



**NATIONAL PARLIAMENT OF PAPUA NEW GUINEA**

**REPORT TO PARLIAMENT:  
PART 2 - FINAL**

**Special Parliamentary Committee on Gender-Based Violence**

**19 April 2022**

This page has been left deliberately blank

## Table of Contents

<b>ABBREVIATIONS .....</b>	<b>5</b>
<b>EXECUTIVE SUMMARY .....</b>	<b>7</b>
RECOMMENDATIONS FOR IMMEDIATE ACTION BY PARLIAMENT AND GOVERNMENT.....	8
SUMMARY OF COMMITTEE RECOMMENDATIONS.....	10
<b>1. INTRODUCTION .....</b>	<b>20</b>
<b>2. LEADERSHIP TO END GBV.....</b>	<b>20</b>
3.1. PARLIAMENTARY LEADERSHIP .....	20
3.2. NATIONAL EXECUTIVE COUNCIL LEADERSHIP .....	21
3.3. MEMBERS OF PARLIAMENT .....	21
3.4. PROVINCIAL AND LOCAL LEADERS .....	21
<b>3. COORDINATION TO ADDRESS GBV .....</b>	<b>22</b>
4.1. COORDINATION ACROSS NATIONAL AND PROVINCIAL BODIES .....	22
4.2. COORDINATION OF GBV EFFORTS WITH GESI COMMITMENTS .....	24
4.3. COORDINATION WITH CIVIL SOCIETY ORGANISATIONS .....	26
4.4. COORDINATION WITH DEVELOPMENT PARTNERS .....	27
4.5. COORDINATION OF SERVICES FOR WOMEN AND CHILDREN.....	27
4.6. COORDINATION OF SERVICES FOR PEOPLE WITH DISABILITIES (PWDs) .....	27
<b>4. FUNDING FOR GBV .....</b>	<b>27</b>
<b>5. GBV RESEARCH AND DATA.....</b>	<b>29</b>
6.1. GBV DATA MANAGEMENT .....	29
6.2. GBV RESEARCH.....	29
<b>6. GBV PREVENTION AND EDUCATION APPROACHES .....</b>	<b>29</b>
7.1. FUNDING CIVIL SOCIETY TO UNDERTAKE GBV EDUCATION AND AWARENESS-RAISING .....	29
7.2. SCHOOLS-BASED EDUCATION.....	30
7.3. PREVENTION PROGRAMS TARGETED AT MEN AND BOYS .....	30
<b>7. SORCERY ACCUSATION RELATED VIOLENCE (SARV).....</b>	<b>30</b>
<b>8. GBV LAW REFORM.....</b>	<b>33</b>
<b>9. GBV CRISIS RESPONSE SERVICES FOR SURVIVORS.....</b>	<b>34</b>
10.1. COUNSELLING .....	34
10.2. SAFE HOUSES.....	35
10.3. ECONOMIC SUPPORT.....	35
<b>10. HEALTH RESPONSES TO GBV .....</b>	<b>36</b>
11.1. HEALTH SECTOR FUNDING.....	36
11.2. HEALTH SECTOR FEES .....	36
11.3. ACCESS TO HEALTH CARE BY SPECIFIC GROUPS.....	36
11.4. REPRODUCTIVE HEALTH RIGHTS AND FAMILY PLANNING .....	36
<b>11. GBV AND ACCESS TO JUSTICE.....</b>	<b>37</b>
12.1. PROTECTION ORDERS (POs).....	37

12.2. WITNESS PROTECTION.....	38
12.3. POLICE RESPONSES .....	38
12.4. PROSECUTION OF GBV.....	41
12.5. COURT RESPONSES .....	42
12.5.a. Village Courts.....	43
12.5.b. District and Family Courts.....	45
12.5.c. National Courts.....	46
12.6. CASE MANAGEMENT.....	46
12.7. COORDINATION ACROSS THE JUSTICE SYSTEM .....	46
12.8. CAPACITY DEVELOPMENT ACROSS THE JUSTICE SYSTEM .....	47
<b>12. GBV SERVICES FOR PERPETRATORS.....</b>	<b>47</b>
<b>13. RESERVED SEATS FOR WOMEN .....</b>	<b>49</b>

**ANNEX 1: COMMITTEE TERMS OF REFERENCE .....**ERROR! BOOKMARK NOT DEFINED.

**ANNEX 2: SCHEDULE FOR MARCH 2022 COMMITTEE PUBLIC HEARINGS ....** ERROR! BOOKMARK NOT DEFINED.

**ANNEX 3: LETTER FROM DPM REGARDING NGBVS CEO, DATED 10 MARCH 2022**ERROR! BOOKMARK NOT DEFINED.

**ANNEX 4: LETTER FROM DFCDR TO SRC RE NGBVS CEO, DATED 17 MARCH 2022**ERROR! BOOKMARK NOT DEFINED.

**ANNEX 5: LETTER FROM COMMITTEE CHAIR TO SRC, DATED 12 MARCH 2022 ...**ERROR! BOOKMARK NOT DEFINED.

**ANNEX 6: DPM WRITTEN SUBMISSION TO THE COMMITTEE .....**ERROR! BOOKMARK NOT DEFINED.

**ANNEX 7: DGAJ WRITTEN SUBMISSION TO THE COMMITTEE.....**ERROR! BOOKMARK NOT DEFINED.

**ANNEX 8: RPNGC WRITTEN SUBMISSION TO THE COMMITTEE ....**ERROR! BOOKMARK NOT DEFINED.

**ANNEX 9: CHILD FUND SUBMISSION TO THE COMMITTEE .....**ERROR! BOOKMARK NOT DEFINED.

**ANNEX 10: RPNGC COMMISSIONER CIRCULAR 5 / 2007 .....**ERROR! BOOKMARK NOT DEFINED.

**ANNEX 11: SUBMISSION BY THE OFFICE OF THE PUBLIC PROSECUTOR.....** ERROR! BOOKMARK NOT DEFINED.

**ANNEX 12: VILLAGE COURTS SECRETARIAT SUBMISSION TO THE COMMITTEE...ERROR!** BOOKMARK NOT DEFINED.

**ANNEX 13: JUVENILE JUSTICE UNIT, DJAG SUBMISSION TO THE COMMITTEE.....**ERROR! BOOKMARK NOT DEFINED.

## Abbreviations

ANU	Australian National University
AROB	Autonomous Region of Bougainville
CBO	Community-based organisation
CCA	<i>Criminal Code Act</i>
CEDAW	Convention on the Elimination of all forms of Discrimination Against Women
CLRC	Constitutional Law Reform Commission
CPO	Child Protection Officers
CRC	Convention on the Rights of the Child
CSO	Civil society organisation
DfCDR	Department for Community Development and Religion
DHS	Demographic and Health Survey
DJAG	Department for Justice and the Attorney General
DPM	Department of Personnel Management
DPMNEC	Department of Prime Minister and National Executive Council
DPP	Director of Public Prosecutions
DSIP	Direct Services Improvement Program
DW	Divine Word University
FBO	Faith-based organisation
FPA	<i>Family Protection Act 2013</i>
FPO	Family Protection Order
FSC	Family Support Centre (Ministry of Health and HIV/AIDS)
FSV	Family and Sexual Violence
FSVAC	Family and Sexual Violence Action Committee
FSVU	Family and Sexual Violence Unit (RPNGC)
GBV	Gender-based violence
GESI	Gender Equality and Social Inclusion
GoPNG	Government of Papua New Guinea
ICCDS	Integrated Criminal Case Systems Database
IPO	Interim Protection Order
IPPCC	Independent Political Parties and Candidates Commission
IPV	Intimate partner violence
JJA	<i>Juvenile Justice Act</i>
LPA	<i>Lukautim Pikini Act</i>
M&E	Monitoring and evaluation
MAN	Male Advocacy Network
MOH	Ministry of Health
MOJ	Ministry of Justice
MP	Member/s of Parliament
MSF	Médecins San Frontières
NAP	National Action Plan
NCD	National Capital District
NDOE	National Department of Education
NDOH	National Department of Health

NEC	National Executive Council
NGE	National General Election
NGBVS	National Gender-Based Violence Secretariat
NGOs	Non-government organisation
NOCFS	National Office of Child and Family Services
NPS	National Public Service
NRI	PNG National Research Institute
OLIPPAC	Organic Law on Independent Political Parties and Candidates
OPP	Office of Public Prosecution
PGBVS	Provincial Gender-based Violence Secretariat
PHA	Provincial Health Authorities
PO	Protection Order
PSIP	Provincial Services Improvement Program
PWD	People with Disabilities
RPNGC	Royal PNG Constabulary
SARV	Sorcery Accusation Related Violence
SGBV	Sexual and Gender-based Violence
SLOSH	Social, Law and Order (Department) Heads
SOP	Standard Operating Procedure
SOS	Sexual Offences Squad, RPNGC
SRC	Salaries and Remuneration Commission
TOR	Terms of Reference
TSM	Temporary special measure
UNFPA	United Nations Population Fund
UPNG	University of Papua New Guinea
VCA	<i>Village Courts Act</i>
VCO	Village Court Official
WHO	World Health Organisation

## Executive Summary

---

Gender-based violence (GBV) is a scourge on PNG society. PNG's Demographic and Health Survey (DHS) 2016-2018 found that 56 per cent of women aged 15-49 have experienced physical violence, and 28 per cent have experienced sexual violence. Eighteen per cent of women experienced violence during pregnancy. Sixty-three per cent of married women between the ages of 15 and 49 have experienced spousal physical, sexual, or emotional violence at some point in their life. Data from the National Health Information System Data Base states that from 2018-2020,<sup>1</sup> medical care was provided to a total of 18,759 sexual violence cases.

The impact of GBV disproportionately affects women and children. The costs of violence are not only seen at a household and community level, but also impacts the economy. A study from 2015 carried out with a number of PNG firms found that the impact of family and sexual violence resulted in the loss of 11 days on average for every staff member every year, with a cost to those businesses of between two and nine per cent of their payroll.<sup>2</sup> In the last two years, COVID19 has exacerbated GBV.<sup>3</sup>

In 2020, Members of Parliament (MPs), recognising the critical challenges that GBV poses to Papua New Guinea's development, decided to form a Coalition of Parliamentarians to End GBV. The Coalition is a voluntary grouping of 20 MPs, including both Governors and Open Seat members. One of the concrete outcomes of the Coalition's early advocacy to end GBV 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. The Terms of Reference (TOR) for the Committee is attached at Annex 1.

In 2021, the Members of the Committee decided to use our powers to take concrete action to push for institutional change across the country to address GBV wherever and whenever it occurs. We are very proud of what we have achieved in only one year of work. On 28 April 2021, we launched an inquiry into GBV which ran for two months and involved oral testimony and written submissions from people across the country. From 24-25 May 2021, we held the first ever parliamentary hearings dedicated solely to GBV. We heard from a GBV survivor, civil society representatives and government officials and what we heard was deeply concerning. Government systems simply are not properly funded or staffed to respond to the GBV epidemic which grows every year.

Drawing on the oral testimony and written submissions made to our Committee, on 12 August 2021 we tabled a landmark report on GBV in the National Parliament, the first time such a Report had ever been produced and debated in our highest representative body. The Report contained 71 concrete recommendations for action, which we believe would help reduce GBV in our country if implemented. We thank the many MPs who spoke up then in support of our recommendations and the Ministers and Members who have used their powers since then to take action.

Since our first Report was tabled last August, we are very pleased that the Government actioned one of our priority recommendations by allocating 7.93 million Kina to the Department for Community Development and Religion to finally progress the implementation of the National GBV Strategy (2016-

---

<sup>1</sup> This data comes from the [Submission from the National Department of Health](#), 30 June 2021.

<sup>2</sup> IFC: World Bank (2015) [Case Study: Addressing Gender-Based Violence With Companies in Papua New Guinea](#); Emily Darko, William Smith and David Walker (2015) [Gender violence in Papua New Guinea: The cost to business](#), Overseas Development Institute: London.

<sup>3</sup> UN Women and United Nations Secretariat (2020) *UN Secretary-General's policy brief: The impact of COVID-19 on women*, UN: New York: <https://www.unwomen.org/-/media/headquarters/attachments/sections/library/publications/2020/policy-brief-the-impact-of-covid-19-on-women-en.pdf?la=en&vs=1406>.

25) which has been languishing since its launch more than half a decade ago. We thank the Prime Minister and the Treasurer for taking that decision, but we also encourage the Ministry of Finance to ensure that it releases those funds to DFCDR this year, as it is imperative that GBV prevention and crisis response services are better funded across the country.

We are also very proud that as a result of that Report, law reform has progressed to address sorcery accusation related violence (SARV), with the enactment of amendments to the Criminal Code Act on 24 February 2022 which criminalise the work of *glasman/glasmeri* and their accomplices. This was a direct result of the advocacy of our Committee, and the drive of our Deputy Chair Governor Allan Bird in partnership with the team at the PNG Tribal Foundation who continue to work tirelessly to support the victims of SARV who still suffer so needlessly.

We are pleased we have made some progress but it is very clear that much more needs to be done. In November 2021, we sought to organise a second round of public hearings but these were postponed due to the extended budget sitting. We thank the public servants who prepared for those hearings, including the many provincial officials who provided written statements to the Committee. These can be read on our Committee webpage at <https://www.unitedforequalitypng.com/dec-2021-gbv-inquiry> and we understand that they have also been used by DFCDR to produce provincial GBV pages on the new National GBV Secretariat website at <https://www.ngbvs.gov.pg>.

We were determined to maintain the national focus on ending GBV before the end of the term of our Committee, which will conclude when the National Parliament is prorogued in April 2022. Accordingly, we held a second round of public hearings from 3-4 March 2022, which focused only on government officials. We thank the officials who testified in front of us and note in particular the improved preparations of officials, most of whom came with written briefings, data and direct responses to the recommendations made in our August 2021 Report.

This Report now captures the most recent testimony we heard and updates the recommendations in our August 2021 report, as necessary. We highly recommend that the two reports be ready together. Our first Report contained considerable data and explanatory information, to underpin our recommendations, but we have not repeated that information again in this Report. We have provided updated information where it has been provided by officials and have modified our recommendations to take account of the current situation. We have also added some new recommendations and noted where recommendations have been actioned. As with our August 2021 report, we have tried to be as specific as possible in developing recommendations, to ensure that officials know clearly what the Committee expects of them.

The Committee recognises that this Report contains a large number of recommendations but notes that submissions received at the public hearings and in writing reinforce the reality that addressing GBV is a complex undertaking, requiring a multi-partner, multi-sectoral response. The Committee's recommendations are therefore directed at a range of different actors, who must all be resourced and capacitated to do their jobs properly.

### **Recommendations for Immediate Action by Parliament and Government**

As noted in our August 2021 report, the Committee's recommendations cover a very wide range of issues; all these issues must be addressed by the Government if there is to be any real change. That said, in this Executive Summary the Committee wishes to highlight some of those most critical issues in the Report to draw the attention of the Government to addressing these *immediate* priorities:

- **Permanent GBV Committee:** We have called on multiple occasions for the Committee to be made permanent. Once this final report is submitted to Parliament, this Special Parliamentary Committee will cease to function. However, the Committee has already received considerable



positive feedback from numerous stakeholders who appreciated the ability of this Committee to hold government officials to account for the national GBV. Further, government officials themselves have expressed their gratitude for our advocacy, which has drawn attention to their own under-resourcing, which undermines their genuine desire to do better and help more GBV survivors. We call on all MPs to support the motion which will be proposed in the final April 2022 sitting to make the Committee a permanent parliamentary committee, with a broad TOR to ensure oversight of the GBV response across the country (*Recommendation 1*).

- **National GBV Secretariat:** The National Gender-Based Violence Secretariat (NGBVS) should be immediately staffed and resourced by the Government. During the March 2022 hearings there was some confusion regarding why the 11 positions proposed by DFCDR for the NGBVS had not yet been approved. The Department of Personnel Management (DPM) has subsequently written to the Committee to advise that they wish to proceed with grading the NGBVS CEO position at a Deputy Secretary level (Grade 20), which does not accord with our own recommendation for the CEO position to be graded at Public Service Level 4, at the same level as the head of the National Office of Child and Family Services. We call on the Salaries and Remuneration Committee to immediately approve the position of CEO of the NGBVS in accordance with the submission made by DFCDR (see Annex 4), and we call on the Department of Personnel Management to immediately approve and recruit the remaining 10 staff positions within the NGBVS at the levels proposed by DFCDR. We also call on the Ministry of Finance to release the entire 7.93 million Kina budget allocated to the NGBVS in 2022 to enable the NGBVS to start rolling out the National GBV Strategy (*Recommendations 6 and 16A*). Consideration should also be given to establishing the NGBVS as an independent statutory body under its own law (*Recommendation 7*).
- **Provincial GBV action:** Since the Organic Law on Provincial and Local Level Government was passed in 1995, the Government has been pursuing decentralisation of services across the country, but Provincial Governments continue to have very variable capacities to address GBV. Every Provincial Administration, the NCD and AROB Governments must ensure that there is a Provincial GBV Secretariat in place with 1-2 staff, supported by a Provincial GBV Action Committee to coordinate work across sectors, which are funded through a Provincial GBV budget which is aligned with a clear Provincial GBV Strategy and Work Plan. (*Recommendations 3, 8, 9 and 18*)
- **Access to justice:** While the RPNGC reported some progress in moving to put Family and Sexual Violence Units onto the RPNGC establishment, nonetheless, it remains clear that every part of the justice process remains under-funded and under-staffed in relation to addressing GBV. Law enforcement in relation to GBV needs to be addressed through proper funding, staffing and training, in particular, through better police responses and investigation of GBV cases (*Recommendations 51-54*), more effective and timely prosecutions of alleged GBV perpetrators (*Recommendations 55-56*), and survivor-centred court processes (*Recommendations 57-64*). The Committee was interested in a proposal to establish a Family Court stream and has recommended that a proper concept and proposal be developed in advance of their next hearings (*Recommendation 63*).

## Summary of Committee Recommendations

### *Leadership to End GBV*

**Recommendation 1:** Parliament should establish this Committee as a permanent parliamentary committee, with a broad TOR to ensure oversight of the GBV response across the country.

**Recommendation 2:** The NEC should add “Implementation of National GBV Strategy – Progress Report” as a standing agenda item on the NEC Agenda, with the Minister responsible for the NGBVS having responsibility for reporting back to the NEC at each meeting.

**Recommendation 3A:** Training should be provided to MPs immediately after the 2022 National General Election on addressing GBV, including training on the National GBV Strategy, budgeting for GBV and other critical issues.

**Recommendation 3:** Every Governor and every Open Member of Parliament (MP) is encouraged to allocate funds from the Provincial Services Improvement Program (PSIP) and Direct Services Improvement Program (DSIP) respectively to support GBV prevention and crisis response in their home communities, in line with their relevant provincial GBV strategy and in support of provincial GBV structures. Where these do not yet exist, Governors and MPs are encouraged to work with the NGBVS and other partners to establish such frameworks.

**Recommendation 4:** Every MP is encouraged to work at their local level to build and support coalitions of government and non-government stakeholders who can work together to more effectively prevent and respond to GBV.

**Recommendation 5:** Government and non-government leaders across the country must make clear statements against GBV and should work with their communities to educate them to improve their behaviours towards each other and to provide support to GBV survivors.

### *Coordination to Address GBV*

**Recommendation 6:** The Government must urgently (1) ensure the SRC approves the NGBVS CEO position at an appropriate level to ensure a qualified leader can be recruited; (2) task DPM with recruiting the remaining 10 NGBVS staff, who must have sufficient GBV qualifications to ensure they can effectively drive the implementation of the National GBV Strategy with government and non-government partners.

**Recommendation 7:** The Government is encouraged to develop a specific National GBV Secretariat Act which would give the NGBVS its independence, a clear mandate, guarantee a minimum staff and budget for its work and require direct reporting to a Minister.

**Recommendation 8:** In line with the requirements of the National GBV Strategy, all Provincial Governments should establish their GBV Provincial Coordination Secretariats and provide them with at least one full-time staff member and annual funding to coordinate, drive and monitor provincial GBV activities.

**Recommendation 9:** Provincial Governments are encouraged to develop Provincial GBV Strategies through inclusive and participatory processes. These Strategies should be integrated into provincial planning processes, funded through provincial budgets, and related staff should be added to provincial establishments.

**Recommendation 10:** The Public Service Commission and the Department for Personnel Management (DPM) are encouraged to produce a specific proposal for consideration by the Government and this Committee, including a budget if required, to address the very low levels of women applying for and being recruited into senior leadership levels across the public service.

**Recommendation 10A:** The Department for Personnel Management must take a more proactive approach to ensuring that all government departments, state-owned enterprises, and provincial and Local Level Government administrations develop and implement workplace GBV policies as required by the National GESI Policy and/or the Public Service General Orders, including by including GESI indicators and zero-tolerance of GBV in all Corporate Plans, Annual Management Plans, Staff Performance Appraisals, Occupational Health and Safety plans and public service employment contracts. DPM should work with DFCDR to ensure zero-tolerance of violence within the public service, but it is clear that DPM should lead efforts within the public service as the main agency responsible for driving policy implementation across the PNG public service.

**Recommendation 10B:** DPM should undertake a public awareness campaign, including developing written and multi-media materials, to make clear when the GESI Helpline can be used and how complaints will be processed, including how GBV complaints will be handled to ensure confidentiality and support for GBV survivors.

**Recommendation 10C:** DPM should use its powers to require that the current Job Descriptions of all GESI positions within the public service are amended to include GBV case management as part of the job requirements of the post, and to then provide training to all GESI officers to facilitate this extension of their role.

**Recommendation 11:** A National GBV Advisory Committee was established, in accordance with this recommendation.

**Recommendation 12:** The Committee will continue to use its inquiry powers to examine how donor funding has supported GBV activities and will use subsequent public hearings and reporting to provide more detailed analysis.

**Recommendation 13:** The National Office of Child and Family Services (NOCFS) and NGBVS must coordinate more effectively to ensure that GBV prevention and response activities are joined up, while still respecting and protecting the specific rights of mothers and children suffering from violence. NOCFS should coordinate with the NGBVS, the Department for Education and the DJAG Juvenile Justice Unit.

**Recommendation 14:** The NOCFS must appoint, gazette and resource sufficient Child Protection Officers to be deployed across the country to properly address violence against children.

**Recommendation 15:** Women with disabilities have largely been invisible in GBV policy and planning. The Department for Community Development and Religion (DFCDR)/NGBVS should ensure that women with disabilities are represented on all GBV policy-making and working committees and that current GBV policies and strategies are updated to be more inclusive of people with disabilities.

### ***Funding for GBV***

**Recommendation 16A:** The Government must ensure that the 7.93 million Kina allocated in the 2022 National Budget to the NGBVS to address GBV is released in a timely fashion, and the next budget allocation commits the same minimum amount to GBV, in addition to providing funding through the Public Investment Programme to address infrastructure requirements, such as safe houses.

**Recommendation 16:** The Government must allocate substantially more funding to support GBV efforts across multiple sectors (cross-reference recommendations below for specific sectoral funding recommendations). At a minimum, it is clear that the annual national budget should allocate at least Kina 20 million per year across key sectors and agencies (i.e., NGBVS, Royal PNG Constabulary (RPNGC), Ministry of Health (MOH), Department for Justice and the Attorney General (DJAG), courts) to ensure sufficient funding to meet current needs.

**Recommendation 17:** The Government should use the 2022 National Budget funding to provide grants to CSOs to implement GBV crisis response and prevention activities. The effectiveness of this grant approach should be monitored and evaluated, with lessons learned fed back into the budget and grant process.

**Recommendation 18:** The Government should amend the PSIP and DSIP regulations and guidelines to require that a minimum budget allocation is directed towards GBV prevention and response initiatives, such as support for GBV coordination, local safe houses and counselling services.

### ***GBV Research and Data***

**Recommendation 19:** Recognising that the NGBVS has the official responsibility for coordinating data collection, under the National GBV Strategy, the Committee urges DfCDR/NGBVS to immediately convene key partners – in particular from DJAG, the RPNGC, NOCFS, National Department of Health (NDOH), Magisterial Services and provincial representatives – to discuss and agree a practical strategy for developing and rolling out an integrated GBV data collection and management system.

**Recommendation 20:** Even in the absence of an integrated GBV data collection and management system, each of the key agencies responsible for addressing GBV – namely, NDOH, RPNGC, Magisterial Services – should publish a quarterly report, including data, of the number of GBV cases to which they have responded and the current case status. The NGBVS and each Province (through their Provincial Gender-based Violence Secretariat or other unit) should also produce a quarterly report on their GBV response.

**Recommendation 21:** The Government should provide specific funding to the NGBVS to support research on key topics relevant to GBV, such as bride price, polygamy, alcohol and drug abuse and the specific needs of GBV survivors with disabilities.

### ***GBV Prevention and Education Approaches***

**Recommendation 22:** Significantly more Government funding should be provided to support NGOs, the churches, and CBOs to undertake GBV prevention activities through values-based education and awareness raising, including through activities that specifically promote behaviour change (such as sports-based activities). The work of the private sector to support GBV prevention should also be acknowledged and built upon. The NGBVS is encouraged to produce a specific proposal for consideration by the Government, Treasury, and this Committee, including a budget, on how to roll out and manage civil society small grant funding for this work.

**Recommendation 23:** The National Department of Education (NDOE) should review all PNG school curriculum from kindergarten to Grade 12 to assess how key human rights values including gender equality and *'respectful relationships'* concepts can be integrated into the curriculum. The NDOE is encouraged to produce a specific proposal for consideration by the Government, Treasury, and this Committee, including a budget, on how to roll out such a curriculum.

**Recommendation 24:** The NGBVS is encouraged to convene organisations working on male advocacy and/or male GBV perpetrator programmes to identify good practice and lessons learned. This knowledge can be used to inform the development of new programmes and/or the scaling up of existing programmes to work with men and boys to prevent GBV.

### ***Sorcery Accusation Related Violence (SARV)***

**Recommendation 25:** DJAG and DfCDR should work with other relevant stakeholders to review and update the SARV NAP and should submit a budget proposal in 2023 to fund implementation of the updated SARV NAP, including by funding local human rights defenders, NGOs and churches to carry out community awareness and to rollout training for provincial government officials, health providers, village courts magistrates and police related to SARV.

**Recommendation 26:** Noting the allocation made to address SARV in the 2022 National Budget, DfCDR should work with DJAG to implement small grant funding to support CSOs and CBOs to design and rollout locally contextualised activities which aim to educate and support communities to address SARV in locally appropriate ways. Any such grant funding should be supported by a proper M&E framework to ensure lessons are captured and shared.

**Recommendation 27:** DfCDR should explore options for establishing an emergency fund to support SARV survivors to escape violence and support the safe and long-term reintegration of victim/survivors of accusations back into their communities. This work could connect back into similar efforts being developed in support of GBV survivors under the National GBV Strategy.

**Recommendation 28A:** The RPNGC should review their existing SARV response mechanisms and develop a specific proposal or strategy to specifically address SARV, including clarifying the specific personnel that will be dedicated to SARV investigations, any internal procedural changes to strengthen the response and any budget requirements.

**Recommendation 28:** Key government agencies – namely the MOH and RPNGC – should develop SOPs and related guidance manuals on how to deal with SARV cases as a matter of urgent priority.

**Recommendation 29:** This recommendation was actioned in the February 2022 session of Parliament, when Parliament enacted an amendment to the Criminal Code Act which criminalised the actions of *glasman/glasmeri*.

**Recommendation 30:** RPNGC officers should be given training on the new Criminal Code Act amendments which now make it simpler to prosecute *glasman/glasmeri* as accessories in SARV cases. Senior officers must encourage their officers to apply the law properly.

### ***GBV Law Reform***

**Recommendation 31:** DJAG is encouraged to produce SOPs/guidance notes to assist government and non-government service providers to apply relevant GBV laws, including the revised Family Protection Act, consistently and properly.

**Recommendation 32:** As part of the review of the Child Protection Policy and the Lukautim Pikinini Act, which is scheduled to be undertaken in 2022, consideration should be given to law reforms to ensure the alignment of the LPA, CCA and FPA.

**Recommendation 33:** DJAG should review the Criminal Code Act defence of provocation to align it with current concepts related to the defence of '*battered wife syndrome*'.

**Recommendation 34:** 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 *Convention on the Elimination of all forms of Discrimination Against Women* (CEDAW).

**Recommendation 35:** The Committee will continue to use its inquiry powers to examine whether and how to address issues related to GBV and: (i) the criminalisation of sex between men; (ii) the impact of the Adultery and Enticement Act 1988; and (iii) polygamy, in particular the introduction of criminal sanctions; and (iv) the illegal use of bush knives, including through law reform if necessary.

### ***GBV Crisis Response Services for Survivors***

**Recommendation 36:** More Government funding should be provided to establish and support GBV counselling services for women, men and children across the country, whether in person or through telephone/online approaches. To ensure efficiencies, the NGBVS is encouraged to convene existing providers of GBV counselling services, both in-person and online, to assess the current service offering, identify good practice and lessons learned, and develop an Action Plan and budget for addressing the current gap in counselling. The Action Plan should include recommendations to address the current lack of accredited and/or trained counsellors within PNG.

**Recommendation 37:** Significantly more Government funding should be provided to establish secure, accessible, properly designed and equipped safe houses across the country. At a minimum, every province should have at least one safe house, but many more facilities are needed to shelter GBV survivors across the country. Existing safe house providers should be brought together to assess the current service offering across the country, identify good practice and lessons learned, and develop an Action Plan and budget for addressing the current gap. Safe house SOPs and minimum benchmarks should also be endorsed and rolled out to ensure that adult and child GBV survivors are provided with adequate and safe shelter.

**Recommendation 38:** The NGBVS should work with other government and non-government partners to:

- (1) identify good practice examples of women's economic empowerment activities from across the country; and
- (2) explore options for developing government programmes and/or supporting non-government activities which support women's economic development, including specific support for GBV survivors.

### ***Health Responses to GBV***

**Recommendation 39:** The Government should provide sufficient funding to the NDOH to ensure that trained health providers are available to GBV survivors across the country to provide timely and quality care, including through properly resourced and staffed Family Support Centre (Ministry of Health and HIV/AIDS) (FSC) in all provincial hospitals and the integration of Sexual and Gender-based Violence (SGBV) services in lower-level facilities.

**Recommendation 40:** NDOH should direct specific funding and/or other assistance towards Provincial Health Authorities (PHA) to support the efforts to decentralise health services and improve accessibility at the district and village level. PHAs need to take ownership over FSCs and to make sure that SGBV response services are accessible down to the local level. PHAs are encouraged to recruit Provincial GBV Health Response Coordinators to coordinate FSC services and GESI integration into the PHA workforce.

**Recommendation 41:** NDOH should use its training and other awareness-raising channels to make clear that no fees are to be charged to GBV survivors in practice, in line with previous NDOH directives. Where part or all clinical services in response to GBV are provided through other clinics/wards, those services should also be provided free of charge.

**Recommendation 42:** NDOH needs to review its policy directives and training strategies to ensure that it is building an inclusive health service, with properly trained officials, capable of catering to the needs and realities of diverse populations, including young people, PWDs and people of diverse sexual orientation and gender identity.

**Recommendation 43:** NDOH should be properly resourced to provide family planning and reproductive health services to all women and girls across the country, free of cost and in safe, non-judgemental spaces which ensure that women and girls feel empowered. Such services should also include education on family planning, which should be tailored to reach both women and men.

**Recommendation 44:** NDOH should prioritise strengthening the health workforce capacity to provide survivor-centred specialised GBV services and adolescent and youth-friendly sexual and reproductive health care. This covers accurate, non-judgemental, non-discriminatory, age-appropriate information and services, including family planning. In support, the NDOH should update and fully implement the Adolescent Health Policy in line with recommendations provided by the CEDAW Committee to the PNG Government.

### ***GBV and Access to Justice***

**Recommendation 45:** RPNGC officers across the country need to be trained on the process for supporting GBV survivors to apply for Interim Protection Orders (IPOs) and Protection Orders (POs).

**Recommendation 46:** Resources need to be allocated for training of Village Court officials and other support activities to ensure that survivors have appropriate access to IPOs within the first 24 hours of making an application.

**Recommendation 47:** 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.

**Recommendation 48:** 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.

**Recommendation 49:** 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.

**Recommendation 50:** 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.

**Recommendation 51:** The RPNGC senior management must work closely with the Department of Personnel Management to prioritise implementation of the “Clarified Structure” approved in 2020

which included the FSVU in the RPNGC establishment to ensure that all FSVU officers are included by no later than the end of 2022.

**Recommendation 51A:** The Committee suggests that when the RPNGC reviews its approach to SARV (in accordance with recommendation 27 above) consideration should also be given to the command structure for the entire GBV response, to ensure that sufficient senior management time is being given to this critical issues.

**Recommendation 51B:** Specific effort must be made to ensure that proper police services are available to GBV survivors outside of PNG's major towns, including by reassessing the number of police personnel dedicated to dealing with GBV cases at provincial level and upskilling other officers to provide proper survivor-centred responses to GBV complainants. RPNGC must also ensure all FSVUs have proper facilities and equipment to do their jobs.

**Recommendation 52:** The RPNGC must rollout continuous training on GBV response and investigation processes, to ensure that police officers at all levels (1) have a personal commitment to ending GBV; (2) know how to undertake a proper investigation; (3) know how to write up proper police documents which are capable of supporting effective prosecutions and (4) can use computers to produce and manage case files. A proper training budget must be provided by Treasury.

**Recommendation 53:** The RPNGC must implement a zero-tolerance policy towards GBV amongst its own ranks. The RPNGC is requested to provide the Committee with data regarding the number of complaints against police received by the Internal Affairs Directorate (and/or through any other means), including the number relating to GBV, and how they were dealt with. Any such briefing should also advise how the complaints process operates in order to ensure independence and impartiality.

**Recommendation 53A:** The RPNGC should develop a multi-media campaign to raise awareness in the community regarding the rights of the public to make complaints against the police, including in relation to allegations of GBV.

**Recommendation 54:** RPNGC officers must be regularly made aware of Circular Instruction 5/2007 which operates as a de facto 'no-drop policy', by calling on police officers to investigate and prosecute to the fullest extent possible. Training on the contents of the Circular and the information in the FSVU SOPs should be properly funded as part of the RPNGC recurrent budget and rolled out as a priority to ensure that all police officers know their duties and reject community or family efforts to encourage GBV survivors to accept reconciliation or compensation.

**Recommendation 55:** The Committee is supportive of the OPP's request for additional funding of approximately 550,000 Kina per year to recruit additional dedicated FASO staff and other support costs, as well as a one off amount of 150,000 Kina to purchase computers for staff and a bus to safely transport witnesses and complainants. Treasury is strongly encouraged to approve this additional funding in the 2023 budget and the Department of Personnel Management is strongly encouraged to approve the additional staffing requested as part of this resourcing proposal.

**Recommendation 56:** The OPP is encouraged to proactively publicise their complaints mechanism. The OPP is also encouraged to use their government webpage to provide data and information regarding case management (including updated information regarding the number and type of cases being handled by the Office and the time taken to progress cases) and complaints handling (including the number of complaints received and how they have been handled).

**Recommendation 57:** DJAG, the Village Courts Secretariat, the Magisterial Service and the National Courts Registrar are encouraged to consider the specific recommendations proposed by the OPP in its



submission to the Committee to develop a specific list of sexual and GBV offences and to allocate resources to implementing survivor oriented reforms in all court rooms/houses.

**Recommendation 58:** 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.

**Recommendation 59:** The Village Courts Secretariat in DJAG should keep the Committee updated on efforts 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 and key GBV laws and good practice, as the Village Courts are the frontline of the justice system in PNG and must role model zero tolerance of violence

**Recommendation 60:** The Village Courts Secretariat should keep the Committee updated on efforts to update existing data collection and case monitoring systems to enable better oversight of their operations, including in relation to GBV and FPO cases, and efforts to implement a system of Village Court audits and spot checks on decision-making to ensure GBV cases are handled properly.

**Recommendation 61:** The Government needs to work with the Magisterial Service to agree a strategy for resourcing District and Family Courts to enable them to properly discharge their mandates and dispense justice to adult and child GBV survivors. At a minimum, the Government must provide funding support to fill existing magistrate vacancies to reduce the current backlog in cases and ensure timely justice for GBV survivors.

**Recommendation 62:** All Magistrates should be required to participate in annual continuing legal education trainings on gender equality, GBV concepts, the Criminal Code, FPA, LPA and related regulations, the Evidence Act (in particular, the provisions related to testimony from survivors), and good practice approaches to ensuring survivor-centred justice approaches.

**Recommendation 63:** The Magisterial Service is encouraged to produce a specific proposal for consideration by the Government, Treasury, and this Committee, including a budget, on how to address weaknesses in the current legal framework, staffing and infrastructure of the District and Family Courts, with a particular focus on providing recommendations aimed at ensuring efficient justice services which are accessible to GBV survivors across the country. Such a proposal could be developed in collaboration with the Village Courts Secretariat to integrate joined-up activities to strengthen the capacities of these courts as well. Any proposal should also consider lessons learned from the Madang “Family Safe Court” pilot currently underway.

**Recommendation 64:** The National Court Registry is encouraged to review the Courts’ internal case management rules and processes to ensure that GBV cases are designed to be survivor-centred, including by ensuring trials are managed in the most timely way possible.

**Recommendation 64A:** The National Courts Registry is encouraged to promptly roll out the new Integrated Criminal Case Systems Database (ICCSDB) to strengthen the ability of justice agencies to more efficiently process criminal cases, including those related to GBV, and to collect and publish data on GBV case processing across the country. They are encouraged to use their rollout budget to strengthen information management infrastructure and skills across key law enforcement agencies, noting that computer skills are generally lacking amongst many officials.

**Recommendation 65:** The NGBVS should work with Government and civil society partner GBV service providers to:

- (1) undertake a systematic review of existing case management approaches to identify good practice and problems and produce action-oriented recommendations;

- (2) GBV service providers should collaborate to develop SOPs, including a Code of Conduct, to guide case management; and
- (3) the NGBVS should support a GBV Services One-Stop-Shop pilot to identify whether and how this concept could be adapted for PNG's context.

**Recommendation 66:** 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.

**Recommendation 67:** 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.

### ***GBV Services for Perpetrators***

**Recommendation 68:** The NGBVS should work with Government partners and CSOs to:

- (1) gather information about good practice activities focused on GBV perpetrators and lessons learned, including the specific approaches to rehabilitation and reintegration;
- (2) use that knowledge to scale up efforts to work with GBV perpetrators.

**Recommendation 68A:** The NEC is encouraged to consider favourably the proposal developed by the DJAG Juvenile Justice Unit which seeks to operationalise the Juvenile Rehabilitation and Reintegration Policy 2021-2031. Although juvenile offenders may not be committing GBV acts currently, many of their crimes involve violence and if appropriate rehabilitation and reintegration programmes are not implemented, there is a high risk of their reoffending and becoming GBV perpetrators in future.

**Recommendation 69:** The Corrective Services Commission is encouraged to produce a specific proposal for consideration by the Government, Treasury and this Committee, including a budget, on how to develop and implement effective rehabilitation programmes for inmates convicted of GBV and/or for all inmates. This could be implemented as a pilot, from which lessons could be learned. Specific activities could be included for specific prisoner groups, such as women, juveniles and PWDs.

### ***Reserved Seats for Women***

**Recommendation 70:** The Committee urges the new Government elected after the June 2022 National General Election to urgently table a draft Bill in the National Parliament to create reserved seats for women. The Committee supports the 2011 proposal to reserve 22 seats for women.

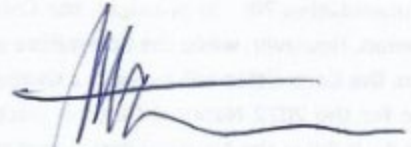
**Recommendation 70A:** The Committee urges the new Government elected after the June 2022 National General Election to urgently table the OLIPPAC reforms proposed by the IPPCC, in particular the reforms to introduce a minimum quota for women, and to explore options for providing a regular contribution to the IPPCC Central Fund every year, which can be used to support women candidates in a non-partisan, fair way.

**Recommendation 71:** The Government must learn from existing programmes being implemented by national stakeholders and development partners to support women to meaningfully and safely participate in politics and decision-making across the country. Recognising the practical barriers still faced by many women who wish to engage in politics and decision-making, the Government must invest resources in legal, policy and programming responses to empower women to be more effectively engaged in these processes.

This Report and its recommendations are endorsed by the Members of this Committee:



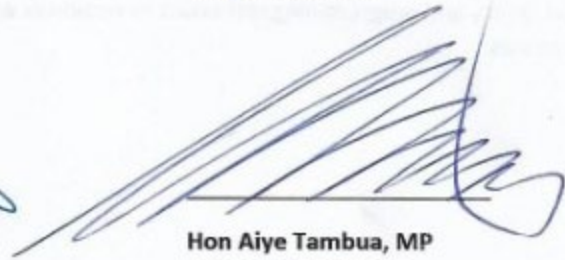
**Hon Charles Abel, MP**  
Member for Alotau  
Committee Charman



**Hon Allan Bird, MP**  
Governor, East Sepik  
Deputy Chairman



**Hon Powes Parkop, MP**  
Governor, National Capital District  
Committee Member



**Hon Aiye Tambua, MP**  
Member for Goroka  
Committee Member



**Hon Michael Dua, MP**  
Governor, Chimbu  
Committee Member



**Hon Allan Marat, MP**  
Member for Rabaul  
Committee Member



**Hon Ginson Saonu, MP**  
Governor, Morobe  
Committee Member

## 1. Introduction

---

1. The Special Parliamentary Committee on Gender-Based Violence was established in 2020 by the National Parliament. The Committee is chaired by Hon Charles Abel and has six other members, Hon Allan Bird (Deputy Chairman), Hon Powes Parkop, Hon Aiye Tambua, Hon Allan Marat, Hon Michael Dua and Hon Ginson Saonu. Hons Abel, Bird, Parkop, Dua and Saonu are also members of the Coalition of Parliamentarians to End GBV. The TOR for the Committee is attached at Annex 1.

2. In furtherance of the Committee's TOR, on 3 May 2021, the Committee launched an inquiry into GBV, following a decision made at a Committee Meeting held on 30 April 2021. Advertisements were placed in national newspapers inviting written submissions to the Committee. The deadline for written submissions was 30 May 2021. Those submissions can be found on the Committee webpage.<sup>4</sup>

3. As part of the inquiry, the Committee held the country's first-ever public hearings on gender-based violence on Monday 24 May and Tuesday 25 May 2021. The focus of the hearings was on trying to better understand the challenges currently impacting the national effort to address GBV, in order to identify concrete recommendations for improvement.

4. This Committee produced an Interim Report which was tabled on 12 August 2021. That Committee Report included 71 concrete recommendations which the Committee called on the Government to consider and action. In November 2021, the Committee attempted to schedule a second round of public hearings to review implementation of the interim report findings. The hearings were postponed when the budget session went longer than expected.

5. From 3-4 March 2022, the Committee held a second round of public hearings. The schedule for the hearings is attached at Annex 2. A number of Government representatives were called before the Committee to provide an update on progress implementing the recommendations in the Committee's August 2021 Report. This Report now provides a final summary of the state of efforts to address GBV across the country. It also includes recommendations for action, both by the current Government and the Government that is in place following the 2022 National General Election (NGE).

6. The Report should be read alongside the August 2021 Report of the Committee, which provided detailed information regarding GBV issues, strategies and programming. Where action has been taken or progress made since the August 2021 was tabled, recommendations have been updated (underlined). Where no action has been taken, the original recommendation has been reconfirmed and/or additional recommendations (underlined) added to address any gaps identified.

## 2. Leadership To End GBV

---

7. A consistent message from stakeholders across the country is the need for strong, sincere commitment by PNG national and local leaders to end GBV. People want to hear from their MPs, but also their provincial, community and church leaders that GBV is unacceptable in PNG, will not be tolerated, and that perpetrators will be held accountable for their actions. In reality, this will require actions at multiple levels.

### 3.1. Parliamentary Leadership

8. This recommendation remains current and should be actioned.

---

<sup>4</sup> <https://www.unitedforequalitypng.com/2021gbvinquiry>.

**Recommendation 1:** *Parliament should establish this Committee as a permanent parliamentary committee, with a broad TOR to ensure oversight of the GBV response across the country.*

### **3.2. National Executive Council Leadership**

9. This recommendation remains current and should be actioned.

**Recommendation 2:** *The NEC should add “Implementation of National GBV Strategy – Progress Report” as a standing agenda item on the NEC Agenda, with the Minister responsible for the NGBVS having responsibility for reporting back to the NEC at each meeting.*

### **3.3. Members of Parliament**

10. The Committee recognises that every single MP can use their status as leaders, as well as their government funds, to proactively drive GBV actions in their home provinces and districts. At the time of writing, there is one session of the 10<sup>th</sup> Parliament remaining, after which Parliament will be prorogued and the National General Elections held. It is anticipated that a large cohort of new MPs will be elected into the 11<sup>th</sup> Parliament. It is imperative that MPs are given proper briefings on the challenge that GBV presents to the national development as an immediate priority. Every MP should be encouraged to take action to address GBV, whether at the district or provincial level. To this end, training should be provided to MPs on the challenges of GBV, the key components of the National GBV Strategy (2016-2025) and the mechanisms at national and sub-national levels that Ministers, Governors and MPs can use to address GBV, including through funding. This training should begin with the Induction Training for MPs held immediately after the election.

**Recommendation 3A:** *Training should be provided to MPs immediately after the 2022 National General Election on addressing GBV, including training on the National GBV Strategy, budgeting for GBV and other critical issues.*

11. This recommendation remains current and should be actioned.

**Recommendation 3:** *Every Governor and every district MP is encouraged to allocate funds from the PSIP and DSIP respectively to support GBV prevention and crisis response in their home communities, in line with their relevant provincial GBV strategy and in support of provincial GBV structures. Where these do not yet exist, Governors and MPs are encouraged to work with the NGBVS and other partners to establish such frameworks.*

12. This recommendation remains current and should be actioned.

**Recommendation 4:** *Every Member of Parliament is encouraged to work at their local level to build and support coalitions of government and non-government stakeholders who can work together to more effectively prevent and respond to GBV.*

### **3.4. Provincial and Local Leaders**

13. This recommendation remains current and should be actioned.

**Recommendation 5:** *Government and non-government leaders across the country must make clear statements against GBV and work with their communities to educate them to improve their behaviours towards each other and to provide support to GBV survivors.*

### 3. Coordination to Address GBV

---

14. Coordination remains one of the most fundamental issues undermining the effective use of PNGs limited human and financial resources to end GBV across the country. Poor coordination remains a critical problem that results in duplication of effort, wasted resources, and poorly designed and implemented activities and services. This must be addressed as an urgent priority.

#### 4.1. Coordination Across National and Provincial Bodies

15. The National GBV Strategy recognises that coordination is critically important. Outcome 1 of the Strategy focus on ensuring that: *“by 2025 the Government of PNG has a functioning GBV governance and institutional structure supporting the achievement of zero tolerance towards GBV...”*. To this end, the Strategy called for the establishment of a NGBVS which would be responsible for coordinating efforts to implement the Strategy across all levels of government and in collaboration with civil society partners and development partners.

16. Since the August 2021 Committee Report, DFCDR has taken some action to properly establish the NGBVS, but progress has been very slow. Terms of Reference (TORs) for 11 staff have been drafted, including for the Chief Executive Officer at a very senior Public Service Level 4. During the March 2022 Committee hearings, there was some debate between DFCDR and the Department of Personnel Management (DPM) regarding approval for the positions. Immediately following the Committee hearings, DFCDR submitted the TORs to DPM for approval. On Friday 4 March, the Secretary for DPM wrote to approve the positions, but with the CEO at a much more junior level. The Committee Chair subsequently wrote a letter to the DPM Secretary to demand that the NGBVS CEO be graded at an appropriately senior level. Subsequently, DPM wrote to the Committee Chair advising that they would only support the CEO position being graded at the Deputy Secretary level (Grade 20), which does not accord with the discussions the Committee had during the March 2022 hearings (see Annex 3).

17. Subsequent advice indicated that the DFCDR Secretary, as the person in charge of recruitments into the NGBVS, would be required to write to the Salaries and Remuneration Commission to request their approval for the CEO position, due to the seniority of the position. The DFCDR Secretary wrote to the SRC in 17 March 2022 to request their approval of the CEO position (see Annex 4). The Committee Chair also wrote to the SRC to provide support for the request (see Annex 5). At the time of writing, there has been no response from the SRC, which is chaired by the Speaker of Parliament, and it is understood that the SRC will not meet again until the new Parliament is elected. This delay is unfortunate as it will substantially slow down the establishment of the NGBVS. It is also not clear whether DPM has progressed the recruitment of the remaining 10 NGBVS programme staff.

18. In the meantime, coordination is being supported through an Interim NGBVS which has only two staff attached to it, within DFCDR. The Interim NGBVS has been receiving technical support from UNDP through the Spotlight Initiative on Ending Violence Against Women and Girls. In an attempt to promote coordination, DFCDR and UNDP developed the first ever national website on GBV – [www.ngbvs.gov.pg](http://www.ngbvs.gov.pg) – which is being used to collect and share information about activities to address GBV being implemented at national and sub-national levels.

**Recommendation 6:** *The Government must urgently (1) ensure the SRC approves the NGBVS CEO position at an appropriate level to ensure a qualified leader can be recruited; (2) task DPM with recruiting the remaining 10 NGBVS staff, who must have sufficient GBV qualifications to ensure they can effectively drive the implementation of the National GBV Strategy with government and non-government partners.*

19. Noting the continued slowness with establishing the NGBVS – at the time of writing, no permanent staff have been recruited since the National GBV Strategy was launched in 2016 – the Committee has indicated its support for moving the NGBVS to sit under the Department of the Prime Minister and NEC to ensure that addressing GBV receives more high-level attention and the NGBVS has sufficiently high-level status within the public service system. As part of any effort to consider the relocation of the NGBVS, the Committee believes that it would also be useful to consider developing a statutory basis for the NGBVS which would establish it as an independent body reporting directly to a Minister. This model would see the NGBVS established under its own Act, as has been done for the National Office of Child and Family Services (NOCFS) and as was done when the National HIV/AIDS Council and Secretariat was established.

***Recommendation 7: The Government is encouraged to develop a specific National GBV Secretariat Act which would give the NGBVS its independence, a clear mandate, guarantee a minimum staff and budget for its work and require direct reporting to a Minister.***

20. The National GBV Strategy envisaged that some form of Provincial GBV Secretariat (PGBVS) or GBV Focal Points would be established in each province, the Autonomous Region of Bougainville and the NCD to coordinate GBV-related activities within each area, including amongst government bodies (working at both provincial levels and in the districts), CSOs and any other relevant stakeholders. At the time the August 2021 report was tabled, only West New Britain, NCD and Milne Bay had a GBV secretariat set up and their own GBV Strategy.

21. Since the Committee Report was tabled in August 2021, DFCDR (with support from UNDP as part of the Spotlight Initiative on Ending Violence Against Women and Girls) has worked very closely with provincial partners to progress efforts to address GBV at the sub-national level. Throughout 2021, DFCDR and UNDP visited 16 out of 22 provinces to assess the key areas of their GBV response, including whether there was political support for funding GBV response and what structures, and services were in place to support the crisis response. With support from DFCDR and UNDP, there are now 13 new government officers appointed as GBV focal points for coordination of provincial GBV response in Eastern Highlands, Simbu, Jiwaka, WHP, Enga, Southern Highlands, Hela, East Sepik, Sandaun Oro, West New Britain, New Ireland and Milne Bay Provinces. There are also now Family Sexual Violence and / or GBV Action Committees in 16 provinces providing oversight and technical advisory support to the provincial GBV coordination office. Of these, there were 7 new GBV Action Committees formed (in Simbu, Jiwaka, Eastern Highlands, Enga, Western Highlands, East Sepik Provinces and in Oro Provinces). The Justice Service and Stability for Development Program (JSS4D) also set up Family and Sexual Violence Action Committees in Hela and Southern Highlands.

***Recommendation 8: In line with the National GBV Strategy, all Provincial Governments should establish their GBV Provincial Coordination Secretariats and provide them with at least one full-time staff member and annual funding to coordinate, drive and monitor provincial GBV activities.***

22. To guide the work of PGBVS, some provinces have also developed specific Provincial GBV Strategies, which are intended to identify specific local GBV prevention and response priorities and approaches, which can then be funded as part of provincial budgets. At the start of 2021, Provincial GBV Strategies were in place in the NCD (2020-22), East New Britain (2015-20, extended to 2021) and West New Britain (2020-25).

23. From 2-4 August, DfCDR and UNDP organised a “Provincial GBV Strategies and Budgets Workshop” with 13 provincial teams which aimed to support those provinces to develop/update their Provincial GBV strategies and develop updated provincial GBV budgets. A Provincial GBV Strategy template was developed for guidance, and the Department of National Planning came to the

workshop to provide guidance on budget development. With support from DFCDR and UNDP, 9 provinces now have almost completed Provincial GBV Strategies (Eastern Highlands, Simbu, Western Highlands, Jiwaka, Enga, Southern Highlands, Hela, Sandaun and East Sepik Provinces). These Provincial GBV Strategies include workplans with budgets. It is imperative that Provincial Administrations provide annual funding for these provincial GBV workplans, not only to support coordination, but to properly fund crisis response services (including health services and safe houses) and prevention activities (including work done through CSOs).

***Recommendation 9: All Provincial Governments are encouraged to develop Provincial GBV Strategies through inclusive and participatory processes. These Strategies should be integrated into provincial planning processes, funded through provincial budgets, and related staff should be added to provincial establishments.***

#### **4.2. Coordination of GBV Efforts with GESI Commitments**

24. During the March 2022 public hearings of the Committee, the Secretary for the Department of Personnel Management, Ms Taies Sansan, and Public Service Commissioner, Mr Apeo Fuata Sione, attended and provides some information to the Committee regarding the current GESI Policy. The Public Service Commissioner stressed that the public service enforces principles of non-discrimination in recruitment and promotion processes. Nonetheless, he told the Committee that the GESI Policy needs to be more strictly implemented to ensure the appointment of more women to leadership positions in Government, including by providing more leadership training to women and conducting more awareness-raising on the GESI policy throughout the public service. He also suggested that more opportunities needed to be created or made available so that more women could be encouraged to participate in decision-making processes in the public sector. He also recommended that there should be a system of rewarding women or incentives put in place to encourage the performance of professional women employed within the public service. The Commission acknowledged that GBV and gender inequality are critical issues that must be addressed, because they do affect and undermine the appointment of women to leadership positions within the public service.

25. The Committee noted that while there are more than 94,000 public servants in PNG, of which 38% are women. In response to a question regarding women in leadership positions, the Public Service Commissioner noted that there are no female Provincial Administrators at all. In 2020 and 2021 there were 8 appointments made as Provincial Administrators, but no women were shortlisted for any of those positions. In 2019, there were 6 appointments made to senior public service positions in national departments; there were 9 women applicants, only 1 woman was then shortlisted and no women were appointed. Concerns were raised by Committee members that it appears that not enough women were even applying for senior positions. In response, Secretary Sansan from DPM told the Committee that in 2021, there were 82 applications received for 9 senior government positions out of which 78 applications were male and only 4 were female (one female applicant for Director of Bougainville Affairs, one for Provincial Administrator (Central) and two for Provincial Administrator (East Sepik)). In January 2022, 72 applications were received for 10 executive positions, and only two were from women applicants (for positions as Provincial Administrator of Western Highlands and West New Britain). In response to the very low numbers of women applying the Committee members asked what was being done to address this. Secretary Sansan noted that Australia was funding some women in public service leadership training programmes through the Pacific Institute of Leadership and Governance but these stopped in 2020 because of COVID19. These are being restarted in 2022.

26. The Secretary of DPM noted that her Department is responsible for overall coordination of the GESI Policy, which was launched in 2013. Departmental and agency heads have the responsibility for taking ownership of the implementation of the GESI Policy within their own offices under s.22A of



the Public Service Act, and this obligation is specified within their own employment contracts. Under section 70B of the Public Service Act there is a specific clause imposing GESI duties. In the Public Service General Orders 4th Edition, Gender Order No.20 specifically deals with gender-based discrimination, GBV and sexual harassment. To date, 46 agencies have created GESI positions within their organisational structures; but 25 agencies have yet to fill the positions that have been created and approved. In terms of sensitisation of the GESI policy, 21 agencies and 428 officers received training on the GESI Policy in 2019; in 2020, 8 agencies and 131 officers received the training before COVID19 impacted on training activities. DPM is currently reviewing the General Orders and will create new Gender Order No.7 which will focus on GESI issues only, including addressing GBV at the workplace. This new order will be included in the Public Service General Orders 5th Edition, which is soon to go to CACC for endorsement.

27. Committee Members asked whether the GESI Policy was working, considering the very low numbers of women still in senior positions; if 40% of the public service are women, then 40% of senior leaders should be women, but instead, women leaders in the public service comprise less than 1%. Secretary Sanan noted that the GESI Policy was reviewed in 2021, but she is yet to receive a copy of the final report. She noted that a survey was undertaken in 2021 that could be used to help inform her response and she would get back to the Committee with more data. This information has not been provided to the Committee at the time of writing this report.

***Recommendation 10: The Public Service Commission and the Department for Personnel Management are encouraged to produce a specific proposal for consideration by the Government and this Committee, including a budget if required, to address the very low levels of women applying for and being recruited into senior leadership levels across the public service.***

28. The PSC and DPM discussed the rollout of the GESI policy with the Committee, but it is apparent that while some structures are now in place – namely, GESI officers in many public service bodies – cultures still have not changed in relation to gender equality and GBV. DPM made clear that they are the lead agency responsible for overall coordination of the GESI Policy. The GESI Policy has 7 key pillars, included “Priority Action Area 3: Gender Based Violence”.

29. It is concerning to the Committee that the written submission made by DPM to the Committee (see Annex 6) stated that it was providing “Clarity to Recommendation 10 - Department of Community Development to take a proactive approach to ensuring that all government agencies develop and implement the Workplace GBV policies as required by the GBV Strategy and not the GESI Policy.” Later on in the submission, DPM also states that “DPM is responsible for the GESI Policy whilst Department of Community Development is responsible for the implementation of the GBV Strategy 2016-2025. Any standard guidelines on addressing GBV should come from Community Development and other stakeholders including DPM can contribute our ideas and experiences to develop the GBV Workplace gender violence plans.”

30. The Committee does not agree that DFCDR is responsible for addressing GBV within the public service, rather than DPM. The Public Service General Orders and the GESI Policy both include specific sections on GBV, including through a new General Order No.7 (which includes specific sections on domestic violence at paragraphs 7.10 to 7.15). It is the responsibility of DPM, as the department with policy oversight for the whole of the PNG public service and the body who monitors agencies’ implementation of key gender frameworks, to make sure that departmental heads implement the General Orders and the GESI Policy properly, including as they both relate to GBV. DFCDR has no jurisdiction over the public service but can provide advice and support to DPM upon request. DPM must work closely with DFCDR to ensure that there is zero-tolerance of GBV within the public service,

but in this regard, it is DPM who must take the lead, including by using its powers to implement public service provide and to provide guidance to departmental heads.

***Recommendation 10A: The Department for Personnel Management must take a more proactive approach to ensuring that all government departments, state-owned enterprises, and provincial and Local Level Government administrations develop and implement workplace GBV policies as required by the National GESI Policy and/or the Public Service General Orders, including by including GESI indicators and zero-tolerance of GBV in all Corporate Plans, Annual Management Plans, Staff Performance Appraisals, Occupational Health and Safety plans and public service employment contracts. DPM should work with DFCDR to ensure zero-tolerance of violence within the public service, but it is clear that DPM should lead efforts within the public service as the main agency responsible for driving policy implementation across the PNG public service.***

31. In the written submission made by DPM to the Committee, DPM responded to questions provided on notice by the Committee asking about how many public servants have been disciplined under the GESI policy or other relevant policies for engaging in GBV:

*We have a GESI Hotline established since 2015 and we keep records of GESI cases that are reported to the Helpdesk. These cases are mainly administrative cases, eg, officers put off the payroll, unfair suspensions, suspensions without notice, and other grievances regarding officers employment, both male and female. In DPM, we had 4 cases registered and two were processed and cases came to a close. Whilst the other 2 cases were withdrawn due to personal reasons. Agencies are supposed to send Annual GESI Reports to DPM and GESI Case management data should be captured in the report for reporting back to the NEC and Parliament.*

32. It is positive that a GESI Helpline is in place, but the Committee is concerned at the apparently very low rates of usage of the helpline. Taking into account the very high rates of GBV across the country, it is likely that similar rates of violence are being perpetrated by public servants. This should not be tolerated by the Government. It appears likely that many public servants are not aware that the GESI Helpline could be used to report GBV and that they may be unclear on how any such complaint would be dealt with, which may be leading to less calls being made. In DPM's own written submission to the Committee, they also noted that complaints handling could be improved if GESI officers within each government body were specifically required to deal with GBV case management as part of their position descriptions.

***Recommendation 10B: DPM should undertake a public awareness campaign, including developing written and multi-media materials, to make clear when the GESI Helpline can be used and how complaints will be processed, including how GBV complaints will be handled to ensure confidentiality and support for GBV survivors.***

***Recommendation 10C: DPM should use its powers to require that the current Job Descriptions of all GESI positions within the public service are amended to include GBV case management as part of the job requirements of the post, and to then provide training to all GESI officers to facilitate this extension of their role.***

#### **4.3. Coordination With Civil Society Organisations**

33. The National GBV Strategy proposed establishing a National GBV Advisory Committee, which would include CSO representatives and would be used to provide strategic advice to the NGBVS on implementation of the National GBV Strategy. On 18 March 2022, DFCDR held the very first National

Advisory Committee meeting at the Hilton Hotel, with support from UNDP PNG.<sup>5</sup> The Committee brought together government officials from a range of key departments, as well as CSOs working on GBV and development partners. The National GBV Advisory Committee's Terms of Reference was endorsed and it was agreed that meetings would be held every quarter. The Minutes of meetings are to be published on the National GBV Secretariat website.

**Recommendation 11: A National GBV Advisory Committee has been established in accordance with this recommendation.**

#### 4.4. Coordination with Development Partners

34. This recommendation remains current and should be actioned.

**Recommendation 12: The Committee will continue to use its inquiry powers to examine how donor funding has supported GBV activities and will use subsequent public hearings and reporting to provide more detailed analysis.**

#### 4.5. Coordination of Services for Women and Children

35. These recommendations remain current and should be actioned.

**Recommendation 13: The NOCFS must appoint, gazette and resource sufficient Child Protection Officers to be deployed across the country to properly address violence against children.**

**Recommendation 14: The NOCFS and NGBVS must coordinate more effectively to ensure that GBV prevention and response activities are joined up, while still respecting and protecting the specific rights of mothers and children suffering from violence. NOCFS should also coordinate with the PGBVS, the Department for Education and the DJAG Juvenile Justice Unit.**

#### 4.6. Coordination of Services for People with Disabilities (PWDs)

36. This recommendation remains current and should be actioned. It is noted that the new National GBV Advisory Committee which held its first meeting on 18 August 2022 included a representative from the PNG Assembly of Disabled Persons. This is good practice.

**Recommendation 15: Women with disabilities have largely been invisible in GBV policy and planning. DfCDR/NGBVS should ensure that women with disabilities are represented on all GBV policy-making and working committees and that current GBV policies and strategies are updated to be more inclusive of PWDs.**

## 4. Funding for GBV

---

37. The Committee's August 2021 report called on the Government to provide proper funding to address GBV. In response to a budget proposal submitted by DfCDR, and following substantial advocacy by Committee members, the Government allocated a historic amount of funding for GBV in the 2022 National Budget – specifically, 7.93 million Kina was allocated in the recurrent budget. At the time of writing, it is understood that 1.3 million Kina has been released to DfCDR under this budget allocation. While that is a promising start, nonetheless the Government must commit to releasing the whole amount as a matter of urgency. Much of the GBV budget is intended to be disbursed as grants

---

<sup>5</sup> <https://www.looppng.com/png-news/committee-meet-discuss-gbv-matters-110806>.

to provinces or CSOs; these grants must be allocated in early 2022 to ensure that there is sufficient time for them to be effectively spent.

***Recommendation 16A: The Government must ensure that the 7.93 million Kina allocated in the 2022 National Budget to the NGBVS to address GBV is released in a timely fashion, and the next budget allocation commits the same minimum amount to GBV, in addition to providing funding through the Public Investment Programme to address infrastructure requirements, such as safe houses.***

38. Ensuring proper funding to address GBV has been a major priority for the Committee. In addition to funding the activities that are under the mandate of the NGBVS, it is imperative that the Government use the national budget to ensure a more joined-up response across multiple key agencies. The NGBVS, NDOH, RPNGC, DJAG (in relation to prosecutors and legal aid lawyer) and , Magisterial Services all indicated in their testimonies to the Committee in May 2021 and March 2022 that they lack sufficient funding to address GBV properly. These agencies are critical to the national response and must be properly funded. Consideration should be given to producing a single budget proposal on addressing GBV, which includes budgets for all key agencies. This would promote coordination across multiple sectors and agencies, while ensuring that the Government can get a more comprehensive picture of the entire funding envelope required to address GBV and monitor the impacts of all of the funding provided across different sectors/agencies.

***Recommendation 16: The Government must allocate substantially more funding to support GBV efforts across multiple sectors (cross-reference recommendations below for specific sectoral funding recommendations). At a minimum, it is clear that the annual national budget should allocate at least Kina 20 million per year across key sectors and agencies (i.e. NGBVS, RPNGC, MOH, DJAG, courts) to ensure sufficient funding to meet current needs.***

39. The Committee's August 2021 report recommended that "The Government should provide funding to the NGBVS to establish and manage a CSO Fund to Prevent and Respond to GBV which would provide CSOs with a more reliable source of national funding for their critical work and enable the NGBVS to better coordinate CSOs services to help encourage even service coverage across the entire country." The Committee has reviewed the 2022 budget submission made by DFCDR. Notably, although a specific CSO Fund has not been established, it is clear that critical components of the budget envisage grant funding being provided to CSOs, including to support safe houses, SARV responses and GBV prevention activities. The Committee anticipates reviewing how the 2022 budget funding is disbursed and utilised by CSOs, to assess whether this approach is sufficient or whether CSOs require a different approach to accessing government funding for GBV work.

***Recommendation 17: The Government should use the 2022 National Budget funding to provide grants to CSOs to implement GBV crisis response and prevention activities. The effectiveness of this grant approach should be monitored and evaluated, with lessons learned fed back into the budget and grant process.***

40. This recommendation remains current and should be actioned.

***Recommendation 18: The Government should amend the PSIP and DSIP regulations and guidelines to require that a minimum budget allocation is directed towards GBV prevention and response initiatives, such as support for GBV coordination, local safe houses, and counselling services.***

## 5. GBV Research and Data

---

### 6.1. GBV Data Management

41. It is understood that DFCDR, with support from UNFPA and UNDP, organised a meeting in September 2021, to bring together national partners to discuss existing data systems which are being used to collect GBV-related information, in particular, the CommCare system being used by the NCD Commission. Notably, in July 2021, the National Office of Child and Family Services and DFCDR, with support from UNICEF, also launched a data management system called “Primero” to collect data related to child protection. In April 2021, the RPNGC Family and Sexual Violence Unit also launched a pilot online database to collect information from FSVUs on GBV cases, including application for Family Protection Orders. The National Department of Health also has a Health Information System in place, which collects health data, including in relation to GBV. During the March 2022 public hearings, the National Courts Registrar also indicated that the National Courts service has recently developed an Integrated Criminal Case Systems Database (ICCSDB) which will also collect data related to criminal cases, including cases related to GBV.

42. It remains essential that the multiple different data systems being used by different agencies are coordinated, in particular across national and sub-national levels, in order to minimise duplication of data collection efforts. Standard Operating Procedures and information sharing protocols will also need to be developed, which prioritise the right to privacy and ensure confidentiality, while still facilitating necessary information sharing.

**Recommendation 19:** *Recognising that the NGBVS has the official responsibility for coordinating data collection, under the National GBV Strategy, the Committee urges DfCDR/NGBVS to immediately convene key partners – in particular from DJAG, the RPNGC, NOCFS, Magisterial Services and provincial representatives – to discuss and agree a practical strategy for developing and rolling out an integrated GBV data collection and management system.*

43. This recommendation remains current and should be actioned.

**Recommendation 20:** *Even in the absence of an integrated GBV data collection and management system, each of the key agencies responsible for addressing GBV – namely, the NDOH, RPNGC, Magisterial Services – should publish a quarterly report, including data, of the number of GBV cases to which they have responded and the current case status. The NGBVS and each Province (through their PGBVS or other units) should also produce a quarterly report on their GBV response.*

### 6.2. GBV Research

44. This recommendation remains current and should be actioned.

**Recommendation 21:** *The Government should provide specific funding to the NGBVS to support research on key topics relevant to GBV, such as bride price, polygamy, alcohol and drug abuse and the specific needs of GBV survivors with disabilities.*

## 6. GBV Prevention and Education Approaches

---

### 7.1. Funding Civil Society to Undertake GBV Education and Awareness-Raising

45. This recommendation remains current and should be actioned. Cross-reference Recommendation 17 which also relates to CSO funding.

**Recommendation 22:** *Significantly more Government funding should be provided to support NGOs, the churches and CBOs to undertake GBV prevention activities through values-based education and awareness raising, including through activities that specifically promote behaviour change (such as sports-based activities). The work of the private sector to support GBV prevention should also be acknowledged and built upon. The NGBVS is encouraged to produce a specific proposal for consideration by the Government, Treasury, and this Committee, including a budget, on how to roll out and manage civil society small grant funding for this work.*

## **7.2. Schools-based Education**

46. This recommendation remains current and should be actioned.

**Recommendation 23:** *The National Department of Education (NDOE) should review all PNG school curriculum from kindergarten to Grade 12 to assess how key human rights values including gender equality and ‘respectful relationships’ concepts can be integrated into the curriculum. The NDOE is encouraged to produce a specific proposal for consideration by the Government, Treasury and this Committee, including a budget, on how to roll out such a curriculum.*

## **7.3. Prevention Programs Targeted at Men and Boys**

47. This recommendation remains current and should be actioned.

48. In the written submission from DPM to the Committee, they discussed some of the male advocacy programmes that have been undertaken within the public service:

*Male advocacy training is coordinated by DPM in partnership with Australian's DFAT program & CIMC-FSVAC. The training cover wide range of issues affecting women including culture, cultural norms and beliefs, power and control, religious, institutional perceptions and practices that support patriarchy and unequal power relations. There are 4 stages to fully undergo and to become a certified member of the PS MAN. The training is usually provided by Fiji Women's Crisis Centre (FWCC). The training provides that insight where public servants who participated in, to better understand the role they can play in addressing pressing issues affecting women and girls and to better understand the role they can play in addressing these issues.*

*The PS MAN members usually have bimonthly meetings to discuss on important agendas, issues and the meetings only happened in NCD. The provinces and districts that recently have PS MAN members are yet to establish their MAN Committees which are used to carry out awareness and advocacy activities. The monthly meetings are held with the intention to establish close networking, participation and discussions. The NCO based members have MAN Committee in place since its establishment back in 2013. The MAN meetings are basically for the certified men members but women and non-certified men can attend as observers. The meetings are for men to discuss strategies or way forward to conduct advocacy within their workplaces, community and society to address the prevalence rate of violence happening against women.*

**Recommendation 24:** *The NGBVS is encouraged to convene organisations working on male advocacy and/or male GBV perpetrator programmes to identify good practice and lessons learned. This knowledge can be used to inform the development of new programmes and/or the scaling up of existing programmes to work with men and boys to prevent GBV.*

## **7. Sorcery Accusation Related Violence (SARV)**

---

49. As noted earlier, DFCDR was given a budget of 7.93 million Kina in the 2022 National Budget to address GBV. Under this budget, 500,000 Kina was allocated to supporting CSOs to “provide small

grants to local human rights defenders and organisations to carry out community awareness on the laws relating to SARV, GBV and human rights to increase community and community leaders understanding that violence is against the law” and 300,000 Kina was allocated to “update and rollout training for health providers, village courts magistrates and police to increase understanding of impacts of SARV, laws against SARV, their duties and responsibilities”. A small sum 10,000 Kina was also allocated to restarting coordination meetings in relation to the SARV National Action Plan.

50. DFCDR must now ensure that the rollout of the money allocated to address SARV is done in a timely but accountable manner. During the March 2022 public hearings, the Deputy Secretary of DJAG indicated that DJAG is already engaged in some training for key partners at sub-national levels on SAR, including police personnel, Village Court officials and community members. DJAG may be a useful partner on this SARV work. Small grants to CSOs are already included in the DFCDR GBV budget for 2022 as the main mechanisms for dealing with SARV; it will be important that such grants are made on a competitive, accountable basis while still ensuring that CSOs already working on these issues can access funding support.

51. DJAG made a written submission to the Committee which also dealt with issues related to addressing SARV. The submission (see Annex 7) noted that:

*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.*

**Recommendation 25: DJAG and DfCDR should work with other relevant stakeholders to review and update the SARV NAP and should submit a budget proposal in 2023 to fund implementation of the updated SARV NAP, including by funding local human rights defenders, NGOs and churches to carry out community awareness and to rollout training for provincial government officials, health providers, village courts magistrates and police related to SARV.**

52. This recommendation remains current and should be actioned. Lessons can be learned from DJAG regarding engaging with CSOs and churches to address SARV. The DJAG submission to the Committee specifically noted that:

*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 Monitoring Council - Family and Sexual Violence Action Committee (CIMC-FSVAC), PNG Tribal Foundation, Wabag Catholic Diocese and Wantok Radio Light.*

53. Additionally, the Village Courts Secretariat submission to the Committee noted that:

*A Direct Victim Support grant was also established under my Department in 2020 to assist organizations who deal with direct victim support. However, the Government in 2021 removed the funding. The Department also entered into partnership arrangements with a number of Churches and Non-Government organization in 2020 and provided funding to support the community level intervention programs that they have to address sorcery accusation related violence. The organizations are; Tribal Foundation, CIMC-FSVAC, Femili PNG, Wantok Radio Light, Enga Catholic Church and Lutheran Church.*

*The Department strongly recommends for funding to be made available to service providers within different program areas. For example, an arrangement can be made between DNPM, DJAG through the SARV Core Committee and the Tribal Foundation for a yearly grant to be provided for Tribal Foundation to provide case managements services for SARV cases that fall within a criteria for cases that may receive Government Funding. The Tribal Foundation could then be requested to provide data for the persons and cases it progressed, and this data can be counted as the Government's data for cases and persons it has assisted.*

***Recommendation 26: Noting the allocation made to address SARV in the 2022 National Budget, DFCDR should work with DJAG to implement small grant funding to support CSOs and CBOs to design and rollout locally contextualised activities which aim to educate and support communities to address SARV in locally appropriate ways. Any such grant funding should be supported by a proper M&E framework to ensure lessons are captured and shared.***

54. This recommendation remains current and should be actioned.

***Recommendation 27: DfCDR should explore options for establishing an emergency fund to support SARV survivors to escape violence and support the safe and long-term reintegration of victim/survivors of accusations back into their communities. This work could connect back into similar efforts being developed in support of GBV survivors under the National GBV Strategy.***

55. During the March 2022, the Committee discussed the SARV response with representatives from DJAG and the RPNGC. Committee members again raised their serious concerns that law enforcement responses are weak, with very few SARV cases investigated or prosecuted. The RPNGC provided a detailed briefing to the Committee (see Annex 8) which noted that "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."

56. The Committee pressed Police Minister Onglo and Police Commissioner Manning very heavily on the inadequacy of the current police response to SARV. Governor Bird asked whether it was possible within the RPNGC to have a dedicated track to address SARV specifically. He suggested 2-3 officers could be dedicated to this and would have to see the cases through. Commissioner Manning responded that he would "take [the Committee's] comments on notice and we will act on those in terms of setting up a specific unit to see how the RPNGC can be more effective in dealing with these cases, from receiving complaints, to arresting offenders to bringing them before a court of law to secure a conviction. We are happy to report back to this Committee on what actions we have taken. We have a Policy and Planning Command that looks at emerging challenges and provides policy advice on how best to respond."

***Recommendation 28A: The RPNGC should review their existing SARV response mechanisms and develop a specific proposal or strategy to specifically address SARV, including clarifying the specific personnel that will be dedicated to SARV investigations, any internal procedural changes to strengthen the response and any budget requirements.***



57. This recommendation remains current and should be actioned. During the March 2022 Committee hearings, RPNGC Commissioner Manning advised that the RPNGC “are following the same approach as GBV. We develop Standard Operating Procedures and a syllabus to ensure the police can recognise the offence and take appropriate action, whether directly through investigation or indirect, through referrals to other partners in this space”. This must be progressed as a priority.

58. The written submission from DJAG also responded to this recommendation, with DJAG noting that the recommendation “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.” These ideas should be addressed in any SOPs produced.

***Recommendation 28: Key government agencies – namely the MOH and RPNGC – should develop SOPs and related guidance manuals on how to deal with SARV cases as a matter of urgent priority.***

59. This recommendation was actioned.

***Recommendation 29: This recommendation was actioned in the February 2022 session of Parliament, when Parliament enacted an amendment to the Criminal Code Act which criminalised the actions of glasman/glasmeri.***

60. As noted in relation to Recommendation 29, in February 2022 an amendment was passed to the Criminal Code Act which explicitly criminalises the activities of glasman/meri and criminalises people using such services for payment. It will be important for the new law to now be publicised, both with communities but also within the RPNGC to make sure that police officers now understand that they have much clearer provisions that can be used to charge and prosecute glasman/meri and their accomplices. It is understood that the Australian-funded JSS4D Project trains police officers in many of the provinces which are prone to SARV activities; they are encouraged to include training on the amendment in their skills building activities. The Bomana Police College is also encouraged to revise relevant curriculum to take into account these amendments.

***Recommendation 30: RPNGC officers should be given training on the new Criminal Code Act amendments which now make it simpler to prosecute glasman/glasmeri as accessories in SARV cases. Senior officers must encourage their officers to apply the law properly.***

## **8. GBV Law Reform**

---

61. On 20 January 2022, Parliament passed amendments to the Family Protection Act 2014, which were proposed by DJAG following extensive consultations across the country. The revised FPA now includes an offence of “aggravated domestic violence”, and the penalties for domestic violence have been increased. The FPA was also updated to make clear some of the procedural issues regarding applying for, processing and enforcing Family Protection Orders. It will now be important to publicise the new amendments, both amongst the community but also amongst the justice officials (police, village court officials, magistrates) who will need to apply them. Based on evidence provided to the Committee in the May 2021 hearings, it is also important more generally, for training to be provided to justice officials on the range of GBV offences already enshrined in PNG law.

***Recommendation 31: DJAG is encouraged to produce SOPs/guidance notes to assist government and non-government service providers to apply GBV laws consistently and properly, including the revised Family Protection Act.***

62. The DJAG written submission to the March 2022 public hearings (attached at Annex 7) responded to this recommendation. DJAG stated that:

*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.*

63. While DJAG's FPA review dealt with these issues to some extent, it is understood that in 2022 there will be a mid-term review of the PNG Child Protection Policy (2017-2027) which will also include a review of the Lukautim Pikini Act. Any such review should include both NOCFS and DJAG, as well as other relevant stakeholders and may result in recommendations for law reform to ensure the alignment of the LPA, the CCA with the FPA.

***Recommendation 32: As part of the review of the Child Protection Policy and the Lukautim Pikinini Act, which is scheduled to be undertaken in 2022, consideration should be given to law reforms to ensure the alignment of the LPA, CCA and FPA.***

64. This recommendation remains current and should be actioned. The DJAG written submission to the Committee stated that: "DJAG will look into this in the coming year 2022 and will provide an update to the Committee on this Recommendation."

***Recommendation 33: DJAG should review the Criminal Code Act defence of provocation to align it with current concepts related to the defence of 'battered wife syndrome'.***

65. This recommendation remains current and should be actioned. The DJAG written submission to the Committee stated that: "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."

***Recommendation 34: 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 CEDAW.***

66. This recommendation remains current and should be actioned.

***Recommendation 35: The Committee will continue to use its inquiry powers to examine whether and how to address issues related to GBV and: (i) the criminalisation of sex between men; (ii) the impact of the Adultery and Enticement Act 1988; and (iii) polygamy, in particular the introduction of criminal sanctions; and (iv) the illegal use of bush knives, including through law reform if necessary.***

## **9. GBV Crisis Response Services for Survivors**

---

### **10.1. Counselling**

67. This recommendation remains current and should be actioned. During the March 2022 public hearings of the Committee, the Country Director of Child Fund, which runs the 1-Tok Counselling

Helpline, and the manager of that helpline gave testimony (see Annex 9 a copy of their presentation). Child Fund also provided a written submission to the Committee during the May 2021 GBV inquiry as did the PNG Counselling Association. These submissions make a strong argument for greater funding for counselling services across the country, including training more counsellors and offering more telephone-based services.

**Recommendation 36: More Government funding should be provided to establish and support GBV counselling services for women, men and children across the country, whether in person or through telephone/online approaches. To ensure efficiencies, the NGBVS is encouraged to convene existing providers of GBV counselling services, both in-person and online, to assess the current service offering, identify good practice and lessons learned, and develop an Action Plan and budget for addressing the current gap in counselling. The Action Plan should include recommendations to address the current lack of accredited and/or trained counsellors within PNG.**

## **10.2. Safe Houses**

68. Safe houses are a critical crisis response service for GBV survivors who do not feel safe in their own homes. Research shows that there are no safe houses services in Simbu, New Ireland, Gulf, Central, Western and Hela Provinces. Many of the existing safe houses are being run by CSOs or the churches. The National Capital District has four safe houses, East Sepik Province has three safe houses, Morobe and Madang Provinces have two safe houses, and other provinces only have one safe house to service their entire population. The existing safe house infrastructure across the country is simply not sufficient to meet current needs.

69. To address the problem of crisis shelter, the DFCDR GBV budget which was approved for 2022 included specific funding for the establishment and ongoing costs of safe houses. In 2022, the budget allocates 800,000 Kina to support the establishment of new safe houses and 300,000 Kina to provide “top up” funds to support the recurrent costs of existing safe houses. This funding is not nearly enough to ensure that there will be enough safe houses across the country, but the Committee acknowledges that it is a positive first step.

70. The Committee encourages DFCDR to work closely with existing safe house providers, almost all of whom are NGOs or church groups, to identify how this money can best be utilised in 2022 and to develop a more substantial budget proposal for 2023. Consideration should be given to developing a specific funding proposal for the Public Investment Programme, which could be used to underwrite new building infrastructure and equipment that is needed to ensure that these services are adequate and can be sustainably run over time.

**Recommendation 37: Significantly more Government funding should be provided to establish secure, accessible, properly designed and equipped safe houses across the country. At a minimum, every province should have at least one safe house, but many more facilities are needed to shelter GBV survivors across the country. Existing safe house providers should be brought together to assess the current service offering across the country, identify good practice and lessons learned, and develop an Action Plan and budget for addressing the current gap. Safe house SOPs and minimum benchmarks should also be endorsed and rolled out to ensure that adult and child GBV survivors are provided with adequate and safe shelter.**

## **10.3. Economic Support**

71. This recommendation remains current and should be actioned.

**Recommendation 38:** *The NGBVS should work with other government and non-government partners to:*

- (1) identify good practice examples of women's economic empowerment activities from across the country; and*
- (2) explore options for developing government programmes and/or supporting non-government activities which support women's economic development, including specific support for GBV survivors.*

## 10. Health Responses to GBV

---

### 11.1. Health Sector Funding

72. This recommendation remains current and should be actioned.

**Recommendation 39:** *The Government should provide sufficient funding to the National Department of Health to ensure that trained health providers are available to GBV survivors across the country to provide timely and quality care, including through properly resourced and staffed FSC in all provincial hospitals and the integration of SGBV services in lower-level facilities.*

**Recommendation 40:** *NDOH should direct specific funding and/or other assistance towards Provincial Health Authorities (PHA) to support the efforts to decentralise health services and improve accessibility at the district and village level. PHAs need to take ownership over FSCs and to make sure that SGBV response services are accessible down to the local level. PHAs are encouraged to recruit Provincial GBV Health Response Coordinators to coordinate FSC services and GESI integration into the PHA workforce.*

### 11.2. Health Sector Fees

73. This recommendation remains current and should be actioned.

**Recommendation 41:** *NDOH should use its training and other awareness-raising channels to make clear that no fees are to be charged to GBV survivors in practice, in line with previous NDOH directives. Where part or all of clinical services in response to GBV are provided through other clinics/wards, those services should also be provided free of charge.*

### 11.3. Access to Health Care by Specific Groups

74. This recommendation remains current and should be actioned.

**Recommendation 42:** *NDOH needs to review its policy directives and training strategies to ensure that it is building an inclusive health service, with properly trained officials, capable of catering to the needs and realities of diverse populations, including victims of SARV, young people, people with disability and people of diverse sexual orientation and gender identity*

### 11.4. Reproductive Health Rights and Family Planning

75. This recommendation remains current and should be actioned.

**Recommendation 43:** *NDOH should be properly resourced to provide family planning and reproductive health services to all women and girls across the country, free of cost and in safe, non-judgemental spaces which ensure that women and girls feel empowered. Such services should also include education on family planning, which should be tailored to reach both women and men.*

**Recommendation 44:** *NDOH should prioritise strengthening the health workforce capacity to provide survivor-centred specialised GBV services and adolescent and youth-friendly sexual and reproductive health care. This covers accurate, non-judgemental, non-discriminatory, age-appropriate information and services, including family planning. In support, the NDOH should update and fully implement the Adolescent Health Policy in line with recommendations provided by the CEDAW Committee to the PNG Government.*

## 11. GBV and Access to Justice

---

### 12.1. Protection Orders (POs)

76. These recommendations remain current and should be actioned.

**Recommendation 45:** *RPNGC officers across the country need to be trained on the process for supporting GBV survivors to apply for IPOs and POs.*

77. The Village Courts have a critical role to play in making orders for Interim Protection Order, as the frontline of the justice system in most communities outside the main towns. The Village Courts Secretariat, in their submission to the Committee, made clear that they are using their Revitalized Village Courts System Strategy 2020-2030 as a platform for implementing a wide range of reforms and training activities, including in relation to the work of Village Court magistrates to order IPOs.

78. In their submission to the Committee, the Village Court Secretariat provided some information on the work they have been doing with Village Courts to ensure that they handle IPOs better, but it is clear that considerably more resources need to be dedicated to training of Village Court Magistrates and Clerks. The submission listed the following activities undertaken since the May 2021 Committee hearings, noting that problems with Village Courts not issuing IPOs on time was likely “from other provinces who have not done undergone refresher trainings”:

*Support to Village Courts related to IPOs - IPO forms printed and distributed to most provinces with support from JSS4D; Two (2) IPO trainings delivered in Western and Southern Highlands Provinces and IPO forms given to the officials; Planning a refresher training for those village courts in the provinces who have undergone IPO training; Review of the village court training manual to capture SOP on the issuance of IPOs. A total of 314 officials in 5 provinces supported by JSS4D.*

**Recommendation 46:** *Resources need to be allocated for training of Village Court officials and other support activities to ensure that survivors have appropriate access to IPOs within the first 24 hours of making an application.*

79. The written submission to the Committee from DJAG noted that: “The 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.” It is very positive that DJAG and the Village Courts Secretariat are taking action to address the data challenge currently facing Village Court, in particular regarding the processing of IPOs and other GBV related matters. The Committee is keen to be kept updated on progress being made to improve data collection, noting that it will likely take time to upskill all of the Village Courts across the country to properly collect, collate and share data.

**Recommendation 47:** *Village Courts and the Magisterial Service shall keep the Committee updated on efforts to collect data regarding (i) how many IPOs are being processed by each court, (ii) within how many days of the application and (iii) whether a PO is subsequently processed. This data needs to be broken down per location and routinely published on each of their websites.*

80. In response to this recommendation, the written submission to the Committee from DJAG noted that: "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."

**Recommendation 48:** *Consideration should be given by DJAG and the Magisterial Service 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.*

81. This recommendation remains current and should be actioned. It is noted that the written submission to the Committee from DJAG stated that: "Through the FPA Implementation Committee, this work will be implemented given the passage of the Family Protection Amendment Act 2022. There is already Guidance Notes for the FPA that have been developed and circulated widely for use by law and justice officials." It is positive that some guidance notes already exist, but these should now be updated to include the recent amendments to the FPA, as well as the amendments to the Criminal Code Act to criminalise the activities of glasmens/glasmeri. It is also important that such guidance notes explain how the FPA and LPA interact, and how justice officials can balance the interests of parents and children while ensuring the protection of adult and child survivors of violence.

**Recommendation 49:** *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.*

## **12.2. Witness Protection**

82. This recommendation remains current and should be actioned.

**Recommendation 50:** *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.*

## **12.3. Police Responses**

83. During the March 2022 public hearings of the Committee, Police Minister Onglo and Police Commissioner Manning responded directly to each recommendation directed at the RPNGC. The Committee thanks them for taking the recommendations seriously and encourages RPNGC senior leadership to continue to work to address the outstanding recommendations in this Report.

84. In the RPNGC written briefing provided to the Committee, the RPNGC advised that:

*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....*

85. Superintendent Delilah Sandeka, who heads the FSVUs, testified at the March 2022 Committee hearings that “With the restructure, FSVU officers will be given permanent positions, Without that, they cannot be promoted. We want to see the restructure done quickly, so that RPNGC officers can apply.” The Committee notes the RPNGC’s advice that they will be working with the Department of Personnel Management in 2022 to ensure that all FSVU personnel are brought into the RPNGC establishment. This is critically important and must be prioritised by RPNGC senior management.

***Recommendation 51: The RPNGC senior management must work closely with the Department of Personnel Management to prioritise implementation of the “Clarified Structure” approved in 2020 which included the FSVU in the RPNGC establishment to ensure that all existing FSVU officers are included by no later than the end of 2022.***

86. During the Committee hearings in March 2022, the Committee also asked questions regarding the management structure of the FSVUs. Commissioner Manning advised that: "The FSVU currently reports to the Assistant Commissioner of Police (Crimes). I note you mentioned in your opening statement whether there was an intention to create a position of ACP to deal with GBV. The organisation is very aware of emerging challenges around the country. Whether or not that requires the RPNGC to elevate the command to ACP level is up to the Executive Commission of the RPNGC to take into consideration. At this point in time, we believe the current structure is sufficient and should improve our response."

***Recommendation 51A: The Committee suggests that when the RPNGC reviews its approach to dealing with SARV cases (in accordance with recommendation 28A above), consideration should also be given to the command structure for the entire GBV response, to ensure that sufficient senior management oversight is being provided and the relevant police units have the right support structures around them.***

87. The RPNGC has established 46 Family Sexual Violence Units across the country, through support provided by the Australian Government-funded JSS4D program. This is a major achievement, but in reality it is clear that these FSVUs remain under-resourced to deal with the scale of the GBV crisis in PNG. During the Committee’s hearings, RPNGC officials made clear that outside of the NCD, where the FSVU headquarters is located, there are not enough staff. Superintendent Delilah Sandeka, who heads the FSVUs, testified at the March 2022 Committee hearings that “Although there are 46 FSVUs, there are only 1-2 officers per unit, with a maximum of 4 officers.” FSVU staff numbers are clearly insufficient to address the GBV problem, but reflect the low numbers of police personnel per head of population more generally. Nonetheless, the RPNGC must develop a proper long-term strategy for ensuring sufficient, qualified police personnel are available throughout the country to support GBV survivors.

88. It is also clear that the resources allocated to FSVU officers are insufficient. It is important that officers all have access to computers, copying and printing facilities and stationery, as well as investigative resources such as vehicles and other necessary policing equipment. It is understood the lack of such resources reflects deficiencies across the RPNGC, but these must be addressed urgently.

***Recommendation 51B: Specific effort must be made to ensure that proper police services are available to GBV survivors outside of PNG’s major towns, including by reassessing the number of police personnel dedicated to dealing with GBV cases at provincial level and/or by upskilling other officers to provide proper survivor-centred responses to GBV complainants. RPNGC must also ensure all FSVUs have proper facilities and equipment to do their jobs.***

89. During the March 2022 public hearings of the Committee, the Police Commissioner provided an update on the training received by police graduates and detectives. In the RPNGC written briefing provided to the Committee, the RPNGC also advised that:

*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. 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.*

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

90. While it is positive that some training is being delivered to police officers on GBV, it is clear that considerably more work needs to be done across the entire police service to change the mindsets of all police officers, to ensure that they understand that GBV is a criminal offence and must be dealt with accordingly. Behaviour change training needs to be considered, as well as support provided to ensure that police officers understand how to undertake proper investigations, write up proper police reports and produce evidence briefs that properly support prosecutions. At a more basic level, it is clear that computer literacy is a challenge at all levels of the RPNGC; computer training must be included for all police officers to ensure that they can properly write up and manage case files.

***Recommendation 52: The RPNGC must rollout continuous training on GBV response and investigation processes, to ensure that police officers at all levels (1) have a personal commitment to ending GBV; (2) know how to undertake a proper investigation; (3) know how to write up proper police documents which are capable of supporting effective prosecutions and (4) can use computers to produce and manage case files. A proper training budget must be provided by Treasury.***

91. During the March 2022 public hearings by the Committee, Committee members raised concerns about police officers themselves being perpetrators of violence. Statistics provided by the RPNGC themselves have shown that complaints are being lodged against officers for GBV crimes. In the RPNGC written briefing provided to the Committee, the RPNGC advised that:

*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.*

92. While it is positive that the RPNGC has an Internal Affairs Directorate, it is not at all clear that the unit is effectively dealing with complaints against the police, including in relation to GBV. The RPNGC did not provide any additional statistics to show how many complaints had been received nor how they were handled. There is little known amongst the community about the role of the Internal Affairs Directorate; the RPNGC should publicise its mandate more broadly amongst the community, to ensure that people know their rights in relation to police misconduct, including the right to make a complaint where a police officer is a perpetrator of GBV.



**Recommendation 53:** *The RPNGC must implement a zero-tolerance policy towards GBV amongst its own ranks. The RPNGC is requested to provide the Committee with data regarding the number of complaints against police received by the Internal Affairs Directorate (and/or through any other means), including the number relating to GBV, and how they were dealt with. Any such briefing should also advise how the complaints process operates in order to ensure independence and impartiality.*

**Recommendation 53A:** *The RPNGC should develop a multi-media campaign to raise awareness in the community regarding the rights of the public to make complaints against the police, including in relation to allegations of GBV.*

93. In response to Recommendation 54, the RPNGC responded in a written statement that “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.” Circular Instruction 5/2007 is attached at Annex 10. From a review of that circular, it is clear that the Police Commissioner has strongly directed all police officers to take GBV allegations seriously and to investigate and prosecute to the fullest extent possible. This circular could usefully be re-issued each year, with a reminder to all officers of their obligations under the circular.

94. It is understood that the RPNGC FSVU have also developed Standard Operating Procedures (SOP), which outline the legislative frameworks relevant to addressing FSV, including the Family Protection Act and Criminal Code Act. The SOPs includes specific processes and procedures for FSVU officers to follow when conducting criminal investigation on FSV cases. The SOPs include: how to apply for orders and how to respond to breach of orders; how to respond to FSV victims; how to sensitively make referrals; and what factors to consider, including perpetrator manipulation tactics. It is understood that the SOPs also discuss how FSVU officers should respond to SARV victims and those who commit SARV (cross reference Recommendation 27A above). The FSVU Directorate, with support from JSS4D, are currently rolling out training on the SOPs to their members. The SOPs are also shared to other members of the Constabulary who attend FSVU trainings or officers who wish to improve their response to FSV.

**Recommendation 54:** *RPNGC officers must be regularly made aware of Circular Instruction 5/2007 which operates as a de facto 'no-drop policy', by calling on police officers to investigate and prosecute to the fullest extent possible. Training on the contents of the Circular and the information in the FSVU SOPs should be properly funded as part of the RPNGC recurrent budget and rolled out as a priority to ensure that all police officers know their duties and reject community or family efforts to encourage GBV survivors to accept reconciliation or compensation.*

#### **12.4. Prosecution of GBV**

95. At the March 2022 public hearings of the Committee, the Office of the Public Prosecutor made a detailed submission to the Committee, orally and in writing (see Annex 11 attached). The Director of the Family and Sexual Offence (FASO) Unit made a heartfelt opening statement, when she noted that her staff are very committed to helping GBV survivors get justice, but are limited by a lack of resources. The FASO Unit Director talked through the written submission during her oral testimony, with the Committee indicating their support for additional resourcing ensure proper staffing, equipment and other resources were available to FASO lawyers to do their jobs.

96. In summary, the OPP submission identified 7 critical factors which impact the capacity of the OPP to prosecute GBV cases in a timely and effective manner (see Annex 11 for more detail):

- Shortage of lawyers

- No administrative or support staff in the FASO unit
- Absence of a Victim Liaison Officer
- Lack of a dedicated bus and driver for witnesses and FASO staff
- Lack of specialized training for the provincial lawyers
- No phones or phone credits to allow efficient communication
- Specialist facilities available at the National Court

97. Staffing is a critical issue. The OPP has only 41 lawyers employed to run all prosecutions across the entire country. An additional 9 legal positions are currently being advertised, with an additional 32 positions identified in the organigram but unfunded. The FASO Unit operates only in the office at Waigani in the NCD and comprises of 5 lawyers with no support staff. Apart from its core function of prosecuting perpetrators of crime in the higher courts, the FASO Unit also engages in inter-agency training and awareness activities in relation to GBV and SARV. Because the specialised FASO Unit only operates in NCD, prosecutors in the provincial branches and those who are assigned on circuit duties have the overall task of prosecuting all categories of cases under the Criminal Code, including SGBV, and do not generally have the specialised training. The OPP attached a budget proposal to their submission to the Committee, which appears reasonable and appropriate, considering the huge case load that the OPP is attempting to deal with, in particular in relation to GBV.

***Recommendation 55: The Committee is supportive of the OPP's request for additional funding of approximately 550,000 Kina per year to recruit additional dedicated FASO staff and other support costs, as well as a one off amount of 150,000 Kina to purchase computers for staff and a bus to safely transport witnesses and complainants. Treasury is strongly encouraged to approve this additional funding in the 2023 budget and the Department of Personnel Management is strongly encouraged to approve the additional staffing requested as part of this resourcing proposal.***

98. The Committee has raised concerns regarding the speed of prosecutions and suggested the need for a complaints process for the public to convey their concerns. The written submission of the OPP stated that: "The current practice within the OPP is that complainants and interested parties in a case are permitted to write formally to the Public Prosecutor to air their grievances regarding delays or enquire about the status of cases. Such complaints have been uncommon but have been attended to promptly. The other main source of complaint is from witnesses who are unfamiliar with the delays that occur as cases progress through the courts. The OPP response is to explain the reasons for the delay." While it is positive that the OPP has a process to receive complaints, it is very likely that the majority of the public do not know of their rights to make complaints, which may account for the low number of complaints being made. There should be more public awareness of the complaints process and transparency regarding the number of complaints received and how they are processed. The OPP is also encouraged to maintain a webpage which can provide information on the number of cases being handled, the time taken to process cases and the opportunities for complaints to be made.

***Recommendation 56: The OPP is encouraged to proactively publicise their complaints mechanism. The OPP is also encouraged to use their government webpage to provide data and information regarding case management (including updated information regarding the number and type of cases being handled by the Office and the time taken to progress cases) and complaints handling (including the number of complaints received and how they have been handled).***

## **12.5. Court Responses**

99. The written submission from the OPP made some effort to discuss how the processes in the National Courts could be reformed to improve the prosecution of GBV cases. Three recommendations

are included in the submission which warrant further consideration by DJAG and the various courts services across the country, who have a duty to ensure survivor-oriented justice processes:

- *A separate stream or list for sexual offences*: The establishment of a separate list in the National Court for cases involving sexual offences would streamline the listing and prioritisation of such cases. When lengthy delays occur between a sexual offence being committed and finally being listed for trial in the National Court, memories become less reliable and the witness/victim has to relive the offending all over again. Many of the victims of sexual offending are children and a long delay may make their evidence less reliable while the anxiety of the delay may have the effect of retraumatising the witness. A further advantage of having a separate list for sexual offences is that the judge hearing these types of offences can receive specialised training and can play a more active role in ensuring optimum management of the list and cases.
- *Resources to implement survivor-oriented evidence reforms*: The sensitive nature of the evidence given by the witnesses and victims means that special measures should be utilised to protect vulnerable witnesses. There are provisions in the Evidence Act 1975 that are currently utilised by the prosecutors to obtain court orders which permit a screen to be placed in front of a victim/witness to prevent the victim from seeing the accused, but these are still not being used effectively. There are other provisions in the Evidence Act which have not yet been utilised due to a lack of facilities, such as allowing the victim to give evidence from another location by way of closed circuit television or by way of a pre-recorded interview. Whilst such provisions are standard in other countries, PNG is yet to implement these provisions already provided for in the legislation due to resourcing issues.
- *Waiting room for victims and their families in new National Court*: Currently all witnesses including victims of sexual offences wait outside the designated court room until they are called to give evidence. This is far from ideal as they are often seated close to the accused or their family/supporters. This is inappropriate as it gives an opportunity for intimidation of witnesses and generally traumatises such people. The use of a separate room for the witness to give evidence would overcome this but when this is not possible, particularly in the provinces, the provision of a waiting room with access exclusive to these witnesses, their families and prosecutors would be a significant improvement.

***Recommendation 57: DJAG, the Village Courts Secretariat, the Magisterial Service and the National Courts Registrar are encouraged to consider the specific recommendations proposed by the OPP in its submission to the Committee to develop a specific list of sexual and GBV offences and to allocate resources to implementing survivor oriented reforms in all court rooms/houses.***

#### **12.5.a. Village Courts**

100. This recommendation remains current and should be actioned. The written submission to the Committee from DJAG noted that: "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."

101. The submission from the Village Courts Secretariat also noted: "Awareness through village court officials on no fees for IPOs is ongoing. Awareness conducted through refresher training to the 314 officials in the 5 provinces and the general public on the free issuance of IPOs by Village Court Officials. Through inspections and face visits to court areas officials have been warned that issuance of IPO is free of charged and not to charge clients. Village Court Officials Training manual is being reviewed and the No Fee and IPO issuance or processing will be captured."

**Recommendation 58: 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.**

102. The written submission from the Village Courts Secretariat (see Annex 12) stated that:

*There are 1,680 village courts areas in PNG with over 18,480 village court officials manned by 11 officials per Village court who are actively serving in their respective Village court areas. By far village court system is the only critical government system that reaches about 80-90% of the country's population and over 98 % coverage, thus deals with majority of the unreported GBV cases...Structurally Village Courts and Land Mediation Secretariate has over 60 staff including the 22 Provincial Liaison Officers based in all provinces including the Autonomous Region of Bougainville providing interface between the Secretariate and the provinces to ensure effective coordination of their operations...across the country.*

*The first ever Village Court Policy being perused at the NEC level with its Implementation Framework already operationalized calls for serious investment in Seven (7) Key Result Areas over a period of 10 years (2020-2030) in the government's efforts on revitalizing the village court system to prevent crime, thus creating a just and peaceful society for our communities . With respect to GBV, this policy intervention at the minimum takes into account increased accessibility to justice services as well as recognizing and strengthening the civic participation and leadership responsibilities at the community level with improved and modernized infrastructure to effectively deliver services...*

*From 2018-2019, [the] department conducted trainings for Village Court Officials in the Autonomous Region of Bougainville, Oro, Morobe, Western and Southern Highlands Province through funding support by the Australian Government and other donor agencies such as Oil Search Limited. [314] Village Court officials have undergone the FPA training. DJAG capacity building support for Village Court Officials is focused on training officials on their roles and responsibilities under the Act and Regulations but also inclusion of training content on awareness on gender sensitization, human rights frameworks and violence against women. Following these trainings, mass printing of the Interim Protection Order forms and Referral forms have been done by JSS4D and will be distributed once trainings have been rolled out for officials in the 1680 Village Court areas throughout the country.*

103. The written submission to the Committee from DJAG noted that:

*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 Family Protection Act, Lukautim Pikinini Act and Juvenile Justice Act 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.*

*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 intention of providing career pathways to join the disciplinary forces. The approach is key in building the village court officials capacity and manpower to handle additional responsibilities effectively.*

*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.*

**Recommendation 59:** *The Village Courts Secretariat in DJAG should keep the Committee updated on efforts 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 and key GBV laws and good practice, as the Village Courts are the frontline of the justice system in PNG and must role model zero tolerance of violence.*

104. This recommendation remains current and should be actioned. It should be read in conjunction with Recommendation 47 which deals specifically with data related to Family Protection Orders.

105. The written submission to the Committee from DJAG noted that: “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.” The written submission from the Village Courts Secretariat noted that:

*Village Courts and Land Mediation Secretariate have a data collection and reporting system that captures all its cases heard. This information is compiled by our clerks and forwarded to the Secretariate on quarterly bases which we refer to as Quarterly Data Returns. Our quarterly data return forms dose not capture IPO specific data however, 57% (8/14) of Village Courts Prescribed Offences covers offences with GBV and DV in nature. Village Courts in this perspective thus significantly contributes to GBV and DV. Through our revitalization efforts, data on IPOs processed by village courts will be captured through the review of our Quarterly Data Return forms.*

**Recommendation 60:** *The Village Courts Secretariat should keep the Committee updated on efforts to update existing data collection and case monitoring systems to enable better oversight of their operations, including in relation to GBV and FPO cases, and efforts to implement a system of Village Court audits and spot checks on decision-making to ensure GBV cases are handled properly.*

#### **12.5.b. District and Family Courts**

106. This recommendation remains current and should be actioned.

**Recommendation 61:** *The Government needs to work with the Magisterial Service to agree a strategy for resourcing District and Family Courts to enable them to properly discharge their mandates and dispense justice to adult and child GBV survivors. At a minimum, the Government must provide funding support to fill existing magistrate vacancies to reduce the current backlog in cases and ensure timely justice for GBV survivors.*

107. This recommendation remains current and should be actioned.

**Recommendation 62:** *All Magistrates should be required to participate in annual continuing legal education trainings on gender equality, GBV concepts, the Criminal Code, FPA, LPA and related regulations, the Evidence Act (in particular, the provisions related to testimony from survivors), and good practice approaches to ensuring survivor-centred justice approaches.*

108. This recommendation remains current and should be actioned.

**Recommendation 63:** *The Magisterial Service is encouraged to produce a specific proposal for consideration by the Government, Treasury, and this Committee, including a budget, on how to address weaknesses in the current legal framework, staffing and infrastructure of the District and Family Courts, with a particular focus on providing recommendations aimed at ensuring efficient justice services which are accessible to GBV survivors across the country. Such a proposal could be developed in collaboration with the Village Courts Secretariat to integrate joined-up activities to*

**strengthen the capacities of these courts as well. Any proposal should also consider lessons learned from the Madang “Family Safe Court” pilot currently underway.**

### **12.5.c. National Courts**

109. This recommendation remains current and should be actioned.

**Recommendation 64: The National Court Registry is encouraged to review the Courts’ internal case management rules and processes to ensure that GBV cases are designed to be survivor-centred, including by ensuring trials are managed in the most timely way possible.**

110. During the March 2022 hearings, the National Courts Registrar gave a presentation to the Committee on a new Integrated Criminal Case Systems Database (ICCSDB) that has been developed by the National Courts Registry to improve the processes for processing serious criminal cases. The database is expected to connect the RPNGC, OPP, magistrates courts and national courts, by digitising file management process across those agencies as they relate to criminal cases. The system does not relate to the processing of Family Protection Orders.

111. The Registrar advised that the database is ready for rollout, but the next step was to discuss its use with key partners, namely RPNGC, OPP and the Magisterial Service. He advised that the Government has already provided a substantial budget for the rollout, including to buy equipment, set up internet infrastructure and provide training to offices across the country. This is a major development, noting that computer literacy and access to IT infrastructure (internet, laptops, printers, scanners) has been a major resource problem raised by most law enforcement officials, particularly those working outside the NCD.

**Recommendation 64A: The National Courts Registry is encouraged to promptly roll out the new Integrated Criminal Case Systems Database (ICCSDB) to strengthen the ability of justice agencies to more efficiently process criminal cases, including those related to GBV, and to collect and publish data on GBV case processing across the country. They are encouraged to use their rollout budget to strengthen information management infrastructure and skills across key law enforcement agencies, noting that computer skills are generally lacking amongst many officials.**

### **12.6. Case Management**

112. This recommendation remains current and should be actioned.

**Recommendation 65: The NGBVS should work with Government and civil society partner GBV service providers to:**

- (1) undertake a systematic review of existing case management approaches to identify good practice and problems and produce action-oriented recommendations;**
- (2) GBV service providers should collaborate to develop SOPs, including a Code of Conduct, to guide case management; and**
- (3) the NGBVS should support a GBV Services One-Stop-Shop pilot to identify whether and how this concept could be adapted for PNG’s context.**

### **12.7. Coordination Across the Justice System**

113. This recommendation remains current and should be actioned. The written submission to the Committee from DJAG noted that:

*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 [L&J] National Coordination Mechanism. The GBV response and coordination will be overseen by the Crime Prevention Branch within this new division.*

*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.*

**Recommendation 66:** *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.*

### **12.8. Capacity Development Across the Justice System**

114. This recommendation remains current and should be actioned. The written submission to the Committee from DJAG noted that: “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 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.”

**Recommendation 67:** *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.*

## **12. GBV Services for Perpetrators**

---

115. This recommendation remains current and should be actioned.

**Recommendation 68:** *The NGBVS should work with Government partners and CSOs to:*

- (1) gather information about good practice activities focused on GBV perpetrators and lessons learned, including the specific approaches to rehabilitation and reintegration;**
- (2) use that knowledge to scale up efforts to work with GBV perpetrators.**

116. As part of the Recommendation 68 in the August 2021 Report of the Committee, the Committee requested specific advice on the specific issues related to juvenile justice and rehabilitation. The Juvenile Justice Unit within DJAG provided a specific submission to the Committee for consideration as part of the Committee’s March 2022 public hearings (see Annex 13). The submission noted that:

*Section 7 of the Juvenile Justice Act 2014, establishes the Juvenile Justice Service (the Service). It is a mandatory and core function of DJAG and falls under Justice Administration Division. The structure of the Service is streamlined to the provincial operations. Juvenile Justice Officers are located in respective provinces. In the Provinces where we do not have the Juvenile Justice Officers, the Probation Officers assumes or performs the duties of the Juvenile Justice Officers. Sections 25 and 26 of the Juvenile Justice Act 2014 establishes the National Juvenile Justice Committee and the Provincial Juvenile Justice Committee to...provide oversight on the implementation of the Juvenile Justice Act at the national and provincial level...The issues of GBV can also be address through these Committees pertaining to juvenile offenders or where referral pathways or case management is concern...*

*Most of the juvenile cases are committed may not relate 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 behaviours if appropriate structured rehabilitation programs are not in place.*

117. The submission from the Juvenile Justice Unit provided statistics on crime rates and types of crime committed by juvenile offenders. The submission noted "violence [was] involved in committing [many of] these offences. Without emphasis on the structured rehabilitation and reintegration programs at the institutional level, as a revolving door, juvenile offenders will continue to become the habitual offender.... statistics shows that there are high number of police diversion being facilitated than the court diversion. There are increasing number of juveniles being placed on Probation." The submission noted that statistics on juvenile offending are collated on a monthly basis but the submission of monthly reports has been a challenge caused by under-resourcing of officers. Inadequacy in funding such as purchasing of desktop computers, printers and internet access all undermine the ability of officers to do their jobs properly.

118. The submission also provided information on six juvenile justice institutions managed by DJAG through the Juvenile Justice Service. It was noted that due to funding constraints, not all of the facilities were operating or able to detain the juvenile offenders, apart from Hohola Remand Centre in the NCD and Mabiri Juvenile Rehabilitation Centre. Although the institutions are operating, the number of juveniles being process is very low. All six institutions are gazetted pursuant to Section 95 of the *Juvenile Justice Act 2014*. One of the objectives of the *Juvenile Rehabilitation and Reintegration Policy 2021-2031* was to that ensure juvenile rehabilitation institutions and remand centres are fully operationalized, but this requires funding from the National Budget. 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*. Some juveniles are being held in adult facilities, which is a breach in the standard minimum requirement of the Act.

119. There are no structured rehabilitation and reintegration programs for juvenile offenders in custodial or non-custodial situations. The development of the Juvenile Rehabilitation and Reintegration Policy 2021-2031 was supposed to address this but it has been under-funded. A Policy Paper was submitted to the NEC requesting 5 million Kina be allocated to support juvenile justice. The NEC is yet to deliberate on the funding proposal. The decision will determine the future institutionalization of the juvenile justice service to assist children coming into conflict with the law.

***Recommendation 68A: The NEC is encouraged to consider favourably the proposal developed by the DJAG Juvenile Justice Unit which seeks to operationalise the Juvenile Rehabilitation and Reintegration Policy 2021-2031. Although juvenile offenders may not be committing GBV acts currently, many of their crimes involve violence and if appropriate rehabilitation and reintegration programmes are not implemented, there is a high risk of their reoffending and becoming GBV perpetrators in future.***

120. This recommendation remains current and should be actioned.

***Recommendation 69: The Corrective Services Commission is encouraged to produce a specific proposal for consideration by the Government, Treasury and this Committee, including a budget, on how to develop and implement effective rehabilitation programmes for inmates convicted of GBV and/or for all inmates. Specific activities could be included for specific prisoner groups, such as women, juveniles and PWDs.***



### 13. Reserved Seats for Women

---

121. The Committee's Terms of Reference include examining "how women's leadership can be more proactively supported to ensure that women can help lead the response to GBV, including by examining options for implementing temporary special measures for women in Parliament". Including the issue of women's leadership as an aspect of this inquiry into GBV recognised that violence against women and girls is a symptom of gender inequality, which is also reflected at the highest political levels of the country – demonstrated by the absence of any women at all in the Tenth National Parliament.

122. In early 2021, the Marape Government indicated their intention to enact legislation to create 5 regional reserved seats for women. The Committee lent its support to this proposal, on the basis that a small number of reserved seats for women were preferable to none, and there was only limited time to build political support for the proposal. Unfortunately, since the August 2021 report, there has been no progress at all on the initiative to reserve seats for women. The written submission to the Committee from DJAG noted that:

*The Submission on this issue has been lodged with the National Executive Council for its deliberation. 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...*

*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.*

123. At the March 2022 public hearings of the Committee, Ambassador Pomaleu who heads the Department of PMNEC made clear that there was no time to now enact the necessary legislation. This was despite the Government's subsequent decision to table and pass legislation in the March 2022 session of parliament to create 7 new open electorates in advance of the June 2022 National General Election. The Committee wishes to register its extreme disappointment that this reform was not undertaken and encourages the next Government to progress reserved seats for women as an urgent national priority.

***Recommendation 70: The Committee urges the new Government elected after the June 2022 National General Election to urgently table a draft Bill in the National Parliament to create reserved seats for women. The Committee supports the 2011 proposal to reserve 22 seats for women.***

124. The Independent Political Parties and Candidates Commission has been a major champion of women's political participation, using their mandate to try to connect more women with political parties, in advance of the 2022 National General Election. At the structural level, the IPPCC has been pushing for law reforms that would require all political parties to endorse a minimum of 10% women candidates at every election. This reform has not yet been tabled in the National Parliament but should be prioritised by the post-election Government. The IPPCC has also indicated an interest in using the Central Fund established under OLIPPAC to collect money that could be dedicated to women candidates. In accordance with s.77, the Central Fund can hold funds provided by the National Government, national citizens (see s.79 for more); by international organisations (see s.80 for more);

and by non-citizens. This idea could be developed over the next term, to address the constant issue raised by women candidates regarding the challenge of funding election campaigns.

***Recommendation 70A: The Committee urges the new Government elected after the June 2022 National General Election to urgently table the OLIPPAC reforms proposed by the IPPCC, in particular the reforms to introduce a minimum quota for women, and to explore options for providing a regular contribution to the IPPCC Central Fund every year, which can be used to support women candidates in a non-partisan, fair way.***

125. Since the August 2021 Report, there has been some work done by government bodies to address the issue of women's political participation through approaches other than reserved seats, but much of it has been done in partnership with development partners because of a lack of funding from the Government. It is important for the Government to invest in strengthening women's leadership and political participation.

126. The IPPCC has held three Political Party Expos since 2019, in Port Moresby, Kokopo and Kimbe, with support from UNDP. More recently, in 2021 once COVID-19 restrictions permitted it, the IPPCC started rolling out a provincial mentoring programme for aspiring women candidates across the country. In late 2021, the IPPCC and UNDP held regional provincial mentoring meetings in the Southern, Momase and New Guinea Islands Regions (the Highlands Region was planned but cancelled due to COVID19 restrictions) which brought together aspiring women candidates for a 2-day mentoring session and then connected them to political party executives. A final national mentoring workshop was held in Alotau in January 2022. This was also used to launch a new "Women's Political Participation & Representation Training Manual" produced by the IPPCC and UNDP.<sup>6</sup>

127. DFCDR has also worked with the UN on a number of activities. For example, DFCDR, in partnership with UN Women, supported the establishment of four regional coalitions for gender equality by bringing together male advocates and women leaders, as well as women-led networks and organisations, from business, politics, civil society, and churches to advocate for women's political participation. These efforts, in combination with those of IPPCC and UNDP, led to an increased discussion in mainstream media on Temporary Special Measures, namely reserved seats for women in the national parliament. DFCDR and UN Women also published a 9-month Women in Leadership series in the *Post Courier* and on social media featuring the stories of 60 diverse women leaders from across the country.

128. In March, the National Parliament, IPPCC and DFCDR, with UNDP support, partnered together to run the Third Practice Parliament for Women, which brought together 60 women for training. UN Women has also partnered with PILAG to establish a Political Leadership Academy for Women, which offers a 6-month part-time programme to subnational female politicians. The Academy aims to support a leadership pipeline wishing to advance their political careers to the next level.

***Recommendation 71: The Government must learn from existing programmes being implemented by national stakeholders and development partners to support women to meaningfully and safely participate in politics and decision-making across the country. Recognising the practical barriers still faced by many women who wish to engage in politics and decision-making, the Government must invest resources in legal, policy and programming responses to empower women to be more effectively engaged in these processes.***

---

<sup>6</sup> [https://www.pg.undp.org/content/papua\\_new\\_guinea/en/home/library/women-s-political-participation---representation-training-manual.html](https://www.pg.undp.org/content/papua_new_guinea/en/home/library/women-s-political-participation---representation-training-manual.html)