



AUTONOMOUS BOUGAINVILLE GOVERNMENT

Ministry of Police, Correction Services & Justice

MINISTERIAL STATEMENT BY THE MINISTER FOR POLICE, CORRECTIONS
SERVICES & JUSTICE

I am pleased to present to this Honourable House a summary update report on certain highlights undertaken by My Ministry and the Department of Police, Corrective Services & Justice including the Office of Principal Legal Adviser over the last 3 months. The ever increasing need for assistance in order to address the law and order challenges we face today has become more demanding. There are ongoing voids for soundly improved law and justice establishments ranging from finances and infrastructure to trainings and other capacity building needs. This stark reality reminds us of the value of the existing working relationship with the National Department of Justice and Attorney General, as well as the required strong partnership with the Australian Government which practically is also the main Development Partner in Bougainville.

Consistent links with our stakeholder partners is a priority for Bougainville as we embrace new political developments that will come before, during and after the upcoming Referendum in October. The financial constraints faced over the last 3 months are continually being substituted by the Australian Government's immense assistance through its funding support to PNG's National Law and Justice Infrastructure Projects, as nothing can yet be solely funded internally at this stage.

Law and Justice will continue to progress at a pace that is suited to the transitions we are going through in terms of the implementation of law and justice services, whilst on the same capacity platform shape a way forward for a future justice system for our Region. And I commend all law and justice agencies and relevant stakeholders for their efforts in implementing their various functions under the technically complex autonomous arrangements we operate under, and in the absence of an economically viable Revenue Generating Tax Base for our Region.

I now wish to provide to this Honourable House an update on some sector highlights for law and justice over the last quarter which includes those of the BPS, Community Based Corrections and Correctional Services, and secondly what envisaged projects we currently have for the next quarter and beyond.

○ **HIGHLIGHTS FOR THE LAST QUARTER**

1. SOME HIGHLIGHTS FOR BOUGAINVILLE POLICE SERVICE OVER THE LAST 3 MONTHS ARE;

- Since the retirement of the original CAP personnel many of whom were pioneers since the commissioning of the CAPs policing concept in Bougainville years ago, a total of 27 new Community Auxiliary Police personnel had completed their required trainings and graduated at the Hahela YC Hall on the 15th of March 2019. The graduates had to pass through certain criteria based on educational qualifications and merit as the main measure in the hope of improving discipline and commitment overtime.

- From the 13th to the 22nd of March 2019, a total of 67 BPS participants (a quarter of whom were females) attended a United Nations led Human Rights Workshop that was conducted in the main centres of Buin, Arawa and Buka. This training we believe will enhance their knowledge capacity and commitment to promote and protect human rights through their roles as duty bearers.
- Over the last 3 months, the BPS has prepared a Budget Submission for BPS Security Operations on the Bougainville Referendum 2019 that both the BEC, RPNGC and the National Department of Justice and Attorney General will look into.
- Also over the last 3 months, the Community Policing section of the BPS who plays an important role that is very much appreciated and welcomed in our communities continues to execute their role in carrying out awareness with assistance from community leaders.
- It is appreciated that our Community Policing awareness programs have also focused on school students in both Primary and High Schools, as well as church denominations after gatherings on worship days.

2. OFFICE OF THE NATIONAL NARCOTICS BUREAU

In March this year, a delegation from the National Narcotics Bureau paid an initial visit to Bougainville and conducted a workshop at Hahela which focused on the consequences of abuse of commonly consumed illicit drugs and substances. This initiative by law & justice and the

Bureau was taken on board with hope to enhance the work that components of the Community policing strategies are doing in the communities in order to increase the positive impact outcome on awareness messages of health, spiritual, social and economic issues.

CONTINUING CHALLENGES FACED BY THE BOUGAINVILLE POLICE SERVICE

- The BPS continues to face a lot of challenges stemming mainly from complex attitudes that were not anticipated by innocent, respectful and peace loving Bougainvilleans and their leaders during and after the formation of the ABG, and prior to the conduct of our political referendum this year. This means that while we Bougainvilleans do not want harsh enforcement of law and order to Bougainvillean law breakers except for a community policing service to help facilitate justice, the reciprocative responsibility of the community is still far from being more cooperative to their own wishes when it comes to community awareness on the negative impacts of drugs and alcohol.
- The BPS still faces a lot Administrative and Operational challenges in terms of reliable and well serviced vehicles and having good supervisors and managers. And this extends to a need for competent CID and prosecutions staff as having such competent staff is critical to further improvements being made in the area of Crime Investigations, Arrests, and Prosecutions when it comes to dealing with serious crimes in any Modern State.

2. COMMUNITY BASED CORRECTIONS OR CBC HIGHLIGHTS

CBC is the section of Justice Services that deals with sentenced Prisoners on Parole and Probation (prisoners whose sentences in years had been reduced and are being monitored through practical skills rehabilitation work and learning). However, the current focus in Bougainville is on our Juveniles and will expand to adults in due time depending on the establishment of a major prison facility for Bougainville.

The following are some highlighted achievements over the last quarter as per the role of CBC;

- On the 4th of April 2019, the sustainable Economic Projects for the Mabiri Juvenile Rehabilitation Centre were officially opened and was witnessed by ABG, National Government, New Zealand and Australian Government representatives. Those economic projects include a piggery, a poultry and hatchery farm which will go a long way in sustaining the centre and will be managed by a Board of Management.
- Also in April, a Voluntary Probation Officers' workshop was conducted in South Bougainville and that workshop focused on training volunteer village courts officers and CAPs to assist with the role of supervising offenders who had qualified for prison parole, and who are serving their parole sentences in communities.
- From the 13th to 21st May, a Preliminary Consultation to set up 2 sub-Regional law and Justice Committees in the Central and South Regions was carried out. The preliminary consultations were taken to identify membership of persons and relevant stakeholder membership to form two respective committees that will create data collection on

organizational program outcomes achieved on a timely basis. It is hoped that the Central Committee will be established at the end of this month and the South Committee in July.

3. CORRECTIONAL SERVICES

The last 3 months were once again challenging for my Ministry in terms of our support to Correctional Services Bougainville. With the existing prisoner management issues, overcrowding in the Bougainville Police cells and the immediate requirement for a major Prison facility for Bougainville, we still strive to manage the situation within our means currently.

Despite limited progress on securing land for a major Prison Facility, a renewed visit by the National Minister for CS before the recent 'Vote of No Confidence' Honourable Roy Biyama and current Acting Commissioner for Correctional Services Mr Steven Pokanis to Bougainville in March was successful. The renewed visit aimed to kick start the process of counter funding and to re assure establishing a major prison facility upon the condition that land is secured for that purpose.

However we cannot deny the fact that we have challenges that we continue to face when it comes to negotiating for a piece of land.

Our transitional Correctional Services in Bougainville continues face a huge challenge when it comes to the proper containment of Detainees which is a dilemma faced by the ABG. This is a situation which the ABG has to face between the hanging land acquisition process for a major prison facility that is centrally located for Bougainville, and the continuing problem of overcrowding in the police cells.

But based on our CS Bougainville Strategic Development Plan 2018-2021, the National Department of CS and the Australian Government stand ready to support the ABG in building a Major Prison Facility. However since it takes lengthy negotiation efforts for the ABG to acquire land, that support mainly in terms of funding is also being withheld until a permanent piece of land is acquired fully and transparently to build one.

Seeking a permanent piece of land in a central location to build the major prison facility for ease of access has been and is still a persisting problem for My Ministry, which needs the support of our people to consider.

Prisoner Management

In terms of Prisoner Management which is all about addressing overcrowding in the police station cells and ensuring that the rights of prisoners are not violated, there is a Prisoner Management Committee which tries to manage the issue of overcrowding. This issue extends but also stems from continuous funding shortfalls to build an Administrative Office space from which to better manage CS Services here in Bougainville. CS has been operating from its tiny space within the Buka Police Station cells. This issue for CS extends to lack of equipment to produce required documentations and proper data reports.

Over the last 3 months, the Activities carried out to help address the issue of overcrowding in the cells include;

- Several visits to the Police station cells by Magisterial Services to assess the living conditions of prisoners held and make suggested recommendations to the Government and relevant stakeholders for for improvements,

- The continued Assistance of the Office of Public Solicitor on prisoners through Bail Applications to remandees as per required human rights procedures.
- **NEWLY ENVISAGED PROJECTS AND THEIR PROGRESS IN THE SECOND QUARTER**

I wish to provide to the House a Summary on the following;

1. The Establishment of a Narcotics Help Desk for Bougainville,
2. Juvenile Justice Progress,
3. Facilitation of Legislative Projects for ABG Departments,
4. The 'Shaping Bougainville Justice' Project and,
5. What is Envisaged by My Department for the Next Quarter and Beyond.

1. The Establishment of the Narcotics Help Desk for Bougainville
 - In 2018, we requested for the National Narcotics Board to set up a help desk in the Region to boost the level of awareness in drug abuse that other stakeholders with similar mandates such as Health, BPS, ABG Law and Justice and Education are being challenged to counter. That Narcotics 'help desk' will assist in combating drug and alcohol related substances in the region.
 - Consultations have been taking place between my Department and the National Narcotics Board which comes under the Department of Justice and Attorney General in Port Moresby.

- In 2018, an introductory narcotics workshop was held with Bougainvillean stakeholders at the Hahela YC Hall. Following on from that, a 'drug and alcohol' awareness was held at the Mabiri Juvenile Rehabilitation Centre for juveniles and the surrounding community. And that first awareness also displayed what the Narcotics Bureau role was all about.
- In early March this year, another awareness which was a prerequisite to setting up the 'National Narcotics transition Desk' in the Region was carried out and it involved a data collection exercise from relevant stakeholder organisations and ABG Departments such as Education, Bougainville Police Service, Community Development, Correctional Service, Buka Hospital's Mental health section, Churches, women and youth organizations.

The Narcotics Desk will focus on assisting law and justice with a general awareness message against the harmful effects of drugs with entailed appropriate and updated statistics.

2. Juvenile Justice Progress for Bougainville

Since 2018 which is the first operational year for the Mabiri Juvenile Rehabilitation Centre with the first intake of a total of 9 juveniles, programs of Re-Integration into their communities had begun. This Programs aim to rehabilitate those who have been discharged by way of providing skills-based development activities so they realise their worth and usefulness in the Community.

Earlier during the March Sitting I reported to this House that the Australian Government is assisting the ABG with Economic Projects in order for the

Centre to sustain its future operations. As we speak, those Economic Projects are now flourishing well which means that the first round of poultry has been bought off while the piggery project will soon sell its first lot of pigs. On the other hand, one of the two anticipated fulltime Teachers is now occupying one house within the recently opened Duplex at the Centre. The expansion and maintenance of these projects will be sustained by the ABG or an independent Bougainville in future when it becomes financially self-reliant.

3. Facilitation of Legislative Projects for ABG Departments

Apart from the Litigations role of ABG and other Legal Advisory functions, my Department Secretary who is Principal Legal Advisor is now working with experts to coordinate all ABG Departments and their directorates with an approved policy development process. This policy process will put Bougainville's legislative process in order for possible draw down of priority revenue generating powers, a process which had begun and which will continue during and after the conduct of Referendum.

The want for consistency in legislative development stems from ABG's historically ad hoc approach to the drawdown of powers. Besides lacking public policy development, there has also previously been no criteria reliably used to prioritise one legislative drafting project over another. This has led to powers which have economic development potential being passed over in favour of simpler, more administrative powers being drawn down first.

The development of public policy has been somewhat deficient as it has previously been common to jump straight from the identification of an issue to a legislative solution, without consideration of all the options.

4. The 'Shaping Bougainville Justice' Project

The Process of shaping the Justice System in Bougainville had begun with the conduct of the first of a series of continuing consultative workshops that was convened on the 25th of April this year in Buka town.

The current implementation of justice in Bougainville by relevant justice agencies which includes the BPS as well as the Court processes had, and continue to stand the test of times since the BPA came into effect.

The 'Shaping Bougainville Justice Project' is one which is geared towards consultations and researching the best approach on the best justice alternatives for Bougainville. The intention of that best approach also aims to respond to the changes that stood the test of time since the implementation of justice under the BPA.

This Project is a 'mammoth task' with a lot of costs and risks involved and the ABG will not be able to fund the Project alone. However, preliminary research work has begun since the major consultative Workshop that was conducted on the 25th of April this year, but this Project may realistically take at least 5 to 10 years to fully materialize for Bougainville. It is more realistic to develop our systems through this Project on a gradual basis.

The Shaping Bougainville Justice Workshop involved all stakeholders who contributed both directly and indirectly towards the formation of the Bougainville Constitution in 2004. Most of them were members of the Bougainville Constitutional Planning Committee or CPC. That Workshop

was well documented as it provided the basis of the ongoing work that is being progressed for the Project's best progressive outcome.

5. What is Envisaged by My Department for the Next Quarter and Beyond

Important Projects that we need to support are very much in line with the Bougainville Law and Justice Sector's Mid-Term Development Plan 2016 – 2019, as well as my Department's Corporate Plan for 2017 – 2019. These two Plans are linked to each other and a lot had been achieved based on both as guiding roadmaps for the last four years. However they will both lapse this year and will be amended and updated by way of ticking what has been achieved, what is yet to be achieved and what is new to be included in order to sort continued support.

I also wish to inform the House that my Department had progressed certain key agendas as a result of last week's consultation meeting with the National Department of Attorney General regarding the issues of Gazettal of all Bougainvillean Land mediators, the Establishment of new Village Courts in AROB, and the current overcrowding issue at Bekut. The consultation last week was extended to discussions on both the completion of some incomplete infrastructure projects whose coordination we have been pursuing since 2016, and projects that were shelved due to competing priorities over the past 3 years. These envisaged Projects to be progressed over the next quarter are:

1. Development of the Arawa Court House,
2. Establishment of office of Bougainville Ombudsman and

3. The Completion of the Community Based Corrections, Office of Public Solicitor /DPCSJ Office Building in Arawa.

To Conclude, I wish to inform this Honourable House that my Ministry will maintain a realistic approach in its role in ensuring Law and Justice Services are provided to the people while its capacity is developing and transitioning through. As Minister, it is my wish to ensure that our law and justice projects are timely delivered within our Corporate and Strategic Plans as we continue to strengthen our Institutions before and after the conduct of Referendum. It is a very big challenge which does not only test the validity of time in maintaining the rule of law within the spirit of the Bougainville Peace Agreement of 2001, but also as envisaged by Bougainvilleans through both The National and Bougainville Constitutions.

Lastly Mr Speaker, I once again thank this Government, this House, our Development Partners (The Government of Australia and The Government of New Zealand), and the National Government for the continued support we receive which enables the ABG to bring about law and justice services to the people of Bougainville, and also for strengthening the Infrastructure and capacity building Agenda in Bougainville as we transition through.

Thank You Mr Speaker

HONOURABLE WILLIE MASIU

MINISTER FOR POLICE, CORRECTION SERVICES AND JUSTICE