



DEPARTMENT OF JUSTICE AND ATTORNEY GENERAL
response to
RECOMMENDATIONS OF REPORT TO PARLIAMENT: PART 1
INQUIRY INTO GENDER BASED VIOLENCE IN PAPUA NEW GUINEA
(4th MARCH 2022)

The Department of Justice and Attorney General is represented by the following officers:

1. **Mrs Josephine Pitmur, Deputy Secretary (Justice Administration)** – making representation in relation to questions for the Attorney General, specifically, high level interventions by the DJAG to address GBV, women’s special seats in Parliament and Family Protection Act review and amendment
2. **Mr. Collin Sakap, Executive Director – Juvenile Justice Services** – will respond to specific technical questions relating to Juvenile Justice
3. **Mr. Joe Saferius, Acting Executive Director – Village Courts Secretariat** – will respond to specific technical questions relating the Village Courts Secretariat

Part 1: Overview of DJAG interventions to address GBV through our mandate.

DJAG has continued its efforts to address GBV. A number of interventions have been made through the development of a number of policy interventions to guide DJAG services to address GBV in a coordinated manner within the Department, the Law and Justice Sector, Government and with non-Government partners as well. The following are some of the policy interventions that undertaken by DJAG over the past two years:

1. Crime Prevention and Revitalisation of Village Courts System

The revitalisation of the village court system is the flagship program of the DJAG. Since 2019, the Department managed to develop the Village Courts Revitalisation Strategy to improve its services at the community level. This in turn will improve accessibility to justice services at are provided at the village courts level. GBV and SARV are issues that are at the forefront of village courts work. In order to effectively address these issues, the village court system has to, first and foremost, be improved. With that understanding and through the Village Courts Revitalisation Strategy, the focus is to increase the minimum standards for appointment of village court officials, which include, increase in the minimum level of education to Grade 12. Given the very low literacy level, new pieces of legislation such as the *Family Protection Act* will not be effectively implemented. This is evident in the very low statistics on IPOs that are issued by the Village Courts. Despite trainings being rolled out on the law across the nation, the feedback DJAG is getting is that officials are reluctant to apply the law.

The revitalisation program also includes improvement in the governance of the village courts system. All provincial governments are now required to establish Provincial Village Courts Committees and conduct transparent elections and appointment of village court officials.

Through the Strategy, DJAG is working with provincial governments to increase the number of village courts areas to enable rural communities to have access to the services of the village courts which includes dealing with GBV and SARV cases.

DJAG is also working on strengthening the linkages with other services providers that deal with GBV and SARV cases to be able to have clear referral pathways where village courts are also able to refer survivors to services for shelter, protection and counselling.

DJAG through its Crime Prevention Branch has carried out crime prevention programs across the country which includes GBV and SARV to enable the community to focus on productive activities as opposed to violence. The following is a summary of the activities carried out so far:

a) Behaviour and Mind change training

Crime prevention and Restorative Justice Service providers directory has been developed with stakeholders identified who can conduct behaviour change trainings and activities. There are lots of behaviour change programs run by NGOs, FBOs, CBOs and individuals which can contribute to the reduction of Crime and GBV.

The Behaviour change Program target youths to appreciating and valuing the importance of Socio economic projects/programs that the government is investing in addressing Crime.

b) Life skills training

As part of the strategy in addressing Crimes, organisations have been identified and some have existing Memorandum of Understanding (MOU) with the Department of Justice to run Life skills Training. Baseline Survey are often done on targeted project sites in identifying the type and trend of crimes happening in Communities and referred to respective authorities

c) Supply of day old chicken

As an alternative to resorting to criminal activities as a means to survive, the Department of Justice Crime Prevention Branch had an MOU with Zenag Highlands Limited in supplying Day old Chicken to Youths, This Program is targeted to alleviating poverty which is the underlying cause of Crime and Violence hence contributes to reduction in GBV cases.

d) Integrated Agriculture Training Program

The Integrated Agriculture Program is currently been rolled pout by PNG UNRE based on an MOU signed between DJAG and the University of Vudal Kairak Centre. This program is targeted at Vulnerable population sustaining their daily livelihood through Agriculture.

The establishment and operationalisation of the 4th Division (National, Provincial Crime Prevention Coordination Branch this year 2021 will now give specific focus on Coordination, Collaboration of Programs at the National, Provincial, and LLG Level through the proposed established Coordinating Mechanisms(CJSC and Village Court House)

e) Program Coordination/Collaboration

The Department of Justice has recently (2021) established the 4th and new Division, called National, Provincial Crime Prevention Coordination Division under a new Deputy Secretary, the main role of this division is to Coordinate all our programs across agencies, Provincial and District levels ,which will greatly assists us on improving the collection of Data. With current Program reform the Department is embarking on under the Corporate Plan 2020- 2025, the Department has some reform programs for implementations in the provinces and across sector, Crime Prevention and Revitalization of Village Court through Crime Prevention is one of these reformed programs.

The establishment of Community Justice Service Centre(CJSC) at the Districts will act as the physical coordinating hub of all Programs targeted to addressing Crime and GBV at the district level. The next level of coordination is the Village Court System down at the LLG and Community Level. Currently we have 12 CJSCs in Operational with 12 CJSC Coordinators recently dispatch in September 2021 for a period of 6 moths. These Coordinators will be coordinating our Justice Programs and Data at the District level.

The Revitalization of Village Court Through Crime Prevention and construction of Village Court houses is currently being rolled out this year 2021 onward. The Village Court houses will be the physical coordinating hub of Justice at the community level.

All these established systems have been established this year 2021 and will come into full operation next year 2022 onward.

2. Village Courts Policy 2020 – 2030

In the history of village courts since its inception in 1963, there was never policy reforms developed, though irregular interventions were made in the various aspects of the system to improve its ability to deliver effective services. This first-ever Village Courts Policy 2020 – 2030 now provides the strategic framework and direction over the next 10 years of the Village Court and Land Mediation system in the country. It provides the Government a clear and precise direction on what the Village Court and Land Mediation is going to do and achieve for the country over the next 10 years to assist Government achieve its vision of a crime free Papua New Guinea by preventing, reducing and managing crime within our communities. The Policy through its seven (7) Policy Outcomes promotes greater partnership arrangement with stakeholders through respective enabling legislations and policy framework that consolidates the village court system at all levels of government that have a role to play in the three focus areas of crime prevention, reduction and management of crime. Crime prevention is everyone's business and the Policy promotes the idea that everyone has a role to play to ensure our communities are safe for everyone including the vulnerable population inflicted by heinous social issues such as the GBV. The implementation framework for this Policy is through the "Crime Prevention through a Revitalized Village Courts System Strategy 2020-2030", which was then developed and endorsed by government in 2020 through and NEC Decision No 320/2020

The salient points in this Policy that seemingly cross-cuts the village courts system, thus contributing to GBV are:

- Governance – establishment of Provincial Village Court Committees (PVCC) to provide oversight and monitoring and reporting on Village Court in Provinces;
- Standards - Sets out criteria/term of appointment of Village Court Magistrates, Peace Officers and Clerks;
- Reducing High Unemployment Rates - Election of persons with Grade 12 qualifications to be Peace Officers and Clerks;
- Gender Considerations – implement Section 16-17 of *Village Court Act* by ensuring at a minimum woman magistrate in all 1680 Village Court areas;
- Career Pathway into Disciplined Forces - ensuring young persons with grade 12 qualifications can use the Village Court system as an entry point into the disciplined forces promoting fair and equal representation in the disciplined forces;
- Capacity Building – specific and targeted training for the Magistrates, Peace Officers and Clerks as career development into other areas of the justice system;
- Village Court Houses – shared costs for the construction of village court houses in all 1680 Village Court areas where the Department of Justice and Attorney General funds half of each village court areas in the Districts and Provinces whilst the other half will be the responsibility of the respective District Development Authorities (DDA) and the provinces;

- Partnership Arrangement – greater partnership arrangement with other Non-State Actors like Churches, NGOs, citizens through greater representation in the Provincial Governance structure of PVCC.

Achieving the policy outcomes of this Policy enables the village court system to develop into a robust system that would adequately deal with GBV and SARV at the community level.

A detailed report on the Village Court Secretariat's efforts to address GBV and SARV is attached to this Report (**Attachment A**).

3. Juvenile Rehabilitation and Reintegration Policy

The National Executive Council recently approved the Juvenile Rehabilitation and Reintegration Policy. One of the objectives of the Juvenile Rehabilitation and Reintegration Policy 2021-2031 is to ensure juvenile rehabilitation institution and remand centres are fully operationalized. The policy encourage mobilization of funding resources through the National Government Budget. With the adequate funding resources injected, these institutions will be fully operationalized. The operationalization of the juvenile institutions will ensure compliance to minimum standard to separate juvenile offenders from the adult as pursuant to Section 100 (a) of the *Juvenile Justice Act 2014*.

Majority of the juvenile cases are committed may not related to GBV. However, the violence exerted on the victims such as in the case of murder, armed robbery, sexual penetration etc has potential to trigger GBV when the juvenile is turning into adult. Therefore, juveniles are at greater risk of not *"unlearning"* those behaviors if appropriate structured rehabilitation programs are not in place.

Parental responsibility can also contribute towards providing the care and safety as well imposing support in the rehabilitation and reintegration of the juvenile offender. The Juvenile Rehabilitation and Reintegration Policy has all the elements of ensuring that the services are provided to assist children coming into conflict with the law.

A detailed report on Juvenile Justice Services and its efforts to address GBV is also attached to this Report (**Attachment B**). The Report also contains statistics pertaining juveniles in custody.

4. Family Protection Amendment Act 2022

The *Family Protection Act 2013* has been reviewed in light of the severe cases of family and sexual violence and wide consultations have been made on this throughout the four regions of Papua New Guinea. Key stakeholders including service providers throughout the regions, law enforcement officials including the Police, the Public Solicitor's Office (provides legal aid), senior magistrates have participated in the consultations have provided practical

feedback on the review. The Family Protection Amendment Act 2022 was passed in the last Parliament and the key areas covered in this reform include the following:

Increase in penalty provisions – the penalty provision for the offence of domestic violence to increase from the current which is a fine not exceeding K5,000.00 or imprisonment for a term not exceeding two (2) years, to a minimum fine of K1000.00 and not exceeding K10,000.00 or imprisonment for a term not less than two (2) years and not exceeding five (5) years. This reform means that the courts when sentencing a perpetrator cannot set fines less than K1000.00, and also cannot sentence a perpetrator to imprisonment for less than 2 years, the sentencing must start from a minimum fine of K1000.00 and a minimal two (2) years imprisonment. The penalty provision for a breach of a family protection order now has a minimum fine of not less than K5,000.00 so the courts will not sentence a perpetrator for less than K5,000.00 and a minimum term of imprisonment not less than 12 months and not exceeding seven (7) years.

New aggravated offence of domestic violence – a new offence has been included in the current reform, which is, aggravated domestic violence. The penalty for aggravated domestic violence is much higher than the domestic violence offence and it does not include a penalty fine. The minimum threshold penalty is imprisonment of not less than five (5) years and not more than seven (7) years. With this new provision, a person who commits the act of domestic violence in a particular circumstance, may be charged with aggravated domestic violence. It will not be a defence that the defendant has paid an amount of money or given other valuable consideration to the complainant. The category of circumstances include, where a person commits an act of domestic violence –

- in relation to a person under 18 years of age; or
- in the presence of a person under 18 years of age; or
- in relation to a person with special needs or a person living with disability; or
- in relation to a pregnant woman; or
- in relation to a person incapable of resisting; or
- using a dangerous and offensive weapon or instrument; or
- whilst under the influence of a drug or controlled substance or alcohol; or
- repetitively.

Authorised person to issue urgent protection notice in urgent circumstances – a new set of provisions have now been included in this Bill. Unlike, court issued orders, this provision allows for the Minister to appoint ordinary members of the community as authorised persons to issue urgent protection notices for up to 14 days in circumstances where there is an urgent need to do so. Urgent protection notice may be issued against the perpetrator where there is an imminent risk that the defendant will commit an act of domestic violence against the complainant or a family member. A person may be authorised by the Minister as an authorised person to issue the notice. They must be of good reputation and character and have good standing in community. It is considered an offence where a person breaches the urgent protection notice.

In issuing an Urgent Protection Notice, the authorised person can also include a family member or any other person providing assistance to the complainant. The policy rationale behind this reform is to allow victims to get immediate protection whilst awaiting assistance for a family protection order.

Obstruction of service provider – a new offence provision is now included in this Bill that criminalises the conduct of obstructing and threatening service providers such as counsellors, health practitioners or other persons that provide service to a victim of domestic violence. The penalty for obstruction attains a term not exceeding 12 months, and the penalty for a threat, attains a term not exceeding 3 years.

5. Law Reform on Controlled Substances and awareness work on Substance Abuse resulting in Violence

The Controlled Substance Act 2022 was passed in this Parliament sitting and is now in force. This is also an important intervention by the Government. There is a referral process within this Act for courts to use their discretion to refer individuals for rehabilitation as a result of substance abuse. The National Narcotics Bureau through its mandate has rolled out awareness in schools, communities and in prisons on the effects of alcohol and drug abuse and the linkage to health issues and also violence. The National Narcotics Bureau (NNB), also under the DJAG has conducted multiple awareness sessions across NCD and the country, in schools, prisons and in communities to raise the awareness on the effect of alcohol and drug abuse which results in violence. NNB has worked across the Government sector and non-Government sector to strengthen networks in order to carry out programs to prevent alcohol and drug abuse. A Strategy is being developed to complement the law reform on the controlled substances as well as programs already underway to prevent violence through drugs and alcohol abuse. A detailed statistics on the number of awareness sessions conducted and partnerships entered into will be provided subsequently to this.

Part 2: Specific Questions and Recommendations addressed to DJAG

The following matrix of recommendations is taken out from the ***Report to Parliament: Part One– Inquiry into Gender Based Violence in Papua New Guinea*** requesting the Department of Justice and Attorney General (DJAG) to provide status updates on matters it is in carriage of or had received directions through the National Executive Council (NEC) to lead and/or collaborate with other relevant stakeholders in government and non-state actors.

A. Sorcery Accusations Related Violence (SARV)

RECOMMENDATION	STATUS UPDATE
<u>Recommendation 25:</u>	DJAG and Consultative Implementation and Monitoring Council – Family Sexual Violence Action Committee (CIMC-FSVAC) are co-chairs to the Core Committee on the Sorcery Accusation and Related Violence National Action Plan (SARV-NAP) that is inclusive of membership from

DJAG and DfCDR should collaborate to reinvigorate the SARV National Action Plan (NAP) Committee and fund implementation of the SARV NAP, including funding to:

- (1) support local human rights defenders and organisations to carry out community awareness on the laws relating to SARV, GBV and human rights to increase understanding that violence is against the law;
- (2) update and rollout training for health providers, village courts magistrates and police to increase understanding of impacts of SARV, laws against SARV and their duties and responsibilities; and
- (3) collaborate with churches to encourage them to implement their SARV strategy.

2020 102- Successfully prosecuted (Madang)
(whole village) So many related.

2013 - (Mt Hagen) ?? no prosecution.

Implementation of Co-ordination
Work with Prov. Govt - implement strategy
Law and Order Committee.

within government, non-government organisations, faith-based organisations, civil society organisations, tertiary institutions, etc., to which DfCDR is also a member.

Response:

Recommendation 25.1 and 25.2 – The SARV-NAP was developed in 2013 and endorsed in 2015. Implementation activities commenced in the following year (2016) through donor funding support and stakeholder implementation activities in the respective Thematic Areas provided in the SARV-NAP. From the SARV-NAP, the Constitutional and Law Reform Commission (CLRC) developed a **SARV-NAP for Churches** in 2019 to bring together the main-line churches to create awareness and disseminate one unified message of **"SARV is Against the Law"**. CLRC to be requested to provide update on Recommendation 25.3.

Since 2017 to 2020, the DJAG has been conducting awareness trainings to the Royal Papua New Guinea Constabulary (RPNGC) officers and Village Court Officials (VCOs) and service providers in the Momase, Highlands and New Guinea Islands Regions with technical support from CIMC-FSVAC, National Research Institute (NRI), Village Court and Land Mediation Secretariat (VCLMS), Highlands Region Human Rights Defenders and the Catholic Church. The trainings focused on bringing awareness to the provincial centres in understanding the law, human rights, roles and responsibilities of service providers and citizens.

In 2020, DJAG provided funding support up to K235,000.00 to four organisations to assist with the repatriation, rescue and reintegration of survivors of SARV and SARV media campaign. The organisations that were provided funding support were, Consultative Implementation and

	<p>Monitoring Council – Family and Sexual Violence Action Committee (CIMC-FSVAC), PNG Tribal Foundation, Wabag Catholic Diocese and Wantok Radio Light.</p> <p>Way forward - the SARV-NAP is to be updated with the involvement of relevant stakeholders and supported by co-funding arrangements by relevant stakeholders working in the space of Gender Based Violence (GBV) in support of the implementation activities to be led by the co-chairs of the Core Committee on the SARV-NAP.</p> <p>Recommendation 25.3 - CLRC to provide updates as lead implementers.*</p>
<p>Recommendation 28:</p> <p>Key government agencies – namely the MOH and RPNGC – should review their existing SARV response mechanisms to ensure they have proper personnel and processes in place to respond in a timely manner, including:</p> <ul style="list-style-type: none"> (1) dedicating specific personnel in provinces where SARV rates are high to dealing with SARV complaints; and (2) developing Standard Operating Procedures (SOPs) and providing training to strengthen responses to SARV cases. 	<p>Response:</p> <p>Recommendation 28 - supports the intentions of the SARV-NAP and requires collaboration between DJAG, Ministry of Health and RPNGC going forward into 2022 on how best to subsidize medical and court fees for victims of SARV and development of SOPs to guide process and procedure on SARV related matters.</p>
<p>Recommendation 29:</p> <p>RPNGC and DJAG officers responsible for SARV cases should be given training on existing laws available to prosecute glasman/glasmeri as accessories in SARV cases and be supported and overseen by their senior managers to ensure they are applying the law properly.</p>	<p>Response:</p> <p>This is an ongoing work that has seen training conducted for both the RPNG and Village Court Officials – refer to response of Recommendation 25.1 and 25.2.</p> <p>Recommendation 29 – All SARV cases are initiated by way of a complaint at the Police Station, prior to arresting and charging of an</p>

	<p>alleged offender who is then committed to the Committal Court by a Grade 5 Magistrate based on the merits (evidence) of the case.</p> <p>RPNGC and Office of the Public Prosecutor (OPP) are mandated by law to ensure the alleged offenders are held liable for the commission of an act or an omission. OPP works closely with the Police Prosecutor to ensure that such cases are taken to higher courts for prosecution.</p> <p>Therefore, the onus is on Police Officers to be proactive in their daily duties when attending to cases at the police stations by maintaining professional etiquette when dealing with such cases and providing the appropriate wording of charges – incorrect charges are dismissed by Court despite substantial evidence collected and presented by Police Prosecutors.</p> <p>Facilitating complaints, conducting investigations, arrest, charge and prosecution of alleged offenders are conducted by RPNGC and OPP, not DJAG. DJAG’s involvement is reduced to coordinating efforts at the level of the Core-Committee on the SARV-NAP to ensure stakeholders are implementing their respective activities under the SARV-NAP.</p>
<p><u>Recommendation 30:</u></p> <p>DJAG should review current laws to assess whether they are fit-for-purpose in relation to criminalising all SARV offences, including the actions of glasman/glasmeri.</p>	<p><u>Response:</u></p> <p>Recommendation 30 – the <i>Sorcery Act</i> was repealed in 2013 and replaced with criminalizing the act of killing of another from sorcery accusation through an amendment in the <i>Criminal Code Act</i>. The laws pertaining to SARV cases are consistent with the <i>Constitution</i> and other related laws. However, as recommended, DJAG will seek legislative reform to criminalize the act of procuring glasman/glasmeri who incite violence from mere accusations. This will form part of the law reform work for DJAG going into the year 2022.</p>

B. Gender Based Violence (GBV) Law Reform

RECOMMENDATION	STATUS UPDATE
<p>Recommendation 31:</p> <p>Reflecting on the specific needs of women and children suffering from GBV, DJAG's current review of the <i>Family Protection Act 2013</i> (FPA) should be broadened to include all key GBV laws, regulations and supporting processes. DJAG should assess their effectiveness in practice and make recommendations for action, in relation to law reform, new/amended regulations and the production of SOPs/guidance notes to assist service providers to apply the law properly and consistently. The review should be participatory and should draw on advice and experience from the Constitution and Law Reform Commission as appropriate, and from GBV service providers to ensure that it reflects operational experience from the field.</p>	<p>DJAG has conducted consultations on the legislative review of the FPA with key stakeholder agencies in East New Britain Province, Morobe Province, West New Britain Province, Eastern Highlands Province and the National Capital District.</p> <p>A consultation report on the stakeholder consultations is being compiled. Refer to high level statement above in terms of the key areas covered in the passage of the <i>Family Protection Amendment Act 2022</i>.</p> <p><i>Comprehensive Report (dman)</i></p>
<p>Recommendation 32:</p> <p>DJAG should specifically review the Criminal Code Act (CCA) to:</p> <ol style="list-style-type: none"> (1) align the CCA with the FPA and <i>Lukautim Pikini Act</i> (LPA); (2) ensure that assault offences used to charge GBV offences have proper maximum penalties; and (3) simplify the provisions relating to offences against the person as they are currently scattered throughout the CCA and may be contributing to confusion. 	<p>Discussion on this was captured in the Issues Paper that was used for purposes of stakeholder consultations held in the provinces. Through the FPA review, all offences related to GBV were considered in terms of penalty range to ensure the penalties are similar in range. In terms of alignment, DJAG considers this as a procedural issue in terms of how the courts streamline their respective process and procedures to ensure alignment in procedures. Law enforcement authorities including police also need to streamline processes for all these respective pieces of legislation.</p>
<p>Recommendation 33:</p> <p>DJAG should review the <i>Criminal Code Act</i> defence of provocation to align it with current concepts related to the defence of <u>'battered wife syndrome'</u>.</p>	<p>DJAG will look into this in the coming year 2022 and will provide an update to the Committee on this Recommendation.</p> <p><i>Provide recommendation to Committee later.</i></p>

<p>Recommendation 34:</p> <p>DJAG, in collaboration with the NDOH and other interested stakeholders, should review existing provisions of the CCA which impact on women’s sexual health and reproductive rights and enact a Women’s Health Protection Bill to align national laws with PNG’s obligations under the <i>Convention on the Elimination of all forms of Discrimination Against Women (CEDAW)</i>.</p>	<p>Stakeholder consultations have been held with relevant stakeholder agencies on the proposed Bill and we are now reviewing the drafting instructions for the proposed Bill. We are yet to obtain a copy of the consultation report on the initial consultations that were conducted by Constitutional and Law Reform Commission in 2016 to use as supporting document.</p>
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C. GBV Access to Justice

RECOMMENDATION	STATUS UPDATE
<p>Recommendation 47:</p> <p>Village Courts and the Magisterial Services must collect data regarding how many IPOs are being processed by each court, within how many days of the application and whether a PO is subsequently processed. This data should be broken down per location and routinely published on each of their websites.</p>	<p>Village Court Official’s manual is currently under review and the Clerks who are responsible for data entry, collection and reporting will specifically capture IPO processing and Issuance as one of their key responsibilities to capture in our Quarterly Data Returns (QDR). Subsequently, our QDR forms will be reviewed to capture IPO specific data as part our efforts in the revitalization of the system where our MIS (data collection and reporting system) is at the core of village courts to provide reliable data and information to the government on the prevalence of crime in our communities for appropriate decision-making purposes.</p>
<p>Recommendation 48:</p> <p>Consideration should be given by DJAG and the Magisterial Services to establishing some form of complaints mechanism to allow victims to provide feedback about the promptness of Village Courts and District Courts respectively in issuing orders, hearing cases and other areas of concern.</p>	<p>This is part of the revitalisation of the village courts system. This will be incorporated as part of the implementation of the Crime Prevention Revitalisation of the Village Courts Strategy and the Village Courts Policy 2020- 2030.</p>
<p>Recommendation 49:</p> <p>DJAG should produce SOPs and/or other guidance to law and justice officials on how IPOs and POs can be used to protect GBV child survivors, including how to balance the interests of the child and the parent in such cases.</p>	<p>Through the FPA Implementation Committee, this work will be implemented given the passage of the <i>Family Protection Amendment Act 2022</i>. There is already Guidance Notes for the FPA that have been developed and circulated widely for use by law and justice officials. The Police FSVAC also have their operating procedures when dealing with GBV cases.</p>

<p>Recommendation 50:</p> <p>DJAG and the RPNGC should collaborate to design some form of locally appropriate witness protection system which would ensure the protection of GBV survivors and other witnesses, including through legislation, official guidelines and/or specific funding mechanisms for safehouses.</p>	<p>This will be considered in the 2022 work for DJAG going forward.</p>
<p>Recommendation 57:</p> <p>The Village Courts Secretariat and the Magisterial Service, in collaboration with the OPP (who operate as victim-advocates within the court system), should work together to examine how to more effectively provide victim support services to GBV survivors during the court process and produce concrete recommendations for action. These strategies should also address the specific needs of GBV survivors with disabilities.</p>	<p>This will be considered in the 2022 work for DJAG going forward.</p>
<p>Recommendation 58:</p> <p>All Village Court magistrates and officials must be made aware, and make clear to everyone that comes before them, that there are no fees to be charged by Village Courts.</p>	<p>This is part of the objective to improve the village courts system. Court officials are not supposed to collect fees. With the roll out of the Village Courts Officials training manual, this will form part of the training for village court officials and tied to their key performance indicators.</p>
<p>Recommendation 59:</p> <p>The Village Courts Secretariat in DJAG should collaborate with other parts of the justice system to design and roll out a coordinated package of training and guidance materials for Village Court officials to ensure that they have a strong understanding of gender equality and child protection principles, key GBV laws and good practice, locally appropriate approaches to protecting women and children from violence.</p>	<p>Village Court Officials training manual as stated in the response to recommendation No. 47 is under review. Consultations are underway with key stakeholders in the justice system from both at the national and sub-national to ensure respective officials; peace officers and clerks' responsibilities are clearly spelled-out with additional responsibilities which are off course enabled by the key GBV laws like <i>Family Protection Act</i>, <i>Lukautim Pikinini Act</i> and <i>Juvenile Justice Act</i> where children are concern. Additional responsibilities are termed as cross-cutting issues which has a dedicated module in the training manual which will be further reviewed to capture these recommendations.</p> <p>In this review exercise, DJAG is particularly looking at electing the Peace Officers and Clerks who will be persons with Gr.12 qualification with an intension of providing career pathway to join disciplinary forces. The</p>

	<p>approach is key in building the village court officials capacity and manpower to handle additional responsibilities effectively.</p> <p>On the other hand, DJAG in close consultation with the Magisterial Services and PNG Centre for Judicial Excellence have put together a Concept Paper which is before the Law and Justice Sector National Coordination Mechanism for further deliberation and support particularly for development and roll out of Village Magistrates' Training.</p>
<p><u>Recommendation 60:</u></p> <p>The Village Courts Secretariat should develop a data collection and case monitoring system (in collaboration with other parts of the system) to enable better oversight of their operations, including audits and spot checks of decision-making.</p>	<p>Work on data is part of the revitalisation strategy and Village Courts Policy. DJAG has begun work to ensure the critical component of data entry is strengthened through ensuring that the structure of the Village Courts system is captured in the role of the village court officials and the system on improvement on data collection is ongoing.</p>
<p>✓ <u>Recommendation 66:</u> †</p> <p>The Social, Law and Order (Departmental) Heads (SLOSH) working group should drive efforts to better coordinate the justice sectors GBV response and its coordination with other sectors, including the NGBVS, NOCFS, MOH and civil society.</p>	<p>DJAG has recently created within its organisational structure a new division (NPC&CP) to coordinate sectoral alignments and collaboration through groups such as SLOSH and NCM. The GBV response and coordination will be overseen by the Crime Prevention branch within this new division.</p> <p>The SLOS strategic framework sets out broadly the areas that will be the focus of the sector, which includes aspects on GBV. The Law and Justice Sector National Coordination Mechanism which consists of the Courts, the Public Prosecutor, Public Solicitor, State Solicitor, Solicitor General, Police and Attorney General and Secretary for Department of Justice and Attorney General, is the appropriate mechanism that the law and justice sector issues such as GBV and SARV are discussed to improve the law and justice sector response to these issues. Through this mechanism, the law and justice sector works towards enhancing the system to better coordinate and respond to issues like GBV.</p>
<p><u>Recommendation 67:</u></p>	<p>There is a community of practice for GESI officers within the Law and Justice Sector. The DJAG GESI Helpdesk has been running trainings across the sector as well all DJAG Branches in the provincial centres. The</p>

<p>Justice sector actors should collaborate to develop and roll out coordinated capacity development activities, which draw on lessons learned from existing 'train the trainer', mentoring and accompaniment models. Training should cover issues such as GESI principles, GBV concepts, legal frameworks, the rights of children and the rights of PWDs.</p>	<p>trainings have been focused on assisting the respective offices on how to deal with GESI issues including dealing with GBV when employees experience GBV in their homes and or workplace.</p>
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D. RESERVE SEATS FOR WOMEN

RECOMMENDATION	STATUS UPDATE
<p><u>Recommendation 70:</u></p> <p>In principle, the Committee supports the 2011 proposal to reserve 22 seats for women. However, while the Committee would prefer a greater number of seats to be reserved for women, the Committee will support a smaller number of women's seats if these can be implemented in time for the 2022 National General Election. The Committee urges the Government to urgently table a draft Bill in the National Parliament to create reserved seats for women.</p>	<p>The Submission on this issue has been lodged with the National Executive Council for its deliberation.</p> <p>The Prime Minister signed off on the Submission for NEC deliberation. Since the last GBV Inquiry, NEC took a decision and approved in principle for consultation. The second NEC Submission has now been signed by the Prime Minister pending deliberation by the National Executive Council.</p> <p>In terms of the specific issues raised in the letter of the Special Parliamentary Committee to Dr Kwa,</p> <ul style="list-style-type: none"> • There are no outstanding issues • This reform will require an amendment to the Constitution which means that there has to be a two thirds (2/3) absolute majority of votes to have this constitutional reform be passed i.e., around 84 votes. Subject to the decision of the NEC, if there is going to be a supplementary Act of Parliament to be passed to give effect to the Constitutional amendment then this Act of Parliament would require an absolute majority of votes.