabinet and passing by Parliament. The Education Bill bans all forms of corporal punishment. It reads:

66. Corporal punishment

(1) A person who is at an educational institution must not—

(a) verbally abuse any student who is enrolled at or attending the educational institution; or

(b) use force, by way of correction or punishment, against any student who is enrolled at or attending the educational institution.

(2) This section also applies to any school organised activity outside of the school premises.

24. Currently, any reported cases of force used against a student by a staff member are investigated. Teachers can be, and have been, deregistered for this behaviour. Schools are regularly reminded that the Ministry of Education will not tolerate this in any form.

Reply to the issues raised in part I, paragraph 10, of the list of issues

25. Based on the provisional 2011 National Census (Dec. 2011), 73.6 per cent of the population are on the main island of Rarotonga, which is also the seat of the Government and the economic centre of the Cook Islands. 20.2 percent of the population live in the Southern Group and 6.2 per cent live in the Northern Group. This population distribution provides significant service delivery challenges due to the physical remoteness and isolation coupled with extreme diseconomies of scale to service the smallest populated islands with the same services provided in larger populated islands. There are issues of limited transportation, inadequate communication systems and outward migration.

26. In this context, funding for government service delivery in the Outer Islands is largely driven by population size. Some costs are centrally managed by ministries based on Rarotonga (such as health, education and welfare payments), however, some funding is allocated directly to administrations on each of the outer islands for basic public

administration, including local government functions and other local costs such as infrastructure and energy costs, agricultural development and some social development.

27. The Ministry of Health has an objective to provide accessible and equitable health care services in the Outer Islands with a key focus on preventative and basic curative primary and secondary health care services. Some services are provided locally, however, access to advanced primary, secondary, tertiary, and rehabilitative health care is also provided for through specialist visits to the outer islands, or referral to Rarotonga. The Ministry of Education provides funding to schools based on enrolments and class needs. In the Outer Islands, composite classes are a common approach to ensure that resources are used efficiently. Separation from families to enable children to pursue higher education is an issue that the ministry manages under a policy objective to keep children on their home islands with their families for as long as possible. There are some Outer Islands that do not cater for secondary school needs and partial scholarship assistance is made available to those children that have the ability to pursue secondary school options on Rarotonga when they have completed the most senior year available on their home island. In 2012, the Ministry of Education is also planning online study approaches for the Outer Islands to help families and children to remain on their respective island especially the Southern Group islands. For the northern group island, the Ministry of Education is also planning to undertake educational or training program for children where they can travel from one island of the northern group islands to another.

Reply to the issues raised in part I, paragraph 11, of the list of issues

28. The Ministry of Health, with funding assistance from United Nations Fund for Population Activities (UNFPA), appointed an Adolescent and Reproductive Health Coordinator to help strengthen awareness in the schools, youth groups and community groups. This was done in collaboration with the Cook Islands Red Cross and the Cook Islands Family Welfare Association, two key non government organizations that have played a strong role in the promotion of better life choices by young people. Youth peer educators have been trained to assist with youth to youth health problems not only limited to early sexual relationships. Sessions in schools continue and community seminars are activities conducted to increase knowledge on health issues. Ongoing media releases also provide awareness for the community at large.

Reply to the issues raised in part I, paragraph 12, of the list of issues

Raising awareness among children and adolescents on health implications and consequences associated with early sexual relations

29. The appointment of the Adolescent and Reproductive Health Coordinator (refer to the reply to the issues raised in paragraph 11 of the list of issues) has helped strengthen awareness in the schools, youth groups and community groups.

30. In 2011, a number of health sessions were coordinated and implemented for the following community groups such as youth groups, sporting groups and church groups on sexual reproductive health. A number of workshops were also conducted both on Rarotonga and some of the outer islands (Aitutaki, Atiu and Mangaia). A number of Community Health Radio programs were also run throughout the year. Nine youth peer educators were also trained to assist youth on health issues.

31. Schools visits are available and made on request by schools, targeting the secondary schools. In 2011, a health awareness day was also held over two days at the main college with a focus on safe sex, promotion of services, nutrition, tobacco, alcohol.

32. A youth friendly clinic was established in 2010 to increase youth access to health services. The service provides advice on family planning, counselling, pregnancy testing,

referral, verbal and written information. In 2011, A Youth Hub was also established by the Youth Division within the Ministry of Internal Affairs with the support of the Ministry of Health and the Adolescent and Reproductive Health Coordinator as an alternative access point for youth requiring health services and to improve better coordination in this area by relevant stakeholders.

Enabling teenage pregnant girls to finish secondary school

33. The Ministry of Education policy allows teenage girls to continue their education during pregnancy and after child birth, depending on the girls themselves, their parents and the situation. The Ministry of Education's policy provides equal right to education for all children and also encourages girls to attend school even after birth.

Eliminating gender and age based stereotypes and societal taboos which contribute to persistent discrimination and abuse of girls and boys at school and at home

34. Gender and age stereotyping and societal taboos are not visually evident; however, the Government policies are targeted to ensure prevention of discrimination and abuse of girls and boys in schools and at home. Work in a number of agencies such as the Police, Gender and Development Division of the Ministry of Internal Affairs, and with NGO partners such as the Cook Islands Punanga Tauturu Incorporated (Women's Counselling Centre) and National Council of Women provide specifically targeted prevention of discrimination and abuse of boys and girls.

Reply to the issues raised in part I, paragraph 13, of the list of issues

35. The Child and Family Division, Ministry of Internal Affairs, provides some counselling and support services to child victims of abuse in collaboration with the support of other non-government organizations, such as, Punanga Tauturu Incorporated, Rotai'anga and also Akirata, Youth Support Service of the Ministry of Health. The Child and Family Division, Ministry of Internal Affairs, also works in partnership with the school counsellors to support to victims of sexual and physical abuse identified through the school system. Legal literacy leaflets are made available through the work of the Punanga Tauturu Inc.

Part II

Reply to the issues raised in part II of the list of issues

New bills or laws, and their respective regulations

36. A new Disability Act was enacted in 2008 with the primary purpose of protecting the rights of people with disabilities by making discrimination against a person with a disability unlawful and to ensure that persons with a disability have equal access to services and information in the Cook Islands, such accessibility to public buildings, footpaths etc. The act is supported by a Disability Strategy and is administered by the Ministry of Internal Affairs.

37. The Family Law Bill is currently under review and expected to be presented to Cabinet in March 2012. The Family Law Bill will give legal effect to child protection provisions in the Convention on the Rights of the Child, including provisions relating to adoption; rights and responsibilities of families and communities towards children; the child's best interests in all decision-making; the child's right to be heard; the child's right to be protected from all forms of violence; the child's right to special care and protection if deprived of a family environment.

38. The Crimes Act 1969 is currently under review to modernise and consolidate legislation on criminal acts and to deal with issues not previously covered by the Act,

including computer offences and transnational and organised crime. The Australian Attorney-General's Department is assisting the Crown Law Office with this project by developing an issues paper which sets out some options for reform. In January 2012 the Crown Law Office, with the support of the Australian AGD, will hold a series of consultations with government and non-government organizations during which participants will be invited to comment on the issues considered in the Review. This issues that will be discussed include domestic violence, domestic discipline, child sex offences and pornography.

39. The Education Bill is currently under review and is expected to be considered by Parliament in February 2012 with enactment date set at 1 July 2012. The purpose of the Act is to provide an education system in the Cook Islands with an emphasis on: providing education for all age groups; the Cook Islands Maori language, culture, perspectives and aspirations; equitable access to quality learning; a high level of community involvement in determining quality educational outcomes; ensuring everyone involved in the education system is treated with dignity, respect and understanding, in a way that is consistent with the fundamental human rights and freedoms in articles 64 and 65 of the Constitution of the Cook Islands; the Convention on the Rights of the Child; the Convention on the Elimination of All Forms of Discrimination against Women.

40. The Employment Relations Bill will modernise labour legislation and repeal the existing Labour Ordinances that date back to 1964. The bill was referred to a Parliamentary Select Committee in late 2009 and includes provisions for the protection of children in employment and introduces universal maternity provisions. Reappointments were made to that Parliamentary Select Committee in February 2011 due to changes arising from the 2010 General Elections in September 2010. The Parliamentary Select Committee tabled its report in December 2011 which will require further re-drafting and subsequent submission back to Parliament expected in March 2012.

New institutions (and their mandates) or institutional reforms

41. The Government established the International Humanitarian Law (IHL) Committee in March 2011. The Committee responsibilities include: advising Government on promoting ratification of IHL instruments; co-ordinating issues resulting from the adoption of laws and regulations on IHL; evaluating existing national laws in relation to IHL; coordinating the adoption of administrative regulations and monitoring their application; preparing drafts and adopting IHL into national laws and regulations; monitoring and ensuring the application of the law; monitoring and advising of new developments in IHL and humanitarian diplomacy.

42. The Committee has scope to also address additional topics and measures such as adopting measures to prevent the misuse of the Red Cross and Red Crescent emblems and other emblems protected under IHL; discussion and implementation of pledges at the International Conference of the Red Cross; and discussion across Government of new IHL initiatives.

43. The Committee is administered by the Ministry of Foreign Affairs and Immigration (MFAI) and comprises: Crown Law, Customs, Emergency Management Cook Islands, Gender, Health, Immigration, Justice, Police, Ombudsman, the Cook Islands Association of Non-Government Organisations and other Ministries can be co-opted when required as well as academic institutions like USP.

44. At its last meeting held in November 2011, the Committee recommended signing the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict. This is an activity that the Committee will pursue over the next four years.

45. In 2007, the Cook Islands Government made a commitment to establish a Human Rights Office. This was partly a result of a regional commitment under the Pacific Island Forum Leaders' Pacific Plan to promote human right protections at a national level as a good governance initiative. Since that time discussions have focused on the best implementation option given the size of the public service and limited resources. A decision was made to establish it within an existing office, the Office of the Ombudsman. Effort is currently underway to determine how best to establish the function within the Office of the Ombudsman as no new resources have been allocated to it. Options include exploring partnerships with other external agencies, such as the New Zealand Human Rights Commission, and existing agencies in the Cook Islands that have an existing human rights role.

Recently introduced policies, programmes and action plans and their scope

46. The National Gender Equality and Women's Empowerment Policy was approved in July 2011 and establishes a multi stakeholder steering committee to monitor six priority areas including: gender-responsive Government's programs and policies; equitable participation of women and men in decision-making and governance systems; enabling environment for the full participation of women in economic development; improved capacity of women to contribute to climate change adaptation and disaster risk reduction strategies; Improved capacity of women to address health issues; and elimination of violence against women. To support the steering committee, there are six taskforces targeting each of the priority areas. It is envisaged that these taskforces maintain a monitoring role against the priority areas on a biannual basis. There is a focus on girls as a vulnerable group within the policy.

47. Rakei Toa is an alternative public school program offered by the Cook Islands Sports Academy, supported by the Ministry of Education and the National Human Resources Department. It has been operating for several years and was initiated to provide an alternative schooling system to at-risk young people that have been shown not to function well within the mainstream schooling system. Rakeitoa targets children between the ages of 11 and 15 years old and assists by transitioning children either back into mainstream education or trade school or into the workforce where relevant.

48. Consideration is being given to establish a youth stakeholder committee bringing together relevant Government agencies and non-government agencies to consider issues affecting youth, particularly in response to an apparent rise in petty crime. Several meetings involving the relevant stakeholders with support from the Minister of Education and the Minister of Internal Affairs have been held late last year with further work to establish clear objectives, governance structures and monitoring mechanisms in 2012.

49. In 2011, collaboration between the Child and Family Division of the Ministry of Internal Affairs, the Ministry of Education, principals of Rarotonga schools and the Police commenced to improve better management and response to non-attendance by children at school. Arrangements are being put in place to enable referral of child welfare issues identified by the schools to the Child and Family Division where there is gross unexplained non-attendance or other signs of possible neglect or abuse. The Police have also agreed to undertake checks on students that appear to be out of school during school hours.

Recent ratifications of human rights instruments

- Convention on the Rights of Persons with Disabilities
Acceded by the Cook Islands 8 May 2009
Entered into force for the Cook Islands 7 June 2009

- Optional Protocol to the Convention on the Rights of Persons with Disabilities
Acceded by the Cook Islands 8 May 2009
Entered into force for the Cook Islands 7 June 2009
- Rome Statute of the International Criminal Court
Acceded by the Cook Islands on 18 July 2008
Entered into force for the Cook Islands 1 October 2008

Part III

Reply to the issues raised in part III, paragraph 1, of the list of issues

50 Population information is collected at a disaggregated level (by age, sex and geographic location) every five years as part of the national Census. The last Census was in 2006 and therefore the information provided relates to 2006 only. The data includes children that are not ordinarily resident in the Cook Islands.

51. The 2011 Census was carried out on 1 December 2011 and while some information has been released and included here, it is too soon to include disaggregated data to the same level as the 2006 data. The 2011 data shows the number of children in the Cook Islands between the ages of 0 and 14. The data includes children that are not ordinarily resident in the Cook Islands.

52. Annual population statistics are collected but not at a disaggregated level.

2006

Age	Total			Female			Male					
	Cook Island	Rarotonga	Southern Group	Northern Group	Cook Island	Rarotonga	Southern Group	Northern Group	Cook Island	Rarotonga	Southern Group	Northern Group
0-4	1658	1212	325	121	825	606	154	66	833	606	171	56
5-9	1845	1236	466	144	874	606	198	71	971	630	268	73
10-14	1932	1316	470	146	1008	694	228	86	924	622	242	61
Subtotal	5435	3764	1261	411	2707	1906	580	223	2728	1858	681	190
15-19	1624	1045	444	136	884	574	242	68	741	470	202	68
Total	7059	4809	1705	547	3591	2480	822	291	3469	2328	883	258

Source: Census 2006, Statistics Office - Cook Islands Ministry of Finance and Economic Management

2011

Age	Total			Female			Male					
	Cook Island	Rarotonga	Southern Group	Northern Group	Cook Island	Rarotonga	Southern Group	Northern Group	Cook Island	Rarotonga	Southern Group	Northern Group
0-14	4638	3107	1101	430	2276	1521	537	218	2362	1586	564	212
15-19	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a

Source: Census 2011 (Provisional), Statistics Office - Cook Islands Ministry of Finance and Economic Management

Reply to the issues raised in part III, paragraph 2, of the list of issues

53. Based on statistics from the Ministry of Justice, there were no official separations of children from their parents or placements with foster families recorded in 2005 and 2010. Official separation from parents and/or placement with foster families is highly unusual in the Cook Islands context.

Children adopted domestically or through the fed social system

54. Based on statistics from the Ministry of Justice, there were no legal adoptions recorded in the Cook Islands in 2005. There was only one adoption of a female under the age of 4 on Rarotonga recorded in 2010.

Reply to the issues raised in part III, paragraph 3, of the list of issues**Children with disabilities**

Geographic location	2005		2010	
	Female	Male	Female	Male
Rarotonga	2	2	1	2
Southern Group	2	1	1	2
Northern Group	1	0	0	1
Total	5	3	2	5

Source: Cook Islands Ministry of Internal Affairs, Disability Division

55. These numbers represent all children with a disability under the age of 18 as recorded in the Ministry of Internal Affairs Disability Database.

Children adopted

56. Refer to paragraph 54 above.

Reply to the issues raised in part III, paragraph 4, of the list of issues**Enrolment statistics**

	<i>Pre-primary</i>				<i>Primary</i>				<i>Secondary</i>			
	Cook Islands	Raro-tonga	Southern Group	Northern Group	Cook Islands	Raro-tonga	Southern Group	Northern Group	Cook Islands	Raro-tonga	Southern Group	Northern Group
2005	473	274	119	80	2201	1,351	559	291	1,899	1,215	497	187
2010	452	301	114	37	1841	1,218	418	205	1,893	1,306	451	136

Source: Cook Islands Ministry of Education

2011 Enrolment statistics by sex*2011 Pre-primary school enrolment*

<i>Gender</i>	<i>Rarotonga</i>	<i>Southern Group</i>	<i>Northern Group</i>	<i>National</i>
Female	166	60	26	252
Male	174	71	20	265
Total	340	131	46	517

2011 Primary school enrolment

<i>Gender</i>	<i>Rarotonga</i>	<i>Southern Group</i>	<i>Northern Group</i>	<i>National</i>
Female	587	206	114	907
Male	635	231	88	954
Total	1,222	437	202	1,861

2011 Secondary school enrolment

<i>Gender</i>	<i>Rarotonga</i>	<i>Southern Group</i>	<i>Northern Group</i>	<i>National</i>
Female	650	210	69	929
Male	582	215	78	875
Total	1,232	425	147	1,804

Dropouts and repetitions

57. The data below indicates the retention rates of secondary students as they transition from year 10 to year 11 and from year 11 to year 12 for 2007 through to 2010. The year 11 to year 12 transition rate appears low but is influenced by a number of factors including families choosing to send their children to New Zealand to complete secondary school, family migration and children of expatriate contract workers completing short term contracts and returning to an overseas country.

Year 10 transition to Year 11 retention rate

	<i>Rarotonga</i>	<i>Southern Group</i>	<i>Northern Group</i>
2007	110%	89%	100%
2008	112%	103%	97%
2009	113%	103%	96%
2010	104%	97%	97%

Year 11 transition to Year 12 retention rate

	<i>Rarotonga</i>	<i>Southern Group</i>	<i>Northern Group</i>
2007	73%	51%	29%
2008	76%	52%	33%
2009	70%	51%	14%
2010	70%	43%	11%

58. The Ministry of Education has a policy of social promotion which effectively removes the idea of repeaters – especially at primary school. A child moves with their social group and will be provided with additional in classroom support if necessary to participate in learning programmes. In upper secondary school where students who did not complete a qualification may repeat either a whole programme or individual subjects but the common practice is that students can repeat some subjects while advancing to higher levels in other areas at the same time.

Reply to the issues raised in part III, paragraph 5, of the list of issues

Children under 18 years tried by Courts

59. Based on statistics from the Ministry of Justice, there were no children tried by the Courts under the age of 15 in 2005 and 2010. The data provided reflects recorded offences by children between the ages of 16 and 18 that were tried by the Courts. There were no cases from the outer islands tried by the Courts therefore all cases are for offences committed on Rarotonga.

Offences tried in Court, type of crime	2005			2010		
	Total	Female	Male	Total	Female	Male
Age						
16 to 18 years						
Assault offences						
Assault on female; fighting in a public place	0	0	0	4	0	4
Traffic offences						
no warrant of fitness; no driver's licence, careless driving; driving causing injury; drink driving	13	0	13	20	0	20
Offences against property						
burglary, theft, receiving stolen goods, wilful trespass, party to offence	13	0	13	39	2	37
Cannabis offences						
Cultivation, possession of cannabis and utensil, smoking	0	0	0	7	0	7
Escape from lawful custody	2	0	2	1	0	1
Sexual offences						
Indecent Assault	2	0	2	1	0	1
Contempt of court order						
Contempt; breach of probation	0	0	0	10	0	10

Source: Cook Islands Ministry of Justice

60. The most common sentence imposed by the Children's and High Court were probation supervision with a minimum of 12 months with special conditions although alternative sentence were also imposed such as a period of community service based sentence.

Children under age of 18 years detained in detention facilities, detained with adults

61. Based on statistics from the Ministry of Justice, in 2005 and 2010 there were no children under the age of 15 detained in detention facilities and there were no children in the outer islands detained in detention facilities.

2005

Age	Total				Female				Male			
	Cook Island	Rarotonga	Southern Group	Northern Group	Cook Island	Rarotonga	Southern Group	Northern Group	Cook Island	Rarotonga	Southern Group	Northern Group
15-18	2	2	0	0	0	0	0	0	2	2	0	0
2005	2	2	0	0	0	0	0	0	2	2	0	0
2010	2	2	0	0	0	0	0	0	2	2	0	0

Source: Cook Islands Ministry of Justice

Reply to the issues raised in part III, paragraph 6, of the list of issues

62. The Cook Islands considers the following actions as priority areas to implement the Convention:

- Introduction of the Family Law Bill
 - Introduction of the Education Bill
 - Introduction of amendments to the Crimes Act
 - Introduction of the Employment Relations Bill
 - Development of a National Policy on Children
 - Development of a national coordinating mechanism (including data monitoring) on children to monitor progress against the national policy on children and the Convention.
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