



Pacific Media Watch

Title - 5531 COOK ISLANDS: CI News publisher convicted of contempt
Date - 21 June 2008
Byline - None
Origin - Pacific Media Watch
Source - Cook Islands News 19/06/08
Copyright - CIN
Status - Unabridged

COOK ISLANDS NEWS PUBLISHER CONVICTED OF CONTEMPT

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By Tara Carr

AVARUA, Rarotonga (CI News/Pacific Media Watch): Cook Islands News publisher John Woods was convicted in the Rarotonga High Court yesterday on two charges of contempt.

The convictions were handed down against the 55-year-old Arorangi resident by justice of the peace John Kenning.

Both charges relate to the breach of a suppression order handed down by Justice Christine Grice on the morning of Friday, May 23.

It was in relation to the Manihiki land matter and centred around all evidence and documents presented in an appeal hearing the previous evening.

Woods was charged with breaching the order in that he was responsible for publishing two stories in the newspaper on Saturday, May 24 (page three), and Monday, May 26 (page one).

Both stories featured statements from lawyer Tina Browne, the lawyer for the landowners in the Manihiki matter.

The original not guilty pleas made during Woods' first appearance were vacated yesterday by lawyer Charles Little and replaced with pleas of guilty.

Given the chance to address the court, Woods said the case was important as it struck at the very heart of media freedom and the role of the fourth estate. He said the breach was accidental and the order made by the court was not explicit.

Woods told the court that the prosecution against him was part of a "vindictive pursuit by prosecution".

Woods raised the issue that an order had not been asked for by prosecution when the evidence was presented to the court on Thursday, May 22. He said that it was "most unorthodox" and "remiss" of prosecution not to have acted on the day, instead of suppression being sought the next day.

Woods said Elikana should have spoken up on that day and done so in front of Browne, as neither she nor justice secretary Terry Hagan had been aware of the suppression order and both had breached it by making statements to CInews.

[In reply to this, crown prosecutor Tingika Elikan said that it was actually Justice Grice who called back counsel to court on Friday, May 23, to make the order for suppression, not prosecution.]

Woods said if the media did not push the envelope and publish matters in the interest of the public, we would go back to the dark ages in terms of media freedom - similar to countries like Fiji and Papua New Guinea where bureaucrats told media what they could and could not publish.

Doing such a thing, said Woods, "amounts to interfering and heavy handedness and brings to its knees the whole principle of democracy and freedom of speech."

Convictions and fines of \$50 and \$30 court costs were imposed against Woods.

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