



ROYAL PAPUA NEW GUINEA CONSTABULARY
OFFICE OF THE COMMISSIONER OF POLICE

POLICY BRIEF PAPER

TO: MINISTER OF POLICE

File No: 1-1-1 2022

FROM: COMMISSIONER OF POLICE

DATE: 2 March 2022

**RE: SECOND PUBLIC HEARING OF THE SPECIAL PARLIAMENTARY REVIEW
COMMITTEE ON GENDER-BASED VIOLENCE**

1. PURPOSE OF THE BRIEF

To update the Minister of Police of the activities undertaken by the Royal Papua New Guinea Constabulary (RPNGC) after the first Public Hearing on Gender-Based Violence (GBV) on 24 – 25 May 2021.

The report covers the following areas:

1. Statistics of the GBV cases registered with RPNGC.
 - Disaggregated data between women, men and children.
 - The number of cases lodged, arrests made and convictions.
2. Actions taken by RPNGC leadership to ensure GBV cases across the country are adequately investigated.
3. Budget for the Family Sexual Violence Unit (FSVU) for 2022 and whether it was approved.
4. Specific budget for training of Police personnel on GBV.
5. Specific actions undertaken by RPNGC in terms of Sorcery Accusation Related Violence (SARV).
6. Responses to the specific recommendation from the Parliamentary Review Committee on GBV directed to RPNGC as from recommendations: 51 -54 and 56.

2. BACKGROUND

The Coalition of Parliamentarians to End GBV was formed after a high-level meeting on gender-based violence in Port Moresby on 24 August 2020¹. This meeting emerged after PNG recognised the enormity of GBV and its associated problems.

¹ Co-chaired by Governors Powes Parkop and Allan Bird.

One of the concrete outcomes of the Coalition's advocacy was the establishment of this Special Parliamentary Committee on GBV. This Committee is chaired by Hon Charles Abel and has six other members, Hon Allan Bird, Hon Powes Parkop, Hon Michael Dua, Hon Aiye Tambua, Hon Ginson Saonu and Hon Allan Marat. Hons Abel, Bird, Parkop, Dua and Saonu are also members of the Coalition.

Under the leadership of the Coalition Co-Chairs, the Coalition organised the first ever National Gender-Based Violence Summit, which was held from 8-10 November 2020. After that meeting, the members of the Coalition endorsed the GBV Summit Outcome Statement, which commits them all to work to address GBV across the nation. The Coalition now comprises 20 of the 111 members in the National Parliament.

3. RPNGC AND ITS RESPONSE TO GBV

3.1.1. Statistics of the GBV cases registered with RPNGC.

The statistics compiled in this brief is mainly from NCD and Central Provinces and a few from the outside provinces. Table 1 shows the number of GBV victims and perpetrators (disaggregate data for male, female, children and police) from 2018 to 2021.

Table 1: Number of GBV victims and perpetrators

Year	2021	Male	Female	Children	Police
2021	Victims	875	4,898	70	28
	Perpetrators	4,718	992	12	114
2020	Victims	777	5,305	68	32
	Perpetrators	4,995	952	32	114
2019	Victims	583	4,291	60	22
	Perpetrators	4,067	712	6	95
2018	Victims	204	1,522	23	8
	Perpetrators	1,505	259	7	45

Source: FSVU Database, Boroko

3.1.2. Number of GBV cases lodged, arrests made and convictions

GBV cases are classified as criminal or civil. People experiencing family and sexual violence apply for a protection order to stop the violence. Protection orders are issued by a court and contain conditions that aim to prevent further violence. They may contain conditions requiring the perpetrator not to commit any more violence or stay away from the survivor. There are two types of protection orders, interim protection orders (IPO) and protection orders (PO). Interim protection orders are faster to obtain but last only 30 days. Protection orders can last for up to two years. After receiving an IPO, survivors can ask for it to be converted into a protection order for longer-term support.

Table 2 illustrates the number of cases (criminal, civil, IPO, PO) lodged, arrests and convictions secured from 2018 to 2021.

Table 2: Number of cases lodged, arrests and convictions

Year	Criminal cases	Civil cases	IPO	PO	Arrest	Convictions
2021	5,477	2,469	370	18	230	102
2020	5,856	2,679	378	41	277	9
2019	5,379	2,075	619	0	413	29
2018	10,170	955	790	0	953	49

A new database is now in place to capture all reported cases in all provinces, coordinated by the Family Sexual Violence Directorate.

3.2. Actions taken by RPNGC leadership to ensure GBV cases across the country are adequately investigated.

The Commissioners Circular 6/2007 demonstrates the RPNGCs commitment to addressing GBV/FSV. RPNGC personnel across rank and files are to give prominence to all GBV/FSV cases lodged in any police stations across the country. This circular also aligns and gives effect to the FSVU Standard Operation procedures (SOP). It guides FSVU staff across the country to carry out their duties effectively.

Apart from the circular instructions, ongoing investigations, prosecutions, and SOP training are conducted for RPNGC members. A GBV training curriculum was developed for FSVU gender police trainers. A total of 66 police personnel have undergone this training with funding and technical support from JSS4D and AFP.

Between July 2021 and February 2022, the following trainings were conducted in 5 provinces to enhance effective investigations and hold perpetrators accountable for GBV cases.

- Gender FSV and FSVU SOP training – Kiunga
- Gender FSV training in Wabag
- Gender FSV and FSVU SOP training – Kokopo
- Gender FSV training in Hela Province
- Case File training for FSVU Officers – NCD

Other initiatives supported by the RPNGC leadership includes:

- Ongoing Investigations and Prosecution training conducted at the Bomana training college, including GBV.
- The Constabulary Standing Order is currently under review, and the GBV/FSV SOPs will be incorporated to ensure all police personnel are actuated with the FSVU procedures.

- The RPNGC has included in its 2022 – 2024 Annual Work Plan through the EU PNG Partnership for Good Governance to support SGBV activities.

3.3. Budget for the Family Sexual Violence Unit (FSVU) for 2022 and whether it was approved.

The Police Minister and the Commissioner requested a budget of K170,000 for the FSVU directorate in the 2022 budget estimates. The breakdown of the above amount was K147,000 for salaries and allowances, and the remaining balance was the supplier budget or referred to as goods and services budget. The budget approval of K100,000 for 2022 goods and services is insufficient to support the operational requirements of the directorate.

During the first Parliamentary review on GBV Conference, a 5-year budget projection was submitted by RPNGC FSVU to the Review Committee. There was no positive feedback from the government on this budget submission, and we request the Review Committee to follow through on this. Table 3 shows the five-year plan and budget projections for the RPNGC FSVU.

Table 3: Five-year plan and budget projections

FSVU - Kina	2022	2023	2024	2025	2026	Total
Personal emoluments	3,968,106	5,934,609	7,957,812	9,981,014	12,004,217	39,845,758
Goods and Services	2,489,336	3,654,516	3,972,256	4,520,995	4,618,735	19,255,837
Total	6,457,442	9,589,125	11,930,067	14,502,010	16,622,952	59,101,595
o/w Capital formation	1,365,296	2,194,648	2,194,648	2,414,648	2,194,648	10,363,887

3.4. Specific budget for training of Police personnel on GBV

Nothing was specifically requested for the GBV training of RPNGC personnel. An overall training budget of K4.2m was approved for Bomana Police training.

From 2017 to 2022, the JSS4D has been providing the ongoing support and the budget for Gender, Family Sexual Violence (FSV) and the Standard Operations Procedure training for FSVU, including the frontline officers with the technical expertise. With the direct budget support provided to the FSVU Directorate, it cannot conduct training for targeted personnel in the provinces.

3.5. Specific actions that RPNGC is taking to ensure that the victim of Sorcery Accusation Related Violence (SARV) receive proper support (committee recommendations 28 & 29).

Recommendation 28

Key government agencies – namely MOH and RPNGC – should review their existing SARV response mechanism to ensure they have proper personnel and processes in place to respond in a timely manner.

The RPNGC does not have a response mechanism specific to SARV. SARV cases and or incidences are serious crimes that fall under the Criminal Code. The existing mechanism that investigates Criminal Code offences are the RPNGC's Criminal Investigations Divisions Units which are located in all Provincial Police Commands

Recommendation 29

RPNGC and DJAG officers responsible for SARV cases should be given training on existing laws available to prosecute glassman/glasmeri as accessories in SARV Cases and be supported by their senior managers to ensure they are applying the law properly.

There are currently no laws that prosecute persons known as glassman/glassmeri. Any person directly responsible for the commission of a serious crime or aids and or abets others in the commission of a serious crime is prosecuted under the Criminal Code as an accessory to that crime.

3.6. Responses to the specific recommendations from the committee report directed to the RPNGC as from recommendations 51 – 54 & 56

Recommendation 51

The staff of the RPNGC FSVUs must be included in the official RPNGC establishment with clear command and reporting structures.

The RPNGC undertook an Organisational Review and Restructure exercise in 2020. The purpose of this review was to capture all services, including the FSVU, being provided by the RPNGC that are not captured in the current establishment. This revised structure is known as the Clarified Structure. The SCMC has approved this Clarified Structure for implementation. The RPNGC, in partnership with the Department of Personnel, envisage bringing this online in 2022.

The government should provide sufficient funding to the RPNGC to ensure that sufficient officers are trained on GBV issues to provide timely and proper responses to GBV Survivors across the country. Specific efforts must be made to ensure that proper police services are available to GBV Survivors outside PNG major towns.

RPNGC has established 46 Family Sexual Violence Units across the country. It should be noted that the establishment of these FSVU offices and desks has been through support provided by DFAT's JSS4D program.

Whilst the RPNGC in the 2022 Budget was not given a specific training budget for FSVU, there is an increase in the overall training budget for the RPNGC, and this can be apportioned, if necessary, for continued training. It should be noted that the RPNGC goods and services budget submission for FSVU, which would have

improved the availability of proper police services to respond to GBV, was reduced.

Recommendation 52

The RPNGC must ensure proper training on GBV response and investigation processes for all new police candidates (recruits) and refresher training for officers at all levels to ensure they understand their duties under the Criminal Code (CCA), Family Protection Act (FPA), Lukautim Pikinini Act (LPA) and the Evidence Act.

The Family Sexual Violence and Gender Training curriculum has been developed to properly train all police personnel (recruits and serving members) on GBV response and investigations.

A number of trainings have already been conducted to the Police personnel.

Recommendation 53

The RPNGC must implement a zero-tolerance policy towards GBV amongst its own ranks. To this end, the RPNGC must ensure that there is a process for complaints to be made against police officers alleged to have perpetrated GBV offences, that such a process operates independently and effectively to investigate such allegations and that proper punishment is imposed where complaints are upheld (including termination and charges being laid).

The establishment of the Policing the Police Task Force has recently been moved under the supervision and management of the Internal Affairs Directorate. The unit is responsible for investigating all manner of offences committed by members of the RPNGC and then criminally charging them and dealing with them under the administrative disciplinary process of the RPNGC. Commissioner Manning has also issued a policy directive of a 'one strike policy' against all members of the RPNGC who perpetrate GBV offences.

Recommendation 54

RPNGC officers must implement the existing 'no-drop policy' for GBV complaints consistently and properly. They must also reject community or family efforts to coerce them or the complainants they have a duty to support to accept reconciliation or compensation.

There is currently no 'no-drop policy' within the RPNGC (nor the Sector) for GBV complaints. The closest thing we have to a 'no-drop policy' is Commissioner circular instruction 5/2007.

Recommendation 56

The RPNGC and DPP should develop independent complaints mechanisms to enable members of the public to make complaints regarding inadequate and/or slow investigations or prosecutions. Any such process should include transparency

requirements, including regular reporting on complaints received and how they have been handled.

Refer recommendation 54. The Ombudsmen Commission also provides an oversight function to ensure impartiality, transparency, and due diligence in investigations.

4. Conclusion

The RPNGC has come a long way over the past 10 years in improving its response to FSV and GBV, and the RPNGC acknowledges that there is still much to be done. What is vitally important to further progress the RPNGC's FSV and GBV services is acknowledgement of the FSVU Directorate Five-Year Development and a commitment to fund the plan by the government.

For your attention.



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Commissioner of Police