



NAZARETH CENTRE FOR REHABILITATION

CHABAI

Betel nut Avenue, P.O. Box 195, Buka Island Email: nazarethcentre@gmail.com Ph: (675) 74743889

Submission to the Special PNG Parliamentary Committee Inquiry into Gender Based Violence

Nazareth Centre for Rehabilitation (NCfR) is a faith-based organisation working in Bougainville to respond to gender-based violence. Through the provision of four safe houses in Arawa, Buin, Buka and Chabai, NCfR offers accommodation, counselling, referrals, repatriation and case management support to survivors of violence. NCfR also provides prevention programs and awareness raising throughout Bougainville through our network of over 500 Women Human Rights Defenders and Male Advocates. Our key focus is ending violence against women and children. This includes engaging with men and boys to bring about positive social behaviour change.

NCfR welcomes the opportunity to make a submission to this inquiry into issues related to gender-based violence.

This submission will outline:

- root causes and structural dimensions of gender-based violence (GBV),
- challenges faced as a front-line GBV service provider,
- share our experience of the lessons which can be applied to other contexts and
- make recommendations for immediate and long-term measures the government can action.

ROOT CAUSES AND STRUCTURAL DIMENSIONS OF GENDER BASED VIOLENCE

Violence is a learnt behaviour

Because violence is a learnt behaviour, men, women and children need to unlearn these behaviours. A system must be created within schools and communities (villages) where behaviour change can be supported.

NCfR provides community education for people in rural areas to open their awareness and unlearn harmful behaviours. Our School Based Program works directly in schools to teach students in grade 7 and 8 to unlearn behaviours relating to gender-based violence and other harmful practices they've learned.

Associated with our School Based Program, our Male Advocates Program works directly with men in culturally sensitive ways to bring about positive behaviour change.

Recommendation 1:

Implement and resource violence prevention and promoting positive behaviours to be included into the national school curriculum.

Our society is full of violence, we need to find ways to enforce and teach men to behave respectfully, and respect another human being.

Recommendation 2:

Implement and resource similar School-Based Programs in public and private schools nationally.

Recommendation 3:

Above programs be tailored specific to the contexts in which the schools and non-formal education providers operate.

Recommendation 4:

Above programs also be tailored to suit implementation in church networks through Church Partnership Program (CPP)

Weak government systems perpetuate gender-based violence

NCfR recognises law enforcement as a key mechanism within the referral pathway and the vital role it plays to ensuring the safety of survivors. However, law enforcement agencies are failing to protect those it was set up to serve (see example in box below). A failure in law enforcement, places survivors at extreme risk and results in a major break-down in the referral pathway.

Some of the challenges NCfR experiences when supporting survivors include:

- Police are slow in prosecuting cases. This causes a 'blockage' in the referral pathway resulting in the survivor remaining in 'limbo' and cannot return safely back to their village. For the client this can inhibit the healing process and increases their trauma. In addition, the capacity of safe houses is significantly limited and we cannot support women and children on a long-term basis.
- In theory, the law provides survivors access to the justice system within the first 24 hours to gain an interim protection order. In practice, this is not the case. Gaining an interim protection order can take over 24 hours, (or in some circumstances police actually discourage women when they apply for interim protection orders) leaving the survivor in a critical situation.
- When a perpetrator violates the protection order they are not brought to court or held accountable. See case study example below.
- Our experiences with the courts and magistrate services have been more positive than with police who should be the first responders to initiate the referral pathways.

Recommendation 5:

Review and renew the recruitment process and screening of new police candidates to ensure officers at all levels are adequately trained in enforcing the law appropriately.

Recommendation 6:

Provide sufficient resources to law enforcement agencies to ensure survivors have appropriate access to an Interim Protection Order within the first 24 hours of making an application. This includes but is not limited to, human resourcing and providing realistic operational budgets. This recommendation relates to recommendation 5.

See client case example in box on page 3.

Example: Client Case

A survivor came to the Safe House between May and June 2021. She was beaten badly by her husband. Her husband had been sentenced to jail for another crime but upon falling ill was transferred to the hospital for medical care. Following hospitalisation he did not return to jail and instead went to his village resulting in our client presenting at the safe house. An Interim Protection Order was applied for and granted. The perpetrator was summoned to court but did not appear and his location was unknown. The client's case worker notified the Station Commander of this. The Station Commander committed that they would find the perpetrator, but the perpetrator is yet to be found. Our client is too frightened to leave the safe house and return to her village. An extended interim protection order needs to be applied for as the initial one is due to expire. The perpetrator is yet to appear in the National court for his prior criminal offence. He now also has a case against him for domestic violence. All cases on him are on hold due to the fact he cannot be found.

Breakdown in the system

When the perpetrator was hospitalised he was left unattended. Reasons for this are unknown but this breakdown was catalyst to the perpetrator returning to the village resulting in our client presenting at the safe house.

IMMEDIATE AND LONG-TERM MEASURES TO PREVENT GENDER BASED VIOLENCE

PNG Government needs to provide adequate support to safe houses

Safe houses are an essential welfare service. They do not receive any funding from the PNG Government but receive donor funding as project funds rather than sustainable program funding. PNG Government needs to provide adequate support to recognised safe houses such as NCfR. Perhaps a system of accreditation needs to be considered to avoid opportunistic establishment of safe houses that are inadequate and substandard. NCfR provides extensive safe house accommodation support to survivors of violence. Supporting clients in the safe house is a challenge and our major costs are:

- Food and accommodation
- Personal needs such as clothes and toiletries as most clients when they escape from the perpetrator they do not carry these things with them
- Medical needs such as basic drugs for malaria and headaches etc.
- Transport when they go to the court or hospital
- Transport for repatriation back to their home of origin
- Electricity, gas and fuel wood
- Communication support such as mobile phone bills when calling family members

Recommendation 7:

Government of PNG to provide budget to resource and subsidise the running of accredited safe houses thus including the following;

- Food and personal items such as clothes and toiletries
- All operating costs including maintenance and administration of safe houses
- Transport for repatriation, local travel to courts and hospitals.
- Electricity, gas and fuel wood

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- Life skills development, education awareness and learning new skills for survival
- See box below

Recommendation 7: Special consideration

There would need to be some form of accreditation for salaries and consumables to be provided. If NGOs are paid by government they would lose some of their independence to be a voice critical of government. Public servants must serve, respect and not criticise the government. This recommendation would need to be thought through properly because it blurs the distinction between Government and Non-government and opens up to opportunistic NGOs being established and the genuine NGOs would suffer. However, in view of the fact that **government does not and probably cannot provide these services in the foreseeable future**, the recommendation is important and needs further analysis.

Improving the referral pathway and funding of essential services

The primary intent of the referral pathway is to provide a flexible mechanism that safely links survivors to supportive and competent services in a timely way. A break-down of this compromises the continuity of essential services and leaves survivors at great risk. However, the majority of these services are not sufficiently resourced, meaning staff are overstretched resulting in a lack of coordination and gaps in services. For example when services such as the police, FSV unit, Family Support unit and Criminal Investigation Division (CID) lack coordination or work in isolation of each other, survivors do not receive the services that are mandated in our national legislation. Employing the right people with the right skills and technical knowledge is essential to being effective.

Recommendation 8:

Provide sufficient resourcing to all service providers within the referral pathway such as:

- Family Support Centre
- Family Sexual Violence Unit
- Department of Community Development Government. This department is essential as it needs to support all the relevant work in the area of GBV.
- Provincial Family and Sexual Violence Action Committees
- Financial support for safe houses for support with legal Aid support/person
- Improving counselling services in the country

Recommendation 9:

Improve and support the role of the GBV Secretariat to adequately check and monitor VAW across the nation. In particular observing and reporting on the trends with GBV/FSV in PNG. This would be done by providing sufficient budget and additional staff with required skills and capacities.

Protecting children

In our experience when mothers are presenting at the safe house for support they are accompanied by their children. Because children also experience violence, they need protection too. We need

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holistic and a family-centred approach that draws on both the Family Protection Act and Lukautim Pikinini Act. Staff and services are skilled in making application for the mother but less skilled with applications for children and need additional training and support.

Enacting Child Protection Orders would enable the father/perpetrator to understand that violence against children is also a crime and not behaviour that is accepted in PNG. This is an important part of behaviour change. It is essential that children do not grow up surrounded by violent behaviours – research shows that boys who witness or experience violence in the home are more likely to be a perpetrator when they become an adult, and girls who witness or experience violence are more likely to be a victim in their adult relationships. We need to stop violent behaviours when children are young.

Recommendation 10:

Department of Community Development to implement a system where an application for Interim Protection Order for children is made at the courts.

Recommendation 11:

Provide technical training to service providers with regard to Interim Protection Orders for both adults and children to ensure they are quickly and appropriately applied.

Recommendation 12:

That the Parliamentary Committee requests the Minister for Community Development and Religion, the Minister for Justice and Minister for Police to establish a Technical Working Group to analyse and compile a list of all legislation relevant to the protection of women AND children. This list should then be integrated and simplified so that government and CSO service providers can inform and educate people about the laws that are intended to protect them and their children.

Recommendation 12: Special consideration

This legal analysis should go beyond the Lukautim Pikinini Act and the Family Protection Act to also include the Marriage Act, the Adoption of Children Act, and the Child Welfare Act. It should also include the 2012 amendments to the Criminal Code on sexual offences, including rape, sexual assault, incest, and child sexual exploitation. In addition, the 2012 amendments to the Evidence Act relevant to protection of survivors from increased trauma while giving evidence in court should be compiled with during court appearances.

Recommendation 13:

That the Parliamentary Committee seeks funding to publish a **User Friendly Booklet** about the laws that are intended to protect children from violence and all forms of abuse including sexual, emotional and psychological abuse as per the legal analysis in Recommendation 12.

Recommendation 14:

That the Parliamentary Committee recognises and acknowledges that there has been considerable progress made with legislative and policy reform related to GBV but that a concerted and integrated approach to implementation remains a challenge.

LESSONS FROM BOUGAINVILLE WHICH CAN BE APPLIED TO OTHER CONTEXTS

Coordination of services

In Bougainville coordination meetings occur between service providers and key government actors such as the FSVAC (chaired by the Department For Community Development). This occurs because of the direct financial support provided by the Australian Government’s Justice Support Services for Development (JSS4D) program. Non-government organisations and faith-based organisations also provide key support to ensuring joint coordination occurs.

Recommendation 15:

Government of Papua New Guinea to provide sufficient resourcing to the Department For Community Development and Religion to allow them to action their mandate in supporting GBV services.

CONCLUSION:

The Nazareth Centre for Rehabilitation is grateful for the opportunity to prepare a submission for the Parliamentary Committee on Gender Based Violence and we stand ready to assist the government in the implementation of our recommendations.

We understand that resourcing responses to GBV is a major challenge and recommend that government explores developing Public, Private, Community partnerships to better resource GBV response strategies. We further recommend that all District MPs be encouraged to seriously review the final recommendations of your committee and commit a portion of the DSIP to this purpose. To successfully reduce the prevalence of GBV, political commitment at the highest level is critical.

Respectfully submitted by;



Sr. Lorraine Garasu, CSN

On Tuesday 29 June, 2021

SUMMARY OF RECOMMENDATIONS

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