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Introduction

Thank you New Ireland Provincial Administrator, Mr. Lamellar Pawut and Governor for West New Britain, Hon. Sanindran Muthuvel, for joining us at this conference. I acknowledge the leaders of New Ireland and thank you for welcoming us today. It is good to see you all. I also acknowledge the presence of our sector leaders because of the importance of this gathering. I thank the Public Prosecutor, Mr. Pondros Kaluwin, the Acting Correctional Services Commissioner, Mr. Stephen Pokanis, the Deputy Chief Magistrate, Mr. Mark Selekepuru and Mr. Sam Geno, the Acting Director of the Law and Justice Sector (LJS) Secretariat and other national department's representatives. It is great to see you all here, as well as our two Bishops, from the Catholic Church and the United Church.

What I want to share with you today is important. I know that many of you will be expecting me to say new things about the sector because of my position as Chairperson of the National Coordinating Mechanism (NCM) of the LJS. There are 15 government agencies¹ in the LJS. Hearing the Provincial Administrator and the Governor's speeches, I am sure you are wondering what answer I will give you, regarding the Law and Order problems in our country - which is the challenge I have. I think that is what you want to hear from me as the new Secretary. I took office on the 19th of November, just after the Asia Pacific Economic Cooperation (APEC) Conference last year.

The question is what do I bring to this sector, and how are you going to help us, solve the problem of Law and Order in this country? I think 15 minutes to talk to you about this very important subject is not sufficient for me. I will therefore, take a bit more time, just to share with you, some of the new initiatives we are taking for the sector. What I want to share with you today, is what is, going to drive us for the next five years.

I hope that our partners, who are here, like Mr. Stanley Komunts from New Crest Mines, and some of you from the community and Churches will actively participate with the LJS to arrest the Law and Order situation in the country. I would like you to listen to us because; I believe we have a little bit of an answer to the big problem that confronts us. Together, with your partnership, we can be able to tackle this big problem that continues to attack our nation.

Crime Management and Deterrence by the LJS

There are three important things I would like to share with you all today. These are:

1. To inform you about what we are doing as a Sector (as a single unit) so that you can join us in combating the evils of crime in our beautiful country.
2. To discuss briefly with you our performance under the Medium Term Development Plan (MTDP) III.

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¹ These are: (1) Department of Justice and Attorney General; (2) the National Judiciary; (3) the Department of National Planning and Monitoring; (4) the Department for Community Development, Religion and Youth; (5) Police; (6) Defence; (7) Correctional Services; (8) Magisterial Services; (9) National Intelligence Organisation; (10) Ombudsman Commission; (11) Constitutional and Law Reform Commission; (12) Legal Training Institute; (13) National Narcotics Bureau; (14); Public Solicitor; (15) Public Prosecutor; (16) National and Supreme Courts.

3. To share with you our new focus in dealing with the Law and Order issue.

As a sector, we agree and support the Government's Vision 2050 and related national policies. I am, here at this gathering, to share with you, how the LJS is also going to implement the MTDP III.

When we look at the Strategic Development Plan 2030, the government wants to reduce the crime figure from 90 to 30 per 100,000 people by 2030. On the other hand, MTDP III (2019-2023) requires the sector to reduce the crime rate by 80% from the maximum. Unfortunately, I am not sure how the government arrived at this figure, because I do not know how many crimes are committed throughout the country daily, weekly, monthly or yearly. However, I can tell you that the entire Village Courts in the country numbering 1680 are dealing with 60,000 cases every year. From this total, we can determine how many cases are for assault, rape, stealing, swearing, land disputes, etcetera. We also know how many court cases our Deputy Chief Magistrate and his team handle every year (30,000). We also know how many people go to jail every year.

But these are the figures we are dealing with. What about those that we do not have records of, and those that we do not get the data from?

Reducing the crime rate by 80% by 2023 is a big dream for the country and we acknowledge that. The government's plan is to provide a safe, secure, and stable environment for all citizens, visitors, communities and businesses so that they conduct their affairs freely. Thus, our overarching theme is to create a crime free society for better livelihoods. This is the goal of the government and the LJS will support the government to achieve this goal. I know that we cannot create, a totally crime free society, but at least we can, minimize or reduce crime.

The LJS, under MTDP I and II, had 12 government agencies dealing with Law and Order. Today, it has grown to 15 agencies. In the recent past, the National Planning Department was the chair of the sector. What was the sector doing at that time? The focus of the LJS was on Crime Management and Deterrence. What do I mean by Crime Management and Deterrence? It is like this, as soon as someone comes in conflict with the law, he or she is arrested, investigated and charged at the police station, the whole Law and Order machinery reacts by summoning all its resources to deal with the perpetrator.

In other words, the police receive a complaint, record it, investigate the crime and lay the charges where appropriate. After the charge is laid, the Public Prosecutor prosecutes, while the Public Solicitor defends, the accused person. The Magistrate then hears the case at the District Court, and where appropriate, refers the case to the National Court. Where an accused is found guilty, he is sentenced to prison where the Correctional Services take over his or her affairs as a prisoner. As you can see, the whole system is designed to deal with the criminal. The key principle underpinning this system is to manage and deter criminal behaviour. So, the whole criminal justice system is driven to attend to this one person – the criminal.

At the moment we have 5000 prisoners throughout the country. And of this number, only 2000 are prisoners; while 3000 are remandees (is awaiting court). When we consider the number of prisoners against the total population of the country which is 8.5 million people, the prisoner population ratio is 0.05% which is very small by global standards. Unfortunately, we spend a lot of resources dealing with a small fraction of the population who end up being part of the 5000.

As I said earlier, the whole law and justice system is designed to attend to this very small group of people. So what have we in the sector been doing? We have not been focusing on crime reduction, but managing crime as deterrence. That is what we have been doing in the last 44 years, and especially in the last decade, under MTDP I and II. The aim of the LJS was to manage crime as a means to deter criminal activities.

Crime Prevention – The new LJS Policy

The evidence is unequivocal – so much has been invested in the sector, but crime has spiralled out of control.

From police reports, we note that the crime rate is always on the increase. It is increasing every day. Last year, the crime rate was recorded as very high. As we heard this morning, truly, Law and Order, is a major challenge for Papua New Guinea.

Let me show you some data to highlight to you the major crimes in this country. According to the latest police reports, the number one crime in our country is murder. This shows that the life of a person is meaningless to us as a nation.

The young people sang this morning that they want to live in a community that is peaceful, safe and secure. They want to promote respect, and they have pledged to respect each other because we are One Nation, One Country and One People. However, many Papua New Guineans are being killed frequently as if human life means nothing to us. Murder is the number one criminal activity in this country. Bribery is 19th on the list.² I leave you to work out the rationale for this divergence.

When we see the list of crimes that are perpetuated against the citizens, obviously, no one is immune to crime. Crime affects people in cities, provincial centres, regional centres, local communities and the villages. These crimes are happening across the board. No one is safe. Do not for a minute; think that, you are in Port Moresby, so you are safe from these 19 crimes and others. Everyone is susceptible to these crimes.

How are we going to deal with these crimes that affect everyone? From the available data, we can observe that, there is a huge gap between our efforts and the rate of crime. Crime has overtaken our efforts and we are playing catch up. Crime, as I mentioned above, is just spiralling out of control.

In my view, we need to first, ascertain which crimes are prevalent, in which part of the country. What is the prevalent crime in Port Moresby, or Namatanai in New Ireland Province, or Biella in West New Britain Province, or Siassi Island in the Morobe Province? Having this information will then assist us in identifying the root causes of the crime and thus devising appropriate strategies to deal with each of the crime.

What have we, as a country, achieved since Vision 2050 was adopted in 2009 and the MTDP I and II? There is nothing much to show for. In the last five years, at least K4 Billion was spent in the LJS under MTDP II. Where did this money go to? Did the people from Tabar in New Ireland see this K4 Billion or not? I am from Siassi Island, in the Morobe Province. My people do not know about the K4 Billion nor do they care about the money. According to them, they are far away from Port Moresby, busy doing their own thing. They do not care where the K4 Billion went.

As you can see, I am disappointed with this scenario. We now have the MTDP III which was launched early this year. We celebrated the MDTP III with dances and sounds of the kundu drums. However, to the majority of the people in the country, the policy is just a piece of paper.

What is the LJS doing about this challenge? At the LJS, we have been working hard to answer this critical question. We understand that the sector requires a fundamental shift in its response to dealing with Law and Order in the country.

The government has given the LJS 17 targets³ to achieve by 2023. These 17 targets are big and I do not think we can achieve all of them. We currently have 15 agencies. Does that mean that two of the targets will have no one to take care of? Obviously not.

² 1. Murder; 2. Manslaughter; 3. Rape; 4. Other Sexual Offense; 5. Robbery; 6. Robbery Using motor vehicle; 7. Break in Commercial; 8. Break in Domestic; 9. Stealing Motor Vehicle; 10. Stealing; 11. Fraud; 12. Gender Base Violence; 13. Fire Arms; 14. Drugs; 15. Escape CIS; 16. Escape Police; 17. Arson; 18. Abduction; 19. Bribery.

³ 1) Increase effective training programs; 2) Increase recruitment of policemen and policewomen; 3) Reintroduce rural lock-ups in the 89 districts; 4) Review existing legislation and ensure compliance; 5)

In 2019, the LJS is making a new shift. Just last week there was an earthquake in New Ireland. I received a map from a geologist from the USA, showing that there is a shift from West New Britain and New Ireland. There is a shift that is happening. We too in the LJS want to make a shift as well. For far too long, the LJS has been sitting and not being proactive in devising new strategies in dealing with the Law and Order challenge in the country. We have been doing the same thing over and over again, and the statistics are showing clearly that we are not going anywhere.

Starting this year, we are refocusing our efforts. Our new direction will be to *Prevent Crime* before it happens. We are spending so much time, resources, and effort on dealing with a minority group and not focusing our attention on the 8.5 million people who need our help and protection. We need to engage with them.

The new focus of the sector will now be on *Crime Prevention*. In the past we were dealing with Crime Management and Deterrence. When a crime is committed, we react by immediately, pooling all our resources together to deal with the perpetrator. This approach comes to an end this year.

Can we change our focus, can we change our attention, and can we change our resources and focus everything on *Crime Prevention*? How will this work? That is why I told you that, you need to give me a bit more time, because I need to explain to you what we are thinking and doing as a sector so you can work with us. Our strategy is this: of the 17 targets provided under MTDP III, the NCM has resolved to collapse them into five main targets under the new Crime Prevention policy. These targets are:

1. Revitalizing and Strengthening the Village Courts system
2. Village Court infrastructure
3. Partnership with the Churches to Prevent Crime
4. Provincial and District Engagement
5. Investment in ICT

Each of these strategies is discussed in detail below.

1. Revitalize and Strengthen the Village Courts and Land Mediation System

As I said earlier, we are now all going back to the village. My blood is from Siasi Island. I am not from Port Moresby where I now live. I am 51 years old and I will return to the village. The question is: am I going to a safe and secure village or am I going to a place which is full of murderers, rapists and all kinds of criminals? We need to attend to them first. Our focus now is not on Port Moresby, not on Kavieng town, but the village and local communities. We are going back to the village because at the moment we have 1800 Village Court officials and Land Mediators throughout the country. We have abandoned them for the last 50 years. We want to go back to them, we want to go back and strengthen their operations. As the children sang, “pupu bai kamapim peles”, that is why we are going back to the village. Enough of spending money only in the urban centres and let us go back to where the majority of the people are living – villages, settlements and local communities. Enough of building massive infrastructures and huge facilities which are very costly, while our people are not receiving the basic service, such as access to justice.

Increase the number of magistrates and judges to improve the backlog of court cases; 6) Infrastructure development in construction and renovation of deteriorating facilities throughout the country; 7) Develop crime prevention strategies to curb the crime prevalence issues; 8) Strengthen the communication and information management systems; 9) Strengthen partnership arrangements between police and interested stakeholders including private sector and development partners; 10) Improve and enhance participatory based approaches at the community to strengthen the processes of law and justice; 11) Continue to recruit, train and develop the Defence Force; 12) Improve PNGDF infrastructure and facilities; 13) Develop and build the land, air and sea capabilities and appropriate border security infrastructure; 14) Strengthen existing bilateral and security arrangements that aims to promote PNG sovereignty and strengthen its borders; 15) Strengthen the cooperation and partnership between regulatory agencies associated with border security; 16) Improve policy and legislation covering all aspects of national security; and 17) Scale up training programs associated with the administration of national security.

We want to build 1680 simple and low-cost court houses, so that our Village Court officials can have a proper place to sit and conduct court hearings. They must have an office, telephone, and computer as we are no longer in the Stone Age. At the moment we have five Village Court Magistrates, four Peace Officers, one Village Court clerk and four Land Mediators for every Village Court.

There are currently 18,000 Village Court officials and Land Mediators who are already being paid by the government through the Department of Justice and Attorney General. These people are front liners of law and justice services. These people are in urgent need of support by the government.

Why are we not helping them? We have forgotten about them even though they are dealing with the 50,000 cases annually. We need to utilize these public officials. We are in dialogue with the Police to train our peace officers and appoint them as reserve Police officers so that we have police right in the village. These reserve Police officers can then arrest and detain law breakers as they will have those powers. In this way they can start applying the rule of law right there in the village.

The LJS will initiate programs to revitalize and strengthen the Village Courts and Land Mediation system to ensure that we prevent crime and enable our people to enjoy peace and security in their villages, settlements and local communities. Our focus will be on improved training of Village Court officials and the provision of the enabling environment to secure a peaceful and happy society.

2. Village Court Infrastructure

This strategy is closely aligned to the first strategy. Starting this year, we will begin building Village Court houses. Enough of our people carrying court papers and conducting court hearings under trees and open areas. This practice must end now. The Village Court officials are the frontline officers of justice in the country. They deserve respect and dignity.

We need to give respect to our Village Court Magistrates and officials so that they can uphold their integrity. We envision that by having a permanent place to conduct their business, Village Courts will be better respected and the rule of law will begin to gain traction in the villages, local communities and settlements throughout the country.

The Village Court house can serve multiple purposes. It can be used as a meeting house for women, youth or church groups when the court is not in session. It can also be used for mediation and other purposes. Village Court houses will be the centre of government business in the communities. Currently we have 1680 Village Courts in the country. However, as many of you know, most of them have no court houses.

The LJS will be looking at other partners to join us to roll out the Village Court houses. Those of you in this forum who are interested in partnering with us to pursue this objective are welcome to join us.

If possible, we would like to see that Australian aid is directed to building Village Court houses so that people in the village can see what the Australian Government is doing in the country. At the moment our people are disconnected with the Australian aid because they cannot see the services. We have told DFAT to invest back into the community. We want to work together as single unit so now we want to talk about *Crime Prevention* and put in place interventions to prevent crime before it happens right at the door steps.

Under the MDTP I and MDTP II, the government gave the LJS money and we threw it here and there on all kinds of things. The sector leaders have now agreed that, this will now stop, as we refocus our attention on the village, and work with the people in the villages. That is what we are going to do. We are partnering together to achieve this policy shift.

3. Churches as Number 1 Partner in Crime Prevention

Beginning this year, the LJS will actively engage with the Churches to develop Crime Prevention programs to roll out in the villages, settlements and local communities. Who will be our number one partner in Crime Prevention? It will be the Churches. Our rationale is that in almost every village, local community or settlement in the country, there is a church. The church is structured with leadership and programs designed to keep peace and harmony in the community based on the Gospel of Christ.

According to the 2011 Census, almost 96% of Papua New Guineans subscribe, to the Christian faith. There are more than 20 different Christian churches in the country, with the Catholic Church leading in membership at 27%, Lutheran at 19.5%, United Church at 11.5% and Seventh - Day Adventist Church at 10%.

Papua New Guineans, who claim to be Christians, integrate their Christian faith with some indigenous beliefs and practices. The influence of the Church has over the years transformed many societies across the country to the extent of replacing some of their cultural beliefs. Some have even merged culture and religion. These Christian Churches are also providing 60 – 80% of the social and welfare services in the country, especially in the remotest parts of the country. Therefore, the networks of the Churches are trusted by the people in the country.

The Churches are therefore the natural partners to help the government reduce crime in the country. The Churches are led by a priest or a pastor. The priest or pastor and his team of church leaders, partnering with the LJS, can be a potent team in preventing and reducing crime in the communities. For instance, consider the large savings that can be made by the government, if the pastors and church leaders, report and assist the Village Court officials in apprehending suspects, escapees and also monitoring parolees and probationers. The Police, Correctional Service, the Justice Department and the National Intelligence Organization do not need to unnecessarily expand funds, human and other resources to apprehend suspects and escapees.

The MTDP III has earmarked K4 Billion for the LJS. We want to invest that fund in *Crime Prevention* programs so that we stop crime at the doorstep – the home. That is our focus right now. The best partner to help us achieve this goal is the Churches. We therefore have a partner, who lives and works with the people, in the villages, local communities and settlements. We only need to call upon their services to prevent and reduce crime in our societies.

4. Provincial and District Engagement

The LJS is mindful of the national government's policy on decentralization. We are aware that the government has approved East New Britain, New Ireland and Enga provinces to implement the autonomy agenda. The sector would like to construct a single LJS provincial headquarters so that our people can access our services in one location. Our plan to roll out this program with New Ireland, East New Britain and Enga provinces beginning in 2020.

We hope that through this effort, our fathers and mothers from the villages will gain easy access to our law and order services in the one building, instead of moving from one building to another. We are here to help our people. Now they will access Correctional Service, Police, Public Prosecutor, Public Solicitor, Narcotics in the same building.

In the districts, we will focus on building District Court houses. We are liaising with the Magisterial Services to identify which of the 89 Districts need a District Court house. At the moment, the Chief Magistrate and his Deputy are concerned that there are no houses for the Magistrates in the districts. We will liaise with the Open Members of Parliament and provincial governments to construct Magistrates houses. The Department of Justice and Attorney General is currently building eight District Court houses in eight districts as a start to bring justice services to the districts.

We are going to deliver government services right to the districts. Although we have some funding, we will be looking to other partners to join hands with us to achieve this outcome. Our plan is to deliver justice at the national, provincial, district and village levels. When District Court houses are built, we can also build police stations, rural lock-ups and provide other justice services.

5. Investment in ICT

Since we are living in the modern computer age, the sector needs to invest in ICT. There are too many individual institutionalized ICT frameworks which are not complementing each other. Data is dispersed throughout the sector.

The sector needs a single ICT data collection and management system so we are able to track crime throughout the country with the press of a button. With this tool, the sector can provide appropriate solutions to the different types of crimes.

We would like to ensure there is connectivity between the national agencies and the Village Courts. Our Village Court clerks should be the first point of contact for information relating to crime. An excellent and reliable ICT framework will assist us greatly in attending to crime across the country. For example, if our Village Court is given the additional role of being an intelligence officer, he or she can provide intelligence information about a criminal in his village, settlement or local community to the Police or the National Intelligence Organization. By utilizing this information, the Police can easily apprehend the criminal without expanding so much resource to search and locate the criminal.

Conclusion

The LJS is mindful of our history, particularly our inability to arrest the upsurge in crime in the country. These are lessons that will now help us to shape a better future. We have agreed to the paradigm shift – away from Crime Management and Deterrence to Crime Prevention. We have identified several strategies that we hope will prevent and reduce crime.

These strategies are however, as the village people say, ‘tingting tasol’. The LJS acknowledges the difficulties in pursuing these objectives and looks to partners to assist us in successfully implementing these strategies. Law and Order is everyone’s business. As such, we all need to help each other to ensure that these and other useful strategies are fully implemented to create a safe and secure village or community for our people.