



## THE BOUGAINVILLE LAW AND JUSTICE SECTOR

### A REPORT ON THE ROADSHOW TO COMMUNITY GOVERNMENTS IN CENTRAL BOUGAINVILLE

CONDUCTED (10<sup>TH</sup> - 14<sup>TH</sup> SEPTEMBER 2018)



CONTENTS OF REPORT	PAGE
▪ Bougainville Law & Justice Roadshow Team	1
▪ Abbreviations	2
▪ Team Leader's Foreword	3
▪ Acknowledgements	4
1) The Report	5
▪ Background	5
▪ Purpose of Roadshow	5
▪ Rationale	6
▪ Establishment of the Roadshow	6
▪ Conduct of the Roadshow in the three (3) Districts of Central Bougainville	7
▪ Outcome of the Roadshow in the three (3) Districts of Central Bougainville	8
2) The Roadshow Awareness to CGs of Central Bougainville in Pictures	10
3) Perception Survey on Community	16
▪ Survey Objective	16
▪ The Conducted of Survey	16
▪ The 6 Community Governments Covered by the Survey	17
▪ Issues Raised through Questions	17
4) Summary of Report	18
▪ Summary of Findings	19
5) Recommendations	21
6) Survey Attachments	22 – 38
▪ Annex 1: Survey Response Illustrations by Community Government	22
▪ Annex 2: Summary Action Plan for Issues Raised	34
<i>- Actual Questions asked at Community Governments Covered</i>	38

- **Bougainville Law & Justice Roadshow Team**

1. **ABG Office of Principal Legal Adviser** - Ms Scholastica Nepel (Team Leader & DPCSJ Rep)
2. **Magisterial Services** - Mr Luke Keria (MS Buin)(Rep)
3. **Office of Public Solicitor** - Mr Cornelius Momoi (Rep)
4. **Office of Public Prosecutor** - Ms Sabine Dusava (Prosecutor)
5. **Bougainville Police Service** - Mr Godwin Dukaduka (Rep)
6. **National Judicial Staff Services** - Mr Timothy Holi (Rep)
7. **OCPNG Bougainville Regional Office** - Ms Alice Gabina (OC Head)
8. **Community Based Corrections** - Ms Isabel Tago (Rep)
9. **Correctional Services** - Inspector Mr Julian Maneo (Rep)
10. **Family Sexual Violence (ABG ComDev)** - Mr Medley Koito (Rep)
11. **Village Courts & Land Mediations** - Mr Ishmael Korake (Manager Village Courts & Land Mediation)

- **Other Contributing Persons**

12. **Mr Douglas Pisi** – ABG Department of Peace Agreement Implementation (Rep)

- **Coordinating Team**

1. Mr Pais Otima – DPCSJ
2. Mr Luke Clancy – JSS4D

- **Development Partner Observers**

Mr Adrian Nessel – JSS4D

Mr Steve Kose -- Lead Advisor NZPOL Bougainville (joined at Wakunai Market)

**Abbreviations**

ABG – Autonomous Bougainville Government  
 ARDB – Autonomous Region of Bougainville  
 BLJCM – Bougainville Law and Justice Coordinating Mechanism  
 BLJS -- Bougainville Law & Justice Sector  
 BPS – Bougainville Police Service  
 CAP – Community Auxiliary Police  
 CBC -- Community Based Corrections  
 CG – Community Government  
 ComDev – Community Development  
 DPAI – Department of Peace Agreement Implementation  
 DPCSJ – Department of Police, Corrective Services and Justice  
 FSV -- Family Sexual Violence  
 FSVU -- Family Sexual Violence Unit  
 IPD – Interim Protection Orders  
 MS -- Magisterial Services  
 MTDP – Medium Term Development Plan  
 JSS4D – Justice Services For Development  
 NJSS -- National Judicial Staff Services  
 NZPOL – New Zealand Police  
 OC -- Ombudsman Commission  
 PLA – Principal Legal Adviser  
 OPP -- Office of Public Prosecutor  
 OPS -- Office of Public Solicitor  
 VC & LM -- Village Courts & Land Mediations

### **Team Leader's Foreword**

Law and Justice Agencies had successfully conducted this year's second input of the roadshow awareness to Community Governments in the 3 Districts of Central Bougainville (Kieta, Panguna, Wakunai Districts). The roadshow to Central Bougainville is the first of two roadshow inputs for this year.

The intention of delivering this roadshow awareness was to educate people in the communities about the importance of upholding the rule of law, as well as to inform them about the available forms of assistance from the respective agencies who were involved. People who were targeted are the youth, women, parents and chiefs in those respective Community Government areas and their subsequent wards.

The main messages delivered relate to the importance of upholding the rule of law and the need to respect one another in the society so everyone can enjoy freedom in all aspects.

Social problems in our communities continue to rise and they need to be addressed if not minimised through increased awareness efforts by all stakeholder organizations at this time, not only by law and justice but also through other Departments such as Education and Health etc.

The same message conveyed during the previous roadshow awareness to Community Governments in South Bougainville was echoed to ward leaders, clan leaders, parents and young people in Central Bougainville. Village elders and other authorities at the Ward level have been urged to cooperate to build a connecting role in ensuring that peace and stability is maintained at all times and in preparation for a peaceful conduct of referendum next year in 2019. Every effort taken in upholding the rule of law at the community level will create an atmosphere that is conducive for a free and fair vote as well as a peaceful outcome after the Referendum has been conducted.

I commend the tireless efforts of Agency heads and representatives who were able to set some time aside of their busy work schedules to inform the people of Bougainville about the services that their respective Agencies (law and justice service providers) are providing here in Bougainville. You all had once again successfully conducted the second input of the roadshow during the month of September in 2018.

I also thank Development Partner JSS4D for the support given in funding this second awareness input of the year, as well as NZPOL for their continued transitional support to the BPS on Bougainville.

### **Mr Kearneth Nanei**

Team Leader (Principal Legal Adviser) – Bougainville Law & Justice Sector

## ▪ Acknowledgements

The involvement of Agency representatives who were part of the team in delivering the second roadshow awareness input in September 2018 is very much appreciated and acknowledged. A Special acknowledgement is extended to the representative of the Department of Peace Agreement Implementation who once again travelled with the team to Central Bougainville in much the same way as he did in the previous roadshow to Central Bougainville.

The Law and Justice Representatives including the Officer from the DPAI who contributed on behalf of their Agency heads are:

1. Magisterial Services-Senior Magistrate - Mr Luke Keria (Rep)
2. Public Solicitor's Office Lawyer - Mr Cornelius Momoi (Rep)
3. OCPNG Regional Office Bougainville - Ms Alice Gabina
4. Bougainville Police Service-Senior Constable – Superintendent Mr Godwin Dukaduka (Rep)
5. National Court- Acting Assistant Registrar - Mr Timothy Holi (Rep)
6. Correctional Services- Inspector Mr Julian Maneo (Rep)
7. Community Based Corrections - Probations Officer Ms Isabel Tago (Rep)
8. Village Courts and Land Mediations - Director Mr Ishmael Korake
9. FSV (ABG ComDev) – Director Equity Services Mr Medley Koito (Rep)

## I) THE REPORT

### 1.1) Background

- 1.1.1) The Region continues to face ongoing issues and associated challenges impinging on the rule of law as Bougainville moves through a political and socio-economically complex journey. The law and justice sector as a responsible body in ensuring it better puts together the best coordinates in creating a peaceful society that is conducive for all citizens, investors and visitors to Bougainville, also strives to improve and maintain the rule of law, and justice services with its limited capacity and resourcing issues.
- 1.1.2) Conducting roadshow awarenesses, is one important package for the law and justice sector in Bougainville apart from other roles associated with the implementation of its Annual Activity plans, as aligned and connected to all its Agency Strategic Plans.
- 1.1.2) In conducting the combined law and justice roadshow awarenesses annually, the sector hopes to bring a uniformed message across to all Bougainvilleans that the rule of law is paramount for a better society to live in and that abuses of all forms including the abuse of alcohol and other illicit substances are detrimental to ensuring and creating peaceful communities to all including Central Bougainville.
- 1.1.4) Messages for creating conducive societies at the village level were conveyed to the Community Governments and subsequent ward and village level authorities who attended during the delivery of the roadshow awareness to the 3 Districts of Central Bougainville were firmly informed.
- 1.1.5) The recently delivered roadshow awareness is the second and final input of the two (2) planned roadshows for the year 2018.

### 1.2) Purpose of Roadshow

- 1.2.1) The purpose of this Community consultative Law & Justice Roadshow through the respective Community Governments as the authorities on the ground, was to inform people in the Communities of Central Bougainville about the importance of law and order as a determining factor to promote peace, stability and good order. The message was also echoed to help urge communities in doing away with homebrew and marijuana which are the main causes that trigger violence of all forms in the communities, and which very much also puts a great challenge to justice in Bougainville.
- 1.2.2) The Roadshow also carried a message for Community and Village authorities to have a more coordinated role to strengthen and connect their daily activities to address the lawlessness and to create a conducive social environment in their respective communities for all but more for the vulnerable to enjoy.
- 1.2.3) Many people in the communities many of whom have missed passed roadshows do not know of accessible justice services that each respective law and justice agency provides as part of their core functions and it was an opportunity for them to know such valuable information.

**1.3) Rationale**

- 1.3.1) The Bougainville Law and Justice Sector's conduct of the roadshow is an important activity under its vision for a just, safe, secure and free Bougainville. The Sector strives to achieve this vision by carrying out its mission which "is to provide the best possible law and justice service to the people of Bougainville and their Government (ABG)" during this political transition period. The Sector had identified an important 'target group' that needs to be informed of available services, opportunities, and essential information about the consequences of making wrong choices in life. That 'target group' is the young people in the Community Government areas.
- 1.3.2) The key message disseminated by the Team of law and justice agencies was for Community leaders to guide their people to envision a decent future that can only be achieved through a cooperative effort in order to create a conducive environment for them after the referendum is conducted for Bougainville in June 2019 and beyond. The future of Bougainville entirely depends on every guiding authority at the village level and the same message was also echoed in the 2017 roadshow to high schools and secondary schools. The emphasis to the schools was to encourage students to become future good leaders, parents and citizens of Bougainville.
- 1.3.3) Conducting 'awareness roadshows' for the Department in collaboration with the Sector is one key outcome area under one of the ABG Department of Police, Corrective Services and Justice's 6 Outcome Groups (Outcome Group 3 – Coordination of law and justice services) under the ABG Department of Police, Corrective Services & Justice's Corporate Plan 2017-2019.

**1.4) Establishment of the Roadshow**

- 1.4.1) The roadshow was an initiative of the Bougainville Law & Justice Sector which implements its Programs and activities through a coordinating body known as the Bougainville Law & Justice Coordinating Mechanism (BLJCM).
- 1.4.2) During its first meeting of 2018 which was convened on the 7<sup>th</sup> of March 2018, the ABG law and justice sector through its BLJCM agreed to deliver the awareness throughout all accessible Districts in the 3 regions of Bougainville beginning with South Bougainville. It was also agreed that an Officer from the ABG's Department of Peace Agreement Implementation (DPAI) be included in the roadshow team to answer and clarify people's questions that relate to 'referendum' issues at roadshow venues.
- 1.4.3) An Advance Party was sent two weeks before to set up the Roadshow with Community Government Chairmans in consultation with the District Managers of Kieta, Panguna, and Wakunai Districts.
- 1.4.4) The advance party's role was to immediately liaise with the respective Community Governments on suitable dates and timings for the conduct of the roadshow awareness to a total of ten accessible Community Government areas in Central Bougainville.



- 1.4.5) The roadshow was intended to showcase respective Law & Justice agency roles, as well as it also advertised the services that are available through each respective agency.
- 1.4.6) The roadshow initiative was part of the Bougainville Law & Justice sector agencies' responsibility to:
- 1. Inform people in the communities about each agency's role, the importance of the rule of law as well as the service available and which can be accessed through these agencies.*
  - 2. Collect feedback information, through such an awareness as the main approach of community consultative process which allows for adjustments to the Bougainville sector's ongoing planning processes in order to be responsive to immediate issues and to be consistent with its (BLJS) own vision and mission statements.*

### **1.5) Conduct of the Roadshow in the three (3) Districts of Central Bougainville**

- 1.5.1) The Roadshow in Central Bougainville was conducted during the month of September in 2018 and it covered six of the 11 Community Governments in Central Bougainville. It was conducted from Monday 10<sup>th</sup> to Friday 14<sup>th</sup> of September 2018.
- 1.5.2) The team left Kokopau at 11:15am BST and travelled into Arawa and stayed overnight on Sunday 09<sup>th</sup> of September 2018. It then began the roadshow on the following day at the Kokoda Community Government.
- 1.5.3) After completing the roadshow at Kekere Community Government Centre (Sirovai) for Kokoda, the Team drove back up to Aropa and then turned into the Kapanau market and delivered the awareness at 2:30pm BST to the people of South Nasioi Community Government.
- 1.5.4) After conducting the roadshow to the people of South Nasioi, the Team then retreated to the Arawa Travellers Inn to rest for the night and then on the next day continue with the week's Awareness Program to other CG venues.
- 1.5.5) Most heads of Agencies were not able to attend to this week-long awareness due to commitments beyond their control.
- 1.5.6) The Agencies did their presentations following the 'Justice Track or the Justice process/cycle and in the following order:
- 1. An overview/Introduction by the Team Leader Ms Scholastica Nepel, 2. Police (BPS), 3. Magisterial Services (MS), 4. National Judicial Staff Services (NJSS), 5. Public Solicitor's Office (PSO), 6. Community Based Corrections (CBC), 7. Correctional Services (CS), 8. Village Courts & Land Mediations (VC&LM), 9. Ombudsman Commission (OC) and 10. The ABG's CommDev-Family Sexual Violence section (FSV). 11. DPAI Referendum Office*
- 1.5.7) After all presentations by the Agencies at every location, time was given for people in the communities to ask questions regarding issues to any agency they might have questions to.

- 1.5.8) This roadshow awareness was the first for the Office of Public Prosecutor. The OPP did not attend to previous roadshow awarenesses due to court circuit commitments.
- 1.5.9) Feedback given by mostly community leaders during the roadshow indicated that there was still a need for the sector to continue staging its awareness programs further into the remote areas in Central Bougainville. People in those areas do not or can't make it to central locations due to distance and lack of transport. This issue was also identified during the previous roadshow awareness to South Bougainville CGs especially in the Siwai District.
- 1.5.10) Communities were informed about the importance of the rule of law and the roles of each of law & justice agency that is established in Bougainville. This information also included the services that people can access through these agencies.
- 1.5.11) Included in the team, was an ABG Department of Peace Agreement Implementation representative who presented on matters regarding to Referendum especially on its misconception as an outcome than a process. This officer's role also extended to the need for clarity on the notion of 'independence' to be understood is one of the 'options' or of two or more possible outcomes of 'questions to be put' on the ballot for the plebiscite in 2019.
- 1.5.12) The law and justice team conducted the roadshow awareness to the following Governments:
- Kokoda Community Government
  - South Nasioi Community Government
  - North Nasioi Community Government
  - Torau Community Government
  - Eivo Community Government
  - Rau and Terra Community Governments combined
- 1.5.13) The only Community Government areas which the team did not conduct the roadshow were Kongara 2 or Ami Aming because of road inaccessibility due to mountainous terrain, Kongara 1 due to communication breakdown between the Chairman and his people, and the scheduled loro 1 and loro 2 combined awareness due to a clash with another new Program that the Awareness team was not informed.

### **1.6) Outcome of the Roadshow in the three (3) Districts of Central Bougainville**

- 1.6.1) The team conducted six awareness sessions over the 5 days from Monday 10<sup>th</sup> – Friday 14<sup>th</sup> September 2018.
- 1.6.2) The total estimated number of people (attendees) who listened to the awareness roadshow in the six locations visited in Central Bougainville was 900 heads.

1.6.3) The following is the estimated number of heads for each of the Community Government venues visited:

- 1) Kokoda CG = 55 heads**
- 2) South Nasioi CG = 80 heads**
- 3) North Nasioi CG = 375 heads**
- 4) Torau CG = 60 heads**
- 5) Eivo CG = 40 heads**
- 6) Rau and Terra CGs = 290 heads**

1.6.4) The roadshow as conducted by the law & justice agencies to Community Government areas in the three (3) Districts of Central Bougainville and was led and coordinated by the Department of Police, Corrective Services and Justice.

1.6.5) The agencies also talked to the people about their core functions, the services they provide and which can be accessed by people.

1.6.6) The agencies informed people in the Community Government areas about the importance of the rule of law in protecting peoples' lives and properties as compared against the insecurities of factionalism without the rule of law which might affect and jeopardize Bougainville's future after the conduct of the 'Referendum' and beyond.

**2) THE ROADSHOW AWARENESS TO COMMUNITY GOVERNMENTS OF CENTRAL BOUGAINVILLE IN PICTURES:****2.1) BLJS TEAM PRESENTING AT THE KOKODA COMMUNITY GOVERNMENT CENTRE**

10

**2.2) PEOPLE OF KOKODA LISTENING TO THE AWARENESS**



### 2.3) BLJS TEAM PRESENTING AT THE KAPANAU MARKET



11

### 2.4) PEOPLE OF SOUTH NASIDI LISTENING TO THE AWARENESS AT KAPANAU MARKET





**2.5) BLJS TEAM PRESENTING AT THE ARAWA TOWN MAIN MARKET**

12

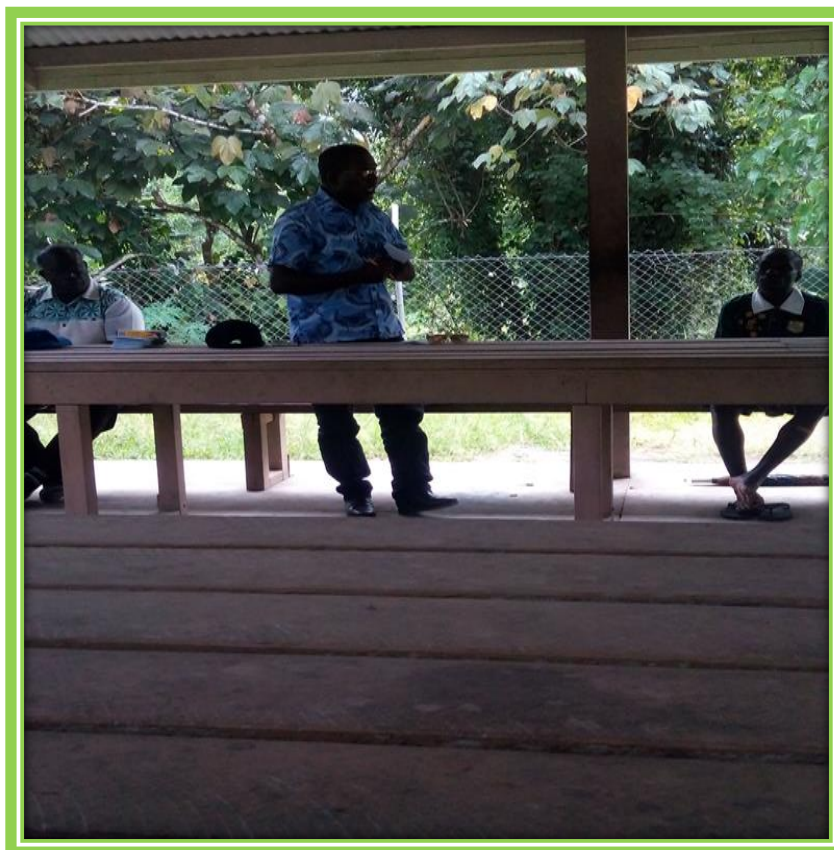
**2.6) PEOPLE OF NORTH NASIOI AND OTHERS LISTENING TO THE AWARENESS AT ARAWA TOWN MARKET**

**2.7) BLJS TEAM PRESENTING AT THE TORAU COMMUNITY GOVERNMENT CENTRE**

13

**2.8) PEOPLE OF TORAU COMMUNITY GOVERNMENT AREA LISTENING TO THE AWARENESS**



**2.9) BLJS TEAM PRESENTING AT THE EIVO COMMUNITY CENTRE MARKET**

14

**2.10) PEOPLE OF EIVO COMMUNITY GOVERNMENT LISTENING TO THE AWARENESS**



## 2.11) BLJS TEAM PRESENTING AT WAKUNAI MARKET



15

## 2.12) PEOPLE OF RAU & TERRA LISTENING TO THE AWARENESS AT WAKUNAI MARKET



### 3) PERCEPTION SURVEY ON COMMUNITY

A perception survey was carried out during the course of the roadshow awareness to Community Governments in Central. The Survey covered an estimated population of more than 900 heads from the Community Governments in Central Bougainville, however that total number was represented through 180 heads in the six (6) locations who took part in the survey exercise.

#### 3.1) Survey Objective

3.1.1) The Bougainville Law & Justice Sector conducted this survey to get feedback impressions from people on their perception about the general impact of law, good order and justice situations at the Community level. People who converged at the awareness locations are a representation of their communities. The survey was conducted to both the male and female genders in the respective locations covered.

3.1.2) The survey was aimed at achieving the following:

- 1) People by now should be upholding the rule of law as it is the ultimate foundation from which other developments can depend upon to build a strong political, economic and social future. The people of Bougainville should be encouraged to uphold the rule of law, as much as to respect the course of justice in order for a better Bougainville to live in.
- 2) That the village level Community Government is encouraged as the ultimate authority which will take lead in in addressing social problems that result from the abuse of drug and 'home brewed' alcohol in the communities. This is a crucially urgent step in preparation for the 'Referendum' and its outcomes in 2019.
- 3) This basic survey can also provide the basis and catalyst for cost-effective researches that hopeful undertakers (any stake holder) may want to or intend to carry out eg. a region-wide feedback consultation on issues relating to law and order and human rights violations.
- 4) An indirect encouragement for young people to live a decent life that will set the foundation for a better generation of law abiding people who will manage their own lives independently and through hard work.

#### 3.2) The Conduct of Survey

3.2.1) The survey was conducted on law and order and the response capacity status of responsible law and justice stakeholders, as well as the main issues in the communities over the preceding years. This

feedback survey also extended its focus on peoples' impressions on the work of the Bougainville Police Service, the Community Auxiliary Police concept and the work of village courts.

- 3.2.2) The survey was conducted by way of random selection of a people who attended the roadshow. 30 literate respondents (15 males and 15 females) representing their respective Community Government populations were handpicked to answer the team's questionnaire that was provided at each venue.
- 3.2.3) The reason why only 30 respondents were selected to answer the questions on behalf of their respective Community Government populations was not only due to time limitations given at each venue but also because of the immense task of putting responses against questions and response options in both table and graph expressions for all who attended the roadshow.
- 3.2.4) A single sheet Questionnaire containing six (6) questions was distributed to the respondents. The six summary questions basically summarized the impact of both law and justice services as measured against the outcomes of service providers who still continuously strive to address law and order as well as justice issues in Bougainville over the past few years.

### **3.3) The 6 Community Governments Covered by the Survey**

- 3.3.1) A total of 6 out of the anticipated 10 Community Government areas were covered under the survey. These six Community Governments are Kokoda Community Government, South Nasioi Community Government, North Nasioi Community Government, Torau Community Government, Eivo Community Government, and the Rau/Terra Community Governments combined. Kongara 1 Community Government in Kieta District and the combined Ioro 1/Ioro 2 Community Governments in the Panguna were not covered in the survey because the roadshow awareness was not conducted in their areas due to reasons beyond the team's control.
- 3.3.2) The survey results for each of the 6 Community Governments covered were put into tables and illustrative graphs. The table survey results together with accompanying graph illustrations are attached at the back of this Report.

### **3.4) Issues Raised through Questions**

- 3.4.1) During the course of the awareness, people in the respective Community Governments of Central Bougainville were given an opportunity to ask questions after all presentation were done by the Agencies.
- 3.4.2) All Questions asked by people were taken note of. Out of these questions, issues were identified and listed by way of a '**Summary Action Plan**' (ref: pg 20) which seriously calls for further action to be taken by the Agency responsible.

## 4. SUMMARY OF REPORT

As part of its Objectives that are contained in its Mid-Term Development Plan 2016-2019, the BLJS had initiated to conduct this awareness program to the Community Government areas in the 3 sub-Regions of South, Central and North Bougainville. This Roadshow awareness input (Input No. 02) was executed during the month of September in 2018.

18

### 4.1) The Agencies

- 4.1.1) A total of 9 (Nine) Agencies within the Sector took part in this roadshow and they are: ***Police (BPS), Correctional Services (CS), Public Solicitor's Office (PSO), National Judicial Staff Services (NJSS), Magisterial Services (MS), Community Based Corrections (CBC), Village Courts & Land Mediations (VC&LM), Ombudsman Commission (OC) and the ABG's CommDev-Family Sexual Violence section (FSV).***
- 4.1.2) The purpose of this awareness roadshow was to inform people in the communities about each law and justice agency's core functions and roles, as well as the services provided by the agencies that can be accessed when seeking legal or protection from abuse and continued violence.
- 4.1.3) The intention of the awareness roadshow was to educate people in the communities through their Community Government authority structures about the different functions of the agencies within the law and justice sector in Bougainville. Moreover, the whole idea was also to bring a strong message about the importance of the rule of law across all communities, as well as to encourage everyone especially young people to refrain from getting themselves involved in activities that will destroy their current livelihoods and which will prevent them from working towards a brighter future. These activities include the abuse of home brewed alcohol and marijuana consumption which is the common problem among young people and many adults right across the Region.
- 4.1.4) People were encouraged to become law abiding citizens for Bougainville if Bougainville is to enjoy peace and good order at a time when the Region is preparing itself for the coming Referendum in 2019 and the times beyond.
- 4.1.5) The Agencies also distributed information brochures and leaflets during presentations. This included a general information leaflet explaining the basic role of each agency.
- 4.1.6) As part of its expected feedback, the BLJS Team also conducted a survey exercise on 30 randomly selected people at the respective community roadshow venues. This exercise was done by way of distributing 30 questionnaires each containing 6 questions relating to people's perceptions on the work of law enforcement and policing services, as well as the work of village courts and the measure of the general impact of law and justice agencies in Bougainville.

- 4.1.7) The survey also tried to identify whether there has been any improvement on the impact of the delivery of law and justice services.

## 4.2) Survey Questionnaire

- 4.2.1) The Six (6) Questions as they appear in the Survey Questionnaire are:

1. What do you think about the role of the Bougainville Police Service in Bougainville?
2. What do you think about the role the Community Auxillary Police (CAPs) in your Communities?
3. What do you think about the role of Village Courts in Bougainville?
4. What is your opinion about Home brew & Marijuana consumption in Bougainville?
5. Is there any improvement in Law & Order in Bougainville over the last 2 Years?
6. What do you think about the prevalence of Sorcery in your community and Bougainville?

- 4.2.2) These six (6) Questions and their responses are summarized within the Table Appendices and Illustrative Graphs attached at the end of this Report.

## 4.3) Summary of Findings

Through the survey conducted, the BLJS realised that there is quite an appreciation for the work of agencies such as the BPS and Village Courts/Land Mediation compared to certain criticisms received from people and the wider public.

- 4.3.1) The findings indicate that people in Central Bougainville do admit that the consumption of 'homebrew and marijuana' is very high in their Community Government areas.
- 4.3.2) And on the other hand, what was thought to be inaction and lack of competence by the law enforcing agency (BPS) as the main reason is not so and is defeated by a significant people trust on law enforcement, community policing and village courts, as indicated by the table of results and the illustrative graphs as per the survey results (attachments).
- 4.3.3) As generally indicated across the Community Governments surveyed, people still think that the the maintenance of the rule of law by the (BPS) and community policing which includes the CAP concept in the current capacity, is performing its functions well except for some disciplinary issues.
- 4.3.4) Moreover, people also have confidence in the work of village courts in the AROB as shown through the survey conducted.
- 4.3.5) There is also an indication across Community Government areas covered that there has been a bit of improvement for general law and order in Bougainville over the last 2 years.

- 4.3.6) Survey findings show that the prevalence of 'homebrew and marijuana consumption' is still the most significant issue which is a 'stumbling block' and continues to affect other efforts in trying to secure a peaceful environment at the community level.
- 4.3.7) This continues to show that the real problem in the Region still is the unprecedented levels of 'homebrew and marijuana' consumption even though the work of BPS Community Policing and its awareness programs have been and are still being executed very well.
- 4.3.8) The prevalence and the continuing high levels of 'homebrew and marijuana' consumption has come to show that there is lack of leadership at the village level where chiefs and parents have either compromised their positions of trust or have simply ignored and allowed this to happen due to utter laziness and lack of foresight for a conducive society in future.
- 4.3.9) The Table below illustrates and confirms the above findings as shown in the Survey Table Results and Graph Illustrations at the back of this Report:

*Table of Summary of Findings*

NAME OF COMMUNITY GOVERNMENT (CG)	CONSUMPTION OF HOMEBREW & MARIJUANA AS VERY HIGH (RESPONDENTS OUT OF 30), (%) OUT OF 30)	THE WORK OF BPS AS GOOD AND FAIR	THE WORK OF VILLAGE COURTS AS GOOD	GENERAL LAW & ORDER AS IMPROVED
Kokoda CG	13 (43%)	14 (47%)	15 (50%)	16 (53%)
South Nasioi CG	16 (53%)	23 (77%)	12 (40%)	16 (53%)
North Nasioi CG	17 (57%)	13 (43%)	15 (50%)	11 (37%)
Torau CG	18 (60%)	12 (40%)	12 (40%)	18 (60%)
Eivo CG	21 (70%)	21 (70%)	11 (37%)	13 (43%)
Rau/Terra CGs combined	13 (43%)	14 (47%)	15 (50%)	16 (53%)

**5) RECOMMENDATIONS**

- 5.5.1) That all Sector support should be responsive to the situations in the roadshow focus areas in order to get the maximum desired results in future in order to reach those who really need the information.
- 5.5.2) That awarenesses covering very large areas with scattered village communities in certain Community Governments be conducted individually and should have a whole day allocated to them instead of a 'half a day' allocation.
- 5.5.3) That the role of conducting roadshow awareness be partly given to a more specific relevant Committee eg. Juvenile Justice Committee (JJC) to instil a direct impact message to the youthful population whose troubles it tries to address and to acquire a more reciprocated impact from them.
- 5.5.4) This Committee approach can also be seen as a direct deterrent to the foreseen dilemma of maintaining and improving the rule of law which currently seems futile during and after the conduct of Referendum, encouraging future overcrowding of the rehabilitation centres and any future major prisons in Bougainville.
- 5.5.5) That emerging unforeseen issues affecting certain individual members of the roadshow Team which are not within the recommended terms and conditions and budget scope of the advance Party fixed plans, and as per the Team Leader's final instructions should not be entertained during roadshow daily briefings to minimise unbudgeted costs.
- 5.5.6) That other activities found not related to or not within the scope of the roadshow should not be entertained at any community roadshow venues eg. Election campaigns that fall within roadshow timings.
- 5.5.7) That a Policy Submission is immediately considered for the ABG to further deliberate and create a legislation to establish a Curriculum which will incorporate the 'Law & Justice Track' or 'Justice Cycle' in both high schools and secondary schools in Bougainville.



## Annex 2: Summary Action Plan for Issues Raised

During the roadshow awareness to the respective Community Governments of Central Bougainville, several issues were identified and put into the respective law and justice Agency heads' **'Summary Action Plan'** Table below. The main issues raised which continue to hamper, adversely affect, and encourage lawlessness and which still undermine the rule of law, were very much similar to those raised in previous roadshow awarenesses. The roadshow awareness was supposed to have been delivered to the 10 accessible Community Governments in the Central Bougainville Region however, due to circumstances beyond the team's control, only 6 Community Governments were covered from the 10<sup>th</sup> to the 14<sup>th</sup> of September 2018. The issues identified within the 6 Community Governments covered are assumed to be the same throughout those Community Governments not covered.

### Summary Action Plan

No.	Issues/Details	Agency responsible/Person	Actions required
<b>1</b>	<b>QUESTIONS/ISSUES RAISED AT KOKODA COMMUNITY GOVERNMENT (MONDAY 10<sup>TH</sup> SEPT 2018)</b>		
1.1	<ul style="list-style-type: none"> <li>Avenues where people can submit their complaints about their local ABG member</li> </ul>	Ombudsman Commission/Ms Alice Gabina	Continued awareness Program through Radio Bougainville and other avenues such as roadshows
1.2	<ul style="list-style-type: none"> <li>Compensation demands on killing or death by accident</li> </ul>	Courts & BPS/SPM Tasikul & Supt. Dukaduka	Consistent awareness through Radio Bougainville and other avenues such as roadshows
1.3	<ul style="list-style-type: none"> <li>Child maintenance if ex-wife remarries</li> </ul>	Courts/SPM Mr Bruce Tasikul	More awareness on Radio Bougainville and other means such as roadshows
1.4	<ul style="list-style-type: none"> <li>Land mediators charging fees for their services</li> </ul>	VCLM & District Courts/Mr Ishmael Korake & SPM Tasikul	More awareness on Radio Bougainville and other means such as roadshows
1.5	<ul style="list-style-type: none"> <li>Land mediators overseeing disputes in other districts</li> </ul>	VCLM & District Courts/Mr Ishmael Korake & SPM Tasikul	More awareness on Radio Bougainville and other means such as roadshows
1.6	<ul style="list-style-type: none"> <li>Assurance and guarantee of peace after Referendum on outcome of votes</li> </ul>	DPAI/Mr Douglas Pisi & BPS/Supt Godwin Dukaduka	Thorough awareness after the Questions are decided by the Bougainville Referendum Commission
1.7	<ul style="list-style-type: none"> <li>Police officer being attached to the community government/ working from the CG facilities</li> </ul>	BPS/Supt Godwin Dukaduka	Provide alternative space for BPS Officers
<b>2</b>	<b>QUESTIONS/ISSUES RAISED AT KAPANAU MARKET, SOUTH NASIOI COMMUNITY GOVERNMENT (MON 10<sup>th</sup> 2018)</b>		



2.1	<ul style="list-style-type: none"> <li>Land mediators charging fees for their services</li> </ul>	VCLM/ Mr Ishmael Korake	Conduct awareness and issue directive for such to stop
2.2	<ul style="list-style-type: none"> <li>Difference between rape of minors and consensual sex with an underage person</li> </ul>	District Courts & BPS/SPM Tasikul & Mr Dukaduka	Continued awareness on categories and penalties of sexual assault
2.3	<ul style="list-style-type: none"> <li>Sorcery related killings</li> </ul>	Courts/SPM Mr Bruce Tasikul	Continued awareness on degrees and penalties of murder in relation to sorcery related killings
2.4	<ul style="list-style-type: none"> <li>Referendum awareness to people in remote areas</li> </ul>	DPAI/Mr Douglas	Immediate awareness on Referendum process to people in remote areas around Bougainville
2.5	<ul style="list-style-type: none"> <li>Knowledge on the death penalty application in PNG</li> </ul>	Courts/SPM Mr Bruce Tasikul	Consistent awareness on the Death Penalty and its application in the PNG context
2.6	<ul style="list-style-type: none"> <li>Home brew and marijuana related problems</li> </ul>	BPS & Courts/Supt Dukaduka & SPM Tasikul	Carry out more awareness on abuse of illegal alcohol and substance abuse
<b>3</b>	<b>QUESTIONS/ISSUES RAISED AT ARAWA MARKET – NORTH NASIOI COMMUNITY GOVERNMENT (TUE 11<sup>TH</sup> SEPT 2018)</b>		
3.1	<ul style="list-style-type: none"> <li>Lack of, and slow timely response to crime scenes</li> </ul>	Supt Godwin Dukaduka	Negotiate a strategy for quick response similar to ‘Toll free line’ system
3.2	<ul style="list-style-type: none"> <li>Increased lawlessness and illegal activities in Arawa Town</li> </ul>	Supt Godwin Dukaduka	Increase Police resource capacity and awareness
3.3	<ul style="list-style-type: none"> <li>Confusion over what kind of Government structure will be used in Bougainville after the conduct of ‘Referendum’</li> </ul>	<ul style="list-style-type: none"> <li>DPAI</li> <li>Constituency Referendum Committee (Constituency Member/Community Government Chair/Ward member)</li> </ul>	Continued coordinated awareness by the DPAI and the respective Constituency Referendum Committees)
3.4	<ul style="list-style-type: none"> <li>Eligibility on the voting criterion that is to be given to non-Bougainvilleans</li> </ul>	<ul style="list-style-type: none"> <li>DPAI</li> <li>Constituency Referendum Committee (Constituency Member/Community Government) Chair/Ward member</li> </ul>	Continued coordinated awareness by the DPAI and the respective Constituency Referendum Committees)
<b>4</b>	<b>QUESTIONS/ISSUES RAISED AT TORAU COMMUNITY GOVERNMENT CENTRE (13<sup>TH</sup> SEPT 2018)</b>		
4.1	Need for an Alternative lockup for Women perpetrators other	BPS & Courts/Supt Dukaduka & SPM Tasikul	Spearhead Discussions on a lockup for women in the near future

	than 'safe houses'		
4.2	<ul style="list-style-type: none"> <li>Illegal harvesting of Beech de mer</li> </ul>	BPS & Courts/Supt Dukaduka & SPM Tasikul	BPS to respond to any reporting by witnesses, and courts to issue warning through awareness on penalties
4.3	<ul style="list-style-type: none"> <li>The Application of the Death penalty in PNG</li> </ul>	Courts/SPM Mr Bruce Tasikul	Continued awareness on the Death Penalty and its application in the PNG context
4.4	<ul style="list-style-type: none"> <li>Corrupt Practices within the ABG</li> </ul>	Ombudsman Commission/Ms Alice Gabina	Continued awareness on roles and functions and Bougainville examples in the process of being referred to appropriate authorities
4.5	<ul style="list-style-type: none"> <li>Alternative for citizens to assist Police in arresting criminals themselves</li> </ul>	BPS/Supt Godwin Dukaduka	Conduct awareness on role of citizens as different to that of Police
4.6	<ul style="list-style-type: none"> <li>Law and justices agencies assistance on issues like drinking, marijuana and children not being brought up properly</li> </ul>	BPS & Courts/Supt Dukaduka & SPM Tasikul	Device a separate awareness Program for Parents Continued public awareness on consequences of marijuana and homebrew consumption
4.7	<ul style="list-style-type: none"> <li>Parental disciplinary measures on their children</li> </ul>	BPS & Courts/Supt Dukaduka & SPM Tasikul	Carry out more awareness on consequences and provide alternative advice
4.8	<ul style="list-style-type: none"> <li>Questions to be put for the referendum vote</li> </ul>	DPAI/Mr Douglas Pisi	Thorough awareness after the Questions are decided by the Bougainville Referendum Commission
4.9	<ul style="list-style-type: none"> <li>Police officer being attached to the community government/ working from the CG facilities</li> </ul>	BPS/Supt Godwin Dukaduka	Provide alternative space for BPS Officers
<b>5</b>	<b>QUESTIONS/ISSUES RAISED AT EIVO COMMUNITY GOVERNMENT CENTRE (13<sup>TH</sup> SEPT 2018)</b>		
5.1	<ul style="list-style-type: none"> <li>The need for adequate number of land mediators and village court officials very large areas</li> </ul>	VCLM/Mr Ishmael Korake	Liaise with Secretary Nanei and VCLM Secretariat HQ in POM for possible options
5.2	<ul style="list-style-type: none"> <li>Village court magistrates asking for money to hear cases</li> </ul>	VCLM/Mr Ishmael Korake	Liaise with Secretary Nanei and VCLM Secretariat HQ in POM
5.3	<ul style="list-style-type: none"> <li>Demands for large bel kol payments</li> </ul>	BPS & Courts/Supt Dukaduka & SPM Tasikul	More consistent public awareness on the different categories of both lawful and unlawful demands

5.4	<ul style="list-style-type: none"> <li>Lack of financial support to community governments</li> </ul>	Minister & Secretary for Community Government	More consistent consultation and open communication with all Community Governments in the Region
5.5	<ul style="list-style-type: none"> <li>Community governments to make their own laws/rules for their local communities</li> </ul>	Minister & Secretary for Community Government Minister & Secretary for Law & Justice	More consultative meetings between the ABG authorities and technical advisors to discuss the issue
5.6	<ul style="list-style-type: none"> <li>Police taking money and then releasing suspects from custody, including for serious offences like murder and robbery</li> </ul>	BPS/Supt Goodwin Dukaduka	Do weekly awareness Program on Radio Bougainville and other awareness avenues eg. roadshows
5.7	<ul style="list-style-type: none"> <li>Assistance to children who disclose sexual assault and whether victims can get compensation</li> </ul>	COMDEV/Mr Medley Koito	More awareness on reporting procedures for affected or abused children
5.8	<ul style="list-style-type: none"> <li>Corruption amongst leaders and peoples' expectations on outcomes of harsh penalties by appropriate authorities</li> </ul>	Ombudsman Commission/Ms Alice Gabina	Continued awareness on roles and functions and Bougainville examples in the process of being referred to appropriate authorities
5.9	<ul style="list-style-type: none"> <li>Processes for CS prisoners re-integrating into the village without serving their full term and without paying compensation to the victim and relatives</li> </ul>	CS & CBC (Probation & Probation) Inspector Julian Maneo & Isabel Tago	More awareness on Prison Rehabilitation process and procedures
6	<b>QUESTIONS/ISSUES RAISED AT WAKUNAI MARKET – RAU/TERRA COMMUNITY GOVERNMENTS COMBINED (14<sup>TH</sup> SEPT 2018)</b>		
6.1	<ul style="list-style-type: none"> <li>Women and girls lack of understanding of the Interim Protection Orders</li> </ul>	Local Police and District Village Courts Officers	More awareness on Interim Protection Orders or IPOs
6.2	<ul style="list-style-type: none"> <li>Criminal incidents perpetrated by leaders being treated differently to that of teenage drug abusers</li> </ul>	Local Wakunai Police	Communicate with command structure HQ Buka for best strategy
6.3	<ul style="list-style-type: none"> <li>Police collecting money when doing arrests</li> </ul>	Local Wakunai Police	Communicate with command structure on where to pay arrest fees
6.4	<ul style="list-style-type: none"> <li>Police doing mediations on car accidents</li> </ul>	Local Wakunai Police	Local Police to avoid mediation but follow normal traffic incidences laws and report to HQ Buka
6.5	<ul style="list-style-type: none"> <li>Clarity on whether there are two different set of laws for youth who break the law and leaders who do wrong</li> </ul>	Local Wakunai Police	Local Wakunai Police to liaise with HQ Buka for clarity
6.6	<ul style="list-style-type: none"> <li>Police using prisoners and</li> </ul>	Local Wakunai Police	BPS Wakunai to liaise with HQ Buka

	remandees for both station work or private labour		for clarity
6.7	<ul style="list-style-type: none"> <li>Indecent exposure in relation to the law</li> </ul>	Local Wakunai Police	BPS Wakunai to do consistent awareness on penalties of crime categories
6.8	<ul style="list-style-type: none"> <li>BPS asking for payment before a person is released from the cells</li> </ul>	Local Wakunai Police	Do consistent awareness on bail procedures within the Police station
6.9	<ul style="list-style-type: none"> <li>Police charges on perpetrators being withdrawn prematurely</li> </ul>	BPS/Supt Godwin Dukaduka	More awareness by Police on category of charges and who should lay charges

▪ **Actual Questions at Community Governments Covered**

**1) Kokoda**

- How can people complain about their local ABG member?
- Is it lawful to demand compensation after an accidental killing?
- Does a man have to continue paying child maintenance if his ex-wife remarries?
- Are land mediators allowed to charge fees for their services?
- Can land mediators assist with disputes arising in different districts?
- What will happen after the referendum?
- Could a police officer be attached to the community government / work from the CG facilities?

**2) South Nasioi**

- Are land mediators allowed to charge fees for their services?
- Please explain the difference between rape and sex with an underage person?
- Can you take someone to court for killing an accused sorcerer?
- How can more information about the referendum be given to those in remote areas?
- Does the death penalty apply in PNG or not?
- How can the problems caused by home brew and marijuana be addressed?

**3) North Nasioi**

- Can police provide a toll-free number for reporting crimes?
- How can crime at the village level be dealt with?
- If independence comes, who will do all the work Bougainville requires as a nation?
- What will the government structure be after the referendum?
- Can people married to Bougainvilleans vote in the referendum?
- The need for reconciliation between factions within Bougainville before the referendum.

#### 4) Torau

- Why is there nowhere for women to be put after they are arrested other than the safe house?
- Who should people contact about people illegally harvesting Beech de mer?
- Does the death penalty apply in PNG or not?
- Is the ABG corrupt or not?
- Is it possible for citizens to arrest criminals themselves?
- How can the law and justices agencies help with issues like drinking, marijuana and children not being brought up properly?
- Are parents allowed to hit children who misbehave?
- What will be the question for the referendum?
- Could a police officer be attached to the community government / work from the CG facilities?

#### 5) Eivo

- The need for enough land mediators and village court officials to cover large areas.
- Village court magistrates asking for money to hear cases.
- Demands for large belkol payments.
- Lack of financial support to community governments.
- Do community governments have the power to make their own laws / rules for their local communities?
- Police taking money and then releasing suspects from custody, including for serious offences like murder.
- How to help children when they disclose sexual assault and whether victims can get compensation.
- Corruption amongst leaders, people are tired of it and the authorities should not go easy on them.
- When a person is released from prison, can they come back to the village without paying compensation? What is the proper process?

#### 6) Wakunai

- Why are young boys arrested and taken away for small matters but leaders break the rules and nothing happens?
- Are the police allowed to take people detained in the cells out to do work for them? If someone was to die doing such work, who would be responsible?
- Is indecent exposure against the law?
- Do police have the right to ask for money before a person is released from the cells?
- If someone charges a man, can he/she later withdraw the charge?