



INFORMATION SHEET AUSTRALIA'S SUPPORT TO LAW AND JUSTICE IN PAPUA NEW GUINEA AS AT 16 APRIL 2015

- Law and justice is a priority area of the Australian Government support to PNG under the Partnership for Development.
- As announced by the Prime Ministers of Papua New Guinea and Australia in July 2013, fifty additional **Australian Federal Police** (AFP) officers have now been deployed to PNG. This brings to 73 the number of AFP officers deployed (see separate 'Information Sheet' on the AFP Deployment to PNG).
- The Department of Justice and Attorney General, Office of the Solicitor General, Office of State Solicitor and the Office of Public Prosecutor are supported by 11 legal and prosecution advisors. These are Australian Attorney-General's Department officials helping build the specialist legal skills of PNG lawyers and prosecutors through the **StrongimGavman Program**.
- The **PNG-Australia Law and Justice Partnership** (PALJP) was a \$150 million program that operated from 2009 to June 2014. PALJP worked with PNG's law and justice agencies: the police, prosecutions, national, district and village courts, legal aid, corrections and ombudsman and the Department of Justice and Attorney General.
 - Australia has now started the **PALJP – Transition Program** that builds-on the successes already achieved in anticipation of a new program commencing in 2016.
- Australia invested K61 million through PALJP in law and justice **infrastructure** to increase access to provincial law and justice services, including:
 - The construction or extension of 11 national and district court houses;
 - The construction of separate and secure facilities for women prisoners in Eastern Highlands and Oro provinces; and
 - The construction of housing across the country to support the permanent placement of judges, magistrates, prosecutors and legal aid solicitors - the public solicitor now provides legal advice for those who cannot pay, in 19 provinces, up from 10 provinces in 2009.
- Through the combined Australian efforts, PNG law and justice agencies have received support to **introduce modern and efficient practices** saving the courts and lawyers time and resources, and strengthening the integrity of the civil litigation system
 - In the Office of the State Solicitor, for example, the number of default judgments against the State has dropped from levels of around 80% during 2000-2006 to now only a handful a year.
- Australia's support helps increase the access to justice in **Bougainville**.



- Magistrates now hear cases in five locations on a regular basis, including a new permanent court house in Buin. Police stations, training centres and police housing have been built, police have been trained and a specialist Family and Sexual Violence Unit has been opened in Buka. The first Bougainvillean police qualified to become detectives graduated in 2013.
- The first Bougainville Police Service Pre-Recruit Education Program (PREP) commenced in February 2015, with 24 men and 16 women participating. The first program of its kind, the PREP seeks to fill inconsistencies in young Bougainvilleans' education due to the crisis, to enable entry to the Bougainville Police Service. Over six months at the Hutjena Police Training Centre, the PREP is delivered by the Australian Pacific Training College and funded by the Australian Government in partnership with the Autonomous Region of Bougainville.
- In December 2013, the first cohort of 17 senior police, including 2 women, graduated from the Senior Leadership Development Program. Eight were subsequently promoted in early 2014.
 - This added to the 32 newly commissioned police officers and 2 correctional services officers that graduated from two years of officer training earlier in 2013 – the first such graduation in 10 years. The AFP supported both of these courses and is working with RPNGC to up-skill trainers, modernise curriculum and improve training centre infrastructure.
 - The second Senior Leadership Development Program was conducted in 2014, with 20 participants.
- **Training** has also been provided to other law and justice agencies officers:
 - Magistrates and judges have become accredited mediators;
 - Lawyers and law graduates have benefited from continuing legal education sometimes delivered on a pro bono basis by Australian judges and Australian-based law firms;
 - In 2014 a number of officers participated in exchanges with Australian agencies, such as the Commonwealth Director of Public Prosecutions, Queensland Office of the Director of Public Prosecutions and the Queensland Bar;
 - 21 officials (13 women and 8 men) from seven PNG law and justice agencies graduated from the Diploma of Government (Management) course in 2013. In 2014, 17 officials (8 women and 9 men) from 8 agencies graduated from the course. In February 2015, 18 officials (10 women and 8 men) from 9 agencies begun studying the Diploma.
 - Australia's support to the Legal Training Institute has seen an increase in number of law graduate students from 89 in 2009 to 131 in 2014.
- Australia supported the development of the Village Court Training Manuals in 2014. Since the launch of the new manuals, Australia funded 80 people to qualify as Certified Level II trainers with PNG Institute of Public Administration. By the end of February 2015, these trainers will have delivered this training package to 714 officials (84 women) covering Village Courts in the Autonomous Region of Bougainville, and in Gulf, Hela, Morobe, Northern, Southern Highlands and Western Provinces. These Village Courts serve a population of over 440,000 Papua New Guineans.



- Australia is working with the PNG police, prosecutors and magistrates to improve legal protections, and support available to survivors of **family and sexual violence**.
 - Australia has supported the establishment of 14 Family and Sexual Violence Units in police stations across PNG. These Units provide support to people to report cases, receiving referrals for counselling or other support such as the issuing of interim protection orders or finding emergency accommodation. Over the past three years well over 28,000 survivors have received help from police in these Units.
 - Support is being provided to raise awareness and ensure the implementation of the *Family Protection Act*, introduced in 2013 which, for the first time in Papua New Guinea, criminalised domestic violence as a separate offence.
 - A comprehensive consultation process in 2014 for 121 Magistrates and District Court Clerks (81 men, 40 women) throughout PNG provided awareness on the *Family Protection Act*, and with Magisterial Service to gain a sense of ownership of the legislation and commitment to it.
 - Magistrates and district court clerks have received specialist training to improve the use of Interim Protection Orders - a short-term intervention to prevent further violence in the home or community.
 - A dedicated team of PNG prosecutors receive mentoring and specialist skills training in prosecuting these types of cases and the Office of Public Prosecutor has been encouraged to improve the support available to victims and witnesses, particularly in these types of cases.
- Australia funded the 2015 Judicial Women's Association forum and conference, which focused on the rights of women in detention. Keynote speaker Justice David Cannings addressed the 22 women magistrates and three women judges in attendance about Human Rights Rules and Constitutional Provisions concerning women in detention centres. Following, the delegation visited detainees in Kerevat Women's Prison and spoke with them about various issues in relation to their legal rights.
- The Senior Provincial Magistrates' Conference and the Magistrates' Biennial Conference were consecutively held in March 2015, funded by the Australian Government. The conferences' themes, "Empowering leadership to lead" and "Step up in leadership to serve", were underpinned by several training sessions designed to strengthen various skills, which encouraged much debate. These included transformational leadership, unconscious judicial bias, and judicial ethics.
- Technical support is provided to the **provincial administrations** of Gulf, Hela, Morobe, Northern, Southern Highlands and Western, as well as in the Autonomous Region of Bougainville. The focus of this support is on increasing the skills of Village Court Officials, the appointment of land mediators and coordination and planning by administration officials to identify and address local law and justice priorities. These local dispute resolution and justice mechanisms can help build safer and more secure communities.



- Australia is helping build PNG Government's ability to **investigate and prosecute corruption** through mutual legal cooperation requests, law reform, improving the integrity of civil litigation, and developing specialist prosecution and investigation skills in financial tracking and restraining proceeds of crime.
 - This includes advisory support to Proceeds of Crime and Serious Corruption and Dishonesty Units in Office of Public Prosecutor, the National Fraud and Anti-corruption Directorate and the Financial Intelligence Unit.
- Improving law and order is a complex challenge for PNG to meet. It not only requires significant resources but is dependent on all of the PNG agencies working efficiently - independently and together. Australia is a committed to working with PNG to address these challenges.