

# SPECIAL REPORT

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## Shared interests, enduring cooperation The future of Australia – PNG police engagement



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### Executive summary

Already difficult crime and order challenges in Papua New Guinea (PNG) are likely to deepen over the coming decade as social and economic change continues apace. But the main institution charged with fighting crime, the Royal Papua New Guinea Constabulary (RPNGC), faces significant capability challenges and seems poorly placed and insufficiently resourced to meet the PNG Government's stated expectations.

This situation isn't only bad for PNG; it also poses risks for Australian interests. The level of concern among both countries' leaders was evident in 2013, when PNG requested and Australia agreed to an expanded contribution by the Australian Federal Police (AFP) in the cities of Port Moresby and Lae. This deployment aims to help the RPNGC, not replace it. Maintaining law and order in PNG will always be the responsibility of its own government and people.



RPNGC Constable and PNG-APP Advisor discuss a current investigation. Photo courtesy PNG-Australia Policing Partnership.

But just nine months into the new deployment, PNG's Police Minister has flagged a review of the AFP presence, with a view to making major changes—and potentially even winding it down. It's not clear why. One reason may be that the 'visible policing' aspect of the *Wok wantaim* (Working together) partnership isn't meeting the very high expectations of it. Those expectations are unrealistic, because the AFP lacks immunities and legal powers to make arrests, conduct investigations or direct its RPNGC counterparts.

We see real value in bringing forward the major progress review that was already scheduled for late 2015, but doubt that it would find grounds to end the partnership. Rather, there are strong reasons to increase Australian investment in a program that's slowly showing benefits and which, with some reconfiguration of the mission, could make a huge positive impact into the future and advance the two nations' interests.

Cooperation among many agencies will be needed to address PNG's crime challenges, but the long-term need is for large numbers of capable PNG police—not Aussie police. Outside help will remain critical to preparing them and the next generation of officers. While the RPNGC has many dedicated members, we see few signs that they, operating alone, will be able to turn the RPNGC into the force that its government expects and its people desire. Even if it receives the extra funding promised in August 2014, there would be little value in simply churning out more recruits from the Bomana Police College without sharp supervisors, accommodation to house them, or the corporate support to enable them to perform their duties.

This special report presents both governments with options for PNG–Australian police engagement over the next decade. As the task of building the type of police force expected is a generational one, we set out the case for establishing an enduring strategic partnership that can deliver the sustainable progress that the fluctuating collaborations of the past decade have been unable to provide.

The report's key recommendation is to increase the size of the Australian commitment to the RPNGC to around \$62 million per year if some conditions pertain. This amount would provide about 50–55 additional officers—some of whom may be 'unsworn' civilians or hired as contracted officers for the RPNGC—and broaden the emphasis of engagement from its current 'publicly visible' focus to include supporting roles.

This change would allow more resources for training support, including travelling teams to coach police at the provincial level, and provide more overseas training and secondment opportunities for RPNGC officers. Extra support to improve training facilities and outcomes, while necessary but insufficient to promote change in the RPNGC, is a practical form of AFP assistance.

The package would retain mentors in police stations, perhaps in the form of police contracted to the RPNGC, and support for specialised squads, including the Family and Sexual Violence Unit. It would also provide more support to key 'back office' functions, like contracting.

Further initiatives to help the RPNGC modernise should be undertaken regardless of the size of the future AFP contribution. These include increasing the international contribution to building the RPNGC, increasing the number of female RPNGC officers and providing them with better support, and working to enhance governance, data collection and constructive links to business and the community. A welfare unit, to look after the health and wellbeing of officers and their families, should also be raised and resourced. Genuine acceptance by the RPNGC of the criticality of accountability, and of international assistance, would be needed to make this package work.

Given the multidimensional nature of this support, and the importance of coordinating Australian efforts generally, the whole police program should come under the authority of Australia's high commissioner in PNG.

Continuing and enhancing cooperation between PNG and Australian police is in the interests of both countries. What would particularly help now is a clear statement of political support by Australian and, especially, PNG leaders, so that this enduring cooperation can be maintained and grown without ambiguity.

## What could this partnership produce?

This report necessarily refers to the RPNGC's shortcomings, but we've tempered our criticism by explaining the situation that PNG officers work in. It's not fair to blame all the force's problems on individuals (there are many hardworking and dedicated people in the RPNGC's ranks—we've met a number). Nor is it fair to lay all the blame on an organisation that's been severely under-resourced for 40 years. Similarly, we've heard people say the AFP is 'doing nothing' in PNG. That's wrong.

We've also heard that more could be done with the resources available. This report's been written to find ways to do just that.

There are already cases where *Wok wantaim* has produced real results. In Lae, we saw a great example of this cooperation. Police station cells in PNG are inhospitable places, and the treatment of people in custody generates many complaints each year. Working together, the RPNGC commander in Lae and the AFP team scoped major changes, including a computerised cell management system and new facilities. This will include a separate cell for juveniles and a women's area. The cells have been cleaned and painted. They'll be refurbished soon.

The business community's involvement in this project has been important. By cooperating with the Lae Chamber of Commerce, the police have received arm's-length donations from businesses and charities for the refurbishment. A computer programming course at the local university has developed the cell management program, and the lecturer is the help desk: his mobile number is on the box.

All of that cost the Australian taxpayer one desktop computer and some good thinking by those involved. What the RPNGC will gain is hard to measure yet, but it's sure to be highly beneficial and probably sustainable, given the local support.

## A renewed partnership

Building effective law and order has been a consistent but elusive priority of successive Papua New Guinea (PNG) Governments. In July 2013, during negotiations to reopen the Manus Island detention centre, Prime Minister Peter O'Neill asked the Australian Government to provide another 50 Australian Federal Police (AFP) officers—on top of the existing program—to work in visible policing roles. The additional AFP officers began deploying in November 2013 and are currently working in Port Moresby and Lae with the Royal Papua New Guinea Constabulary (RPNGC).

After only nine months, PNG ministers have publicly and privately expressed a desire to re-evaluate this program. Although a formal review was already planned for mid-2015, we'd welcome an earlier opportunity to ensure strong and unambiguous support for future cooperation.

As the extra police were deployed very quickly to meet both governments' political imperatives, the review will provide a chance to address important questions for both countries.

What should police cooperation and engagement look like into the future? What do the PNG Government and the RPNGC want and need? What's the best way to deliver that support, and how much should Australia provide?

To help inform thinking in the lead-up to the review, this special report explores the impact of crime in PNG, the needs of the RPNGC, and Australia's interests in improving the RPNGC's ability to combat crime. Based on that analysis, we suggest some crucial principles for framing the coming review and recommend a set of specific options for consideration.

The options can be tailored to suit Port Moresby's appetite and Canberra's pockets, but they're necessarily constrained by the facts on the ground. The RPNGC faces deep, complex and systemic challenges that will resist simple solutions. And PNG decides what help it requests and accepts. So some aspirations for the AFP to be granted executive policing powers—which include powers to arrest Papua New Guinean suspects, conduct investigations and direct less senior RPNGC officers—need to be tempered with the realities of PNG law and sovereignty.

Our report is based on more than 80 interviews with experts, officials, police, business figures and academics in Port Moresby, Lae and Canberra. It also draws on research into the crime and order situation in PNG by the PNG and Australian governments, international institutions and scholars. Fieldwork for this project was undertaken with the financial support of OmniExec, and the PNG–Australia Policing Partnership helped facilitate some meetings in PNG.

In developing the options for a future engagement program, we've addressed some of the desires expressed by PNG Police Minister Robert Atiyafa in his speech of late August 2014 (but not some of his larger ambitions, such as the proposed air and maritime components for the RPNGC). The speech underlined the O'Neill government's commitment to policing, promised extra funds and flagged an ambitious package of intended goals and measures. But, as the government and the RPNGC attempt to implement that commitment, they'll be challenged by internal constraints and the increasingly tough external environment.

## **The challenges facing PNG and Australia—and their police**

Obstacles to the RPNGC's ability to deliver policing services to its community, and to act as a critical enabler of political stability and economic and social development, mirror realities and pressures in the society of which it's a part. The RPNGC is embedded within the law and justice sector (see box), the broader governance system, the political system, the national economy, and a diverse society of 800 or more distinct cultures. Like other institutions of the state, it faces a complex and changing environment.

PNG is a rugged, relatively young and geographically dispersed developing country of more than 7 million people. So addressing crime and building law enforcement bodies to fight it won't be a simple matter of better training and equipment. The coexistence of formal and informal systems means that long-term, comprehensive engagement between PNG society and donors will be critical, as they'll both be adapting simultaneously to current and developing standards and values. It also means that the RPNGC won't look exactly like a Western police force—and it won't be the only source of law and order in PNG. Traditional forms of authority will continue to exist, too.

However, reflecting our concern about challenges to Australian and PNG national interests, our options for future engagement focus on addressing crime through the formal institution of the RPNGC. That means that we make only cursory analysis of village courts, auxiliary police and other features of justice in rural areas—where the bulk of the population lives—except where disorder, gender-based violence and similar problems challenge the authority, effectiveness, and reach of the PNG state.

Nor do we focus much on customary restorative justice practices and informal community-based apparatus for conflict resolution. Many experts stress the need to harness such mechanisms, given the weakness of the PNG state, tensions between 'imported' governance models and local ways of doing things, the limited legitimacy and reach of the state compared to other sources of authority, and the patchy results of past institution-strengthening.

But the emergence of a more capable, professional and responsive RPNGC is a very necessary condition for improved justice outcomes, even if it won't be sufficient. Despite the limitations of previous police capacity-building, technical fixes and skills-transfer efforts, the RPNGC isn't beyond help. And it will remain central to routine responses to crime. Improved policing would also address transnational and other crimes of particular concern in ways community-based measures won't. Moreover, one country's efforts to assist a sensitive sovereign responsibility of another will necessarily be fairly institutional. Thus, our report is firmly situated in the criminal justice system.

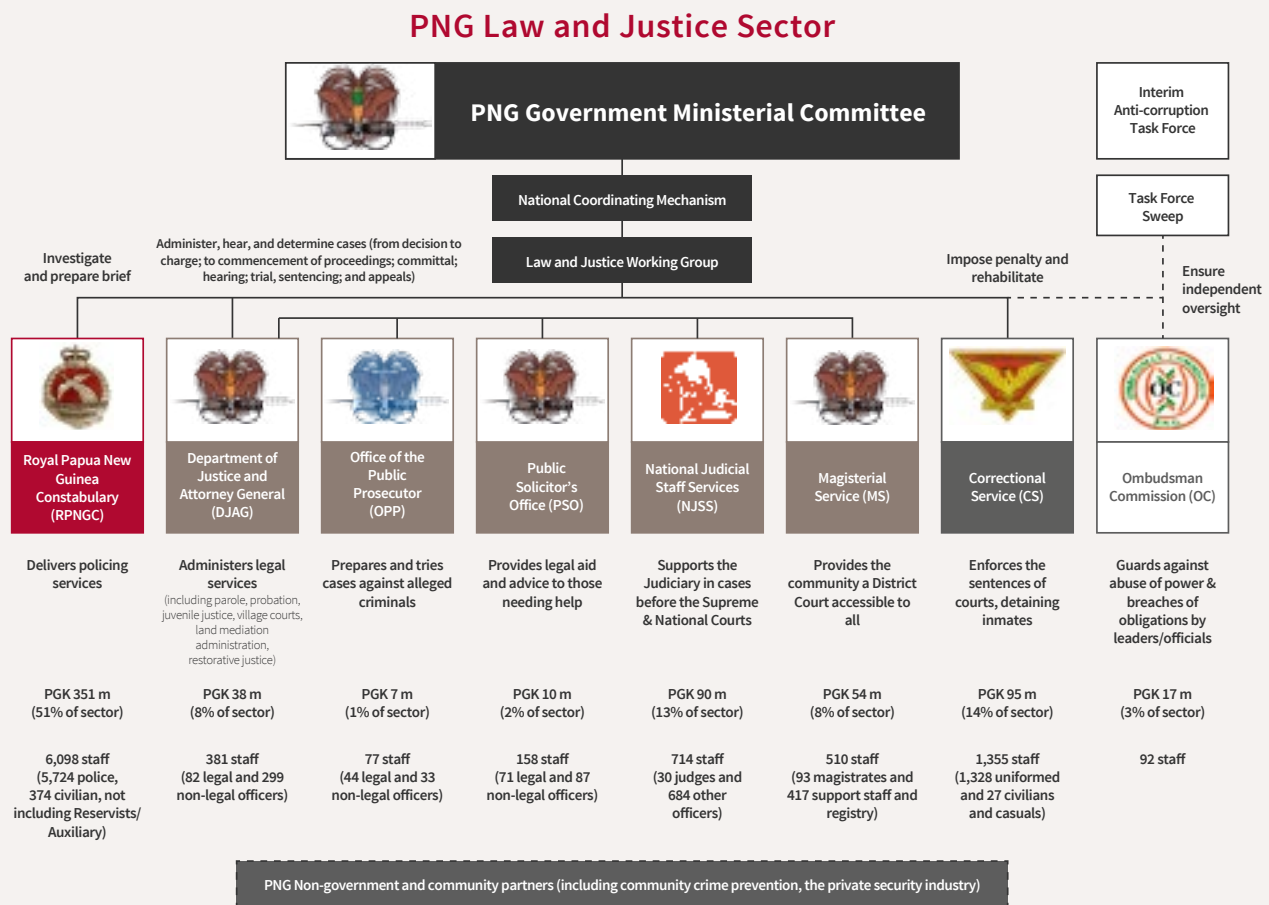
We see great value in Australia's support to other parts of PNG's broader law and justice sector, including its informal elements. Indeed, we focus on recommendations for future police cooperation conscious that enhanced legal, judicial, governance, customs, defence, transport security and other partnerships will be essential to realise any gains in improved policing. This will be needed because the main crime types that challenge PNG will require a broad range of treatments, of which the police are only one.

## **Crime types**

For simplicity, the wide variety of inter-related forms of crime facing PNG can be divided into five categories.

## The PNG law and justice sector

The PNG Government takes a 'sector' approach to coordinating the eight departments and agencies of its law and justice sector. These function within a messier reality a wider system of formal and informal actors, none of which can be fully effective if the others aren't performing well, but all of which face their own complex impediments.



Statistics: drawn from the Law and Justice Sector 2013 Annual Performance Report

Key actors within the bureaucracy include the Department of Justice and Attorney-General, two anticorruption bodies (one of which has been disestablished by the government but resurrected by the courts), and the Correctional Service. They're supported by judicial bodies, including the courts and prosecutors, and oversight mechanisms such as the Ombudsman Commission. Also important are the village courts, which employ customary methods of mediation and conflict resolution to maintain peace and harmony within the community. The PNG Defence Force, which sits outside the law and justice sector, and the Correctional Service (which with the RPNGC make up the disciplined services) can be called out in aid of the civil power or during a state of emergency to help preserve or restore order.

Informal participants, including private security companies protecting premises, goods, services and infrastructure, neighbourhood watches, community and advocacy groups, faith-based organisations, and the largely self-regulating rural communities are important because of the limited reach of government authority and strong traditional and commercial imperatives for security and justice.

The demarcation between the formal and informal parts of the sector is, of course, quite fuzzy. For example, police are often involved in open-air community mediations.

Very high rates of **petty crimes against the person and property** are regularly identified in community surveys as being of greatest concern to most people. Hold-ups, carjackings, assaults and other offences, sometimes by groups of underemployed young men known as *raskols*, are often accompanied by serious violence. They're fuelled by lack of opportunity in the formal economy, the high cost of living in urban areas, rising inequality, rapid social change, and corroded versions of some traditional social norms and values.

Endemic **violence against women** forms a distinct sub-strand of crime against the person. Some 12% of households report domestic violence each year.<sup>1</sup> A recent article by Jo Chandler described the economic, social and cultural drivers of family and sexual violence in PNG. She argues too many men are 'getting away with murder' and that high levels of impunity contribute to the pervasive culture of violence.

**Pervasive corruption** is a driver that operates at many levels. It can allow perpetrators to bribe their way out of trouble at various stages in the legal process, even if formal investigations are launched and cases are brought against them. There's also an increasing strand of corruption that involves the theft of significant amounts of government money. This means that corruption is moving illegality up the 'value tree' in PNG, as economic development stemming from major resource projects offers new opportunities for fraud, illegal kickbacks and white collar crime—with powerful figures sometimes using *raskol* gangs as their foot soldiers.

And, in a globalised world, corrupt business and political figures are increasingly connected with **transnational criminals and money launderers**. This dark side of PNG's otherwise welcome international links and economic growth provides added incentive for foreign criminals to regard PNG as a viable and profitable place to do business. For example, the increasing volume and value of legitimate traffic through PNG's ports, airports and banks will likely provide further cover for the trafficking of weapons, natural resources, prescription and illicit drugs, and other contraband.<sup>2</sup>

Finally, although there's no sign of the sort of separatism that wracked Bougainville from 1988 to 1998 emerging elsewhere, PNG faces various **public order challenges**. Tribal fighting, which was a feature of ordinary life in parts of the precolonial

highlands, re-emerged in the 1960s and was increasing before independence in 1975. Today, large fights, mainly over land issues that may go back decades, involve hundreds of warriors using military, high-powered and homemade guns. Intergroup clashes on the outskirts of cities and towns stem from friction as newer settlers from 'outside' groups are blamed for taking work and causing crime. Sites near some mining and other resource projects attract large influxes of people hoping for riches, but whose lives become even more precarious in frontier towns. Some become involved in threatening compensation demands. Within PNG's cities and towns, rowdy protests occasionally flare into serious situations, as occurred during anti-Asian riots in 2009.

## The extent and trajectory of crime

Although evidence about PNG crime is often anecdotal, experts and officials have monitored it closely for decades, gathering much qualitative and some quantitative data.

In systematically assessing indicators across countries, Transparency International, for example, rates PNG as 'highly corrupt' and ranks it among the bottom third of nations surveyed. Similarly, the Asia/Pacific Group on Money Laundering used a standard comparative assessment to report in 2011 that PNG faces very serious risks from money laundering.<sup>3</sup> The World Bank rated Port Moresby and Lae two of the unsafest cities in the world in 2010, on the basis of their 33 and 66 homicides per 100,000 inhabitants, respectively. Regular surveys of community, business and investor confidence, as well as academic studies, support widespread perceptions that the country is badly affected by violence and crime.<sup>4</sup>

Surveys, expert studies and media commentary also suggest that important types of crime are becoming more brazen, prevalent and deeply entrenched. As several long-term PNG-watchers put to us, the doom-and-gloom scenarios haven't been fulfilled but the overall trend is downward. And key pressures behind that trend—such as population growth, rapid urbanisation, enmeshment with neighbouring economies, and the gap between galloping 20% GDP growth but slowing street-level economic activity (as revenue from liquefied natural gas kicks in but construction trails off)—are more likely to continue than end that trajectory.

## Impacts of crime

A recent ANZ *Insight* on capturing the benefits of PNG's resource endowment and location in the Asian century warns that the country's enormous potential is undercut by the twin threats of poor governance and crime and corruption. A just-released six-part World Bank study on the impacts of crime in PNG shows that, while crime imposes huge direct transactional and enforcement costs, its indirect and intangible longer term social impacts are what limit companies from operating to their full potential. PNG's reputation for violence and corruption, and the matching reality, constrain investment and growth—fear reinforces a negative cycle in which unemployment and crime affect the whole society. Sixty-seven per cent of businesses surveyed—more than four times the regional average—told the World Bank that crime constrained their investment or expansion.

Crime also undercuts legitimate firms and drives them out of business, especially where organised gangs can infiltrate and exploit poor government control or bribe leaders and officials. Corruption also plays a role here by reducing the government's revenue through lost tax receipts, funds being diverted offshore and the need for increased expenditure on security. These problems have corrosive effects on institutions and create tensions between those who want to increase the efficiency of the police and courts and those with an interest in perpetuating weak controls.

Even seemingly 'victimless' crimes can scar lives far from the major cities where they are committed. Officials taking a cut of a large government contract can result in poor (or sometimes no) services being delivered, for example when roads are built (or not); the distribution of ineffective or dangerous counterfeit products, such as medicines; and licences being issued for unsustainable logging and fishing activities that harm communities. Even when illicit goods and services shipped through PNG aren't consumed in the country, that traffic can still have a corrosive effect because it promotes corruption.

Crime is expected to become more of a problem for PNG over the next 10 years. This will test the country's legislative, preventive, investigative and prosecutorial capacity—and its traditional systems of authority—especially as PNG tries to keep pace with new criminal methods, such as synthetic drug manufacture, cybercrime and crime using modern weapons.

PNG's ability to maintain the pace is critical to other nations in the region because the impact of these crimes can be felt across borders.

## Australia's interests in PNG's crime and order situation

Over recent years, money laundering through PNG has been the major criminal concern for PNG and Australian authorities. Jason Sharma notes that the amount of aid that flows north is 'more than matched' by the illicit funds that flow south, although he can't quantify the southward flow.<sup>5</sup> In addition, illicit drugs have been seized transiting through PNG on their way to Australia from Asia and Central America. While PNG doesn't rank among our major sources of contraband, law enforcement officials warn that they have an incomplete understanding of this but they suspect that the impact is rising. Australian law enforcement agencies will undoubtedly respond to these direct impacts where they can, but, as in PNG, the many indirect impacts of crime probably engage our interests as much as direct ones.

We're well served by a sovereign, prosperous and successful PNG, given its proximity and location across our direct approaches, strong historical and personal bonds, continuing trade and investment links, international commitments and expectations that we'd assist in the event of instability on the other side of Torres Strait. This basic position has been supported by close Australian engagement over many years—by government through development and security assistance, by business through investment, and by the community through charities and personal ties.

Australian business interests in PNG total around \$20 billion, which makes PNG one of the largest destinations for Australian investment, and the country's crime and order situation increases risks to those interests. Given Canberra's focus on 'economic diplomacy', using aid to promote trade and being responsive to partner countries' priorities (law and order is one of Port Moresby's four development 'pillars'), any factor with such scope to undermine PNG's potential affects our interests too.

Canberra also has consular responsibilities for the nearly 10,000 Australians who live in PNG, many of whom manage the investments mentioned above.

Our past and present defence and security policies have placed PNG high on the list of priorities for Australia. It isn't a big step from aiming to prevent any foreign power dominating PNG to wanting to help PNG prevent its sovereignty and security being undermined by other actors, such as criminal groups.

Australia also has an important interest in ensuring that PNG remains a responsible member of the international community. In particular, there's an interest in helping PNG to maintain the integrity of its financial system, its passports and its border traffic. Its proximity to Australia makes cooperation on matters such as transnational crime a logical extension of the broader national interest.

It's also important to think about the future. PNG's population has already trebled since independence and is set to double again by 2050. Add a modernised road and air network, probably opening up the country's southern areas nearest to Australia, and PNG will become more open to domestic and international influences. Crime will follow new opportunities like these.

Australian Governments also express an emotional responsibility to PNG. As well as stating that Australia would never allow PNG to become a 'failed state', Foreign Minister Julie Bishop has spoken of a deep affection for its people. Prime Minister Tony Abbott has described the two countries as 'family', and many probably share that sentiment.

Added to these historical, personal and humanitarian links is the fact that PNG asks for our help and specifically sought the additional police as one of its requests under the Joint understanding on further bilateral cooperation on health, education and law and order in return for helping with Manus.

The sheer scale of Australia's assistance to PNG—\$577 million in aid in 2014–15—also creates a strong interest in ensuring that economic and societal development isn't undermined by crime. For that reason, around 13% of our aid to PNG is invested in its law and justice sector through four major programs (see Appendix A).

## The RPNGC and its key needs and challenges

The RPNGC numbers around 6,000 sworn and unsworn members, plus reserves and auxiliaries. This makes it a very small force when the size of PNG's population and the complexity of the nation's geography are considered (see Appendix B).

Despite major problems, the RPNGC has maintained order in its broadest sense and developed an infrastructure for policing across the nation. But the organisation attracts strong criticism for the way it performs its role, and the difficulties faced by police in PNG are systemic, formidable and confronting.

The major problems for the RPNGC seem to stem from the inability of its officers to put their training into practice because of a complex mix of resourcing, cultural and accountability challenges. In short, they know what to do but too often have trouble doing it. That's not unusual in developing countries, but it means that the RPNGC now has a reputation for violence, corruption and occasionally extortion. It also means that basic policing resources such as radios, computers, vehicles and even fuel are in short supply and that facilities are basic and poorly maintained.

The uneven spread of training, particularly in more complex policing roles, is another factor. The RPNGC has difficulty with investigative techniques, securing evidence, and pursuing convictions against members of tightknit communities. Under these conditions, officers tend to respond to crime and disorder reactively and punitively. However, dispensing rough justice reinforces a negative cycle that makes the trust required for community policing all the more elusive. It also makes complaints against the RPNGC common, which creates a burden for the budget when PNG courts award damages to settle complaints against the force.<sup>6</sup> And people are discouraged when the bad behaviour of RPNGC officers isn't punished, as is often the case.<sup>7</sup>

These factors provide the 'problem statement' for the RPNGC Modernisation Program and the government's recently announced aspirations (see box).



## The RPNGC Modernisation Program

The RPNGC Modernisation Program was initiated in 2013 as a five-year 'intervention strategy to rebuild the RPNGC and improve the delivery of police services'. Through this program, the RPNGC aims to be recognised by the government, the people of PNG and the region as the leader of policing in the Pacific region within 40 years. It's main goals are:

- Maintain law and order in partnership with the community
- Improved investigation, detection and prosecution of offences
- A well-equipped and professional police service
- A highly professional and accountable organisation.

To implement these goals, \$123 million was quarantined in the RPNGC's operating budget. This money has been set aside to pay the salary costs of increased recruitment, provide additional housing for new recruits, build new facilities at Bomana Police College, build a provincial police training centre in Lae, and renovate Boroko police station in Port Moresby and provincial cells. The RPNGC also intends to create 'model police establishments' at Port Moresby, Lae, Mt Hagen and Kopoko (East New Britain).

Since then, the PNG Government has outlined an even more ambitious set of proposals to modernise the RPNGC, tagging this as 'Marching to Modernisation'. Police Minister Atiyafa said that PNG will face more law and order problems, and that the RPNGC's infrastructure had gone from bad to worse. He spoke of the need for an 'emergency surgical operation' to improve the force.

To achieve that, Atiyafa outlined the government's intention to spend \$1.3 billion over the next five years to make the RPNGC 'comparable to any police force in the modern world'. This will include rebuilding Bomana College, recruiting and training initiatives, new housing and stations, a joint college, and new communications and IT infrastructure. New squads will be formed, including one for public affairs, and village-level law and order would be boosted. Also on the agenda is legislative change over land planning and the Police Act, and a transfer of responsibility for police housing to district members of parliament. A new fleet of 2,000 vehicles, 12 helicopters, two fixed-wing aircraft and watercraft—all available 24/7 anywhere in PNG—was promised.

Atiyafa wants to see more RPNGC officers trained overseas, and also to review how the AFP is currently assisting the RPNGC. He also highlighted the intention to contract 'expatriate police officers' so they can operate under PNG laws and so assist in front-line and investigative police work. He sees them being based in provincial police headquarters and in districts for training and advice. It's a bold plan, but one that's not yet in the budget.

Sources: RPNGC 2013 Budget and Program Implementation Plan; 'Speech at the announcement of national government's approval of major policy projects for the constabulary' by Police Minister Robert Atiyafa, 29 August 2014; 'Speech at the opening of four new buildings at Hohola Police Station' by Atiyafa, 3 September 2014.

This special report isn't a comprehensive needs analysis of the RPNGC—we've built on earlier reports, discussions with Commissioner Geoffrey Vaki and senior police officers, interviews with others with knowledge of the RPNGC, and the Police Minister's aspirations for modernisation. But it's safe to assert that a comprehensive rebuild of the RPNGC is needed and desired. While the list of needs is long and perennial, it's worth highlighting a few specifics:

- ***Policing in partnership with the community.*** To work with the community, the RPNGC will need assistance to build discipline and enhance its training and supervisory system (key priorities for Commissioner Vaki). It will need to correct the massive gender imbalance in the constabulary, and the direct police–community interface will also require attention. Better data on crime and the police will make an important contribution to helping the community, and indeed quantify most of the RPNGC's other needs.

- **Improved police skills.** Better police skills will enhance human rights, and allow the RPNGC to produce briefs of evidence and bring more cases to court. The force needs specialist training in areas such as fraud and anticorruption, and resourcing for its major specialist squads. Most of the squads, which include fraud and anticorruption<sup>8</sup>, sexual offences, family and sexual violence, intelligence and organised crime, run on very low levels of resourcing, according to some interviewees. This reduces their effectiveness. Perhaps the best resourced unit, the Special Services Division (SSD, better known as the mobile squad), should also receive assistance to increase its options for dealing with public order problems and to reduce its use as a hired force.
- **Equipment and development.** A professional force has needs that begin in recruiting and training but extend to equipment and facilities. Obtaining enough recruits for the force will pose challenges in selection and training, which will flow through to supervision, housing and professional development in due course. Improving the funding process, which will mean ensuring a consistent flow of money to operational outfits as well as attention to the 'leakage' that occurs as money moves downwards, will be critical.
- **Accountability and professionalism.** Perhaps the most important need is to create an accountable and professional organisation. To achieve this, the RPNGC will need leadership stability, respect for its independence, a functioning system of discipline and oversight, and a welfare system for police and their families. This last need currently receives little attention but will be critical to ensuring that officers who've been the victims or perpetrators of violence receive treatment. Together with discipline, this might help change some aspects of RPNGC behaviours that we're told are often not conducive to good policing.

It's also worth mentioning that the needs of the RPNGC can differ dramatically from location to location, and that the impacts of those needs are felt not only in the RPNGC but in the communities it serves. Nor are any of the needs in this list new (many date from before or soon after independence): that they persist suggests a need for caution about proposals for the future.

It's difficult to say how much it will cost to fund an effective RPNGC. While the cost of the current policing effort has been quantified at around \$178 million in the PNG Budget, we can't be sure whether achieving a sound policing outcome would cost two or three times that amount, or more. What's evident is the desired policing outcomes won't be achieved in the short term, or without substantial external support.

## Australian cooperation and engagement with the RPNGC

Crime and policing have long been priority areas in the Australia–PNG relationship. Our support has included direct assistance through AusAID, which has now been subsumed into the Department of Foreign Affairs and Trade (DFAT), and support by the AFP for various programs (see Appendix C).

For example, police–police cooperation through the AFP's International Network involves the posting of a senior liaison officer to the Australian High Commission in PNG. The officer facilitates information exchanges, participates in the PNG's intelligence group that monitors the Torres Strait, helps PNG to retain its conduit to INTERPOL, and supports other Australian initiatives in PNG. An additional officer provides support to the Transnational Crime Unit.

There's also direct interaction between the police forces. This ranges from temporary and ad hoc deployments of officers for investigations and dignitary protection to major deployments, such as the 1989–2004 cooperation program, the 2004–05 Enhanced Cooperation Program (ECP), and the current program.

Through AusAID/DFAT and the AFP, Australia has also provided significant development assistance to the RPNGC over time. This began as AusAID-led programs in 1988 and has recently included funding for training, governance, facilities, including a 'model' station at Boroko, a rewrite of constabulary standing orders, and support to counter family and sexual violence.

The key focus of bilateral police engagement today is the latest phase of the PNG–Australia Policing Partnership (PNG-APP). This program started in 2008 and has grown in phases since then. The most recent phase involves placing, since last December, an additional 50 AFP officers as advisers

to the RPNGC. This expanded mission was launched after an agreement between PNG Prime Minister O'Neill and then Australian Prime Minister Kevin Rudd (and subsequently supported by Tony Abbott), on the Joint understanding between Australia and Papua New Guinea on further bilateral cooperation on health, education and law and order as part of the Regional Resettlement Arrangement.

The expanded mission's aim is to boost community policing operations in PNG. This includes a wide variety of supporting activities in the areas of training, prosecutions, station management, specialised crime squads and, recently, corporate management. The new program also includes money for infrastructure development and a program that will allow RPNGC officers to experience policing in Australia.

The mandate for the expanded mission recognises the limitations set by the PNG Constitution, so the officers are involved in 'publicly visible' activities—without executive powers. Substantial contingents are deployed to Port Moresby and Lae.

But this mission's being conducted under trying conditions—and it's highly politically relevant. For Australia, it's linked to the immigration detention centre on Manus Island, which has been an important part of the border security policies of both

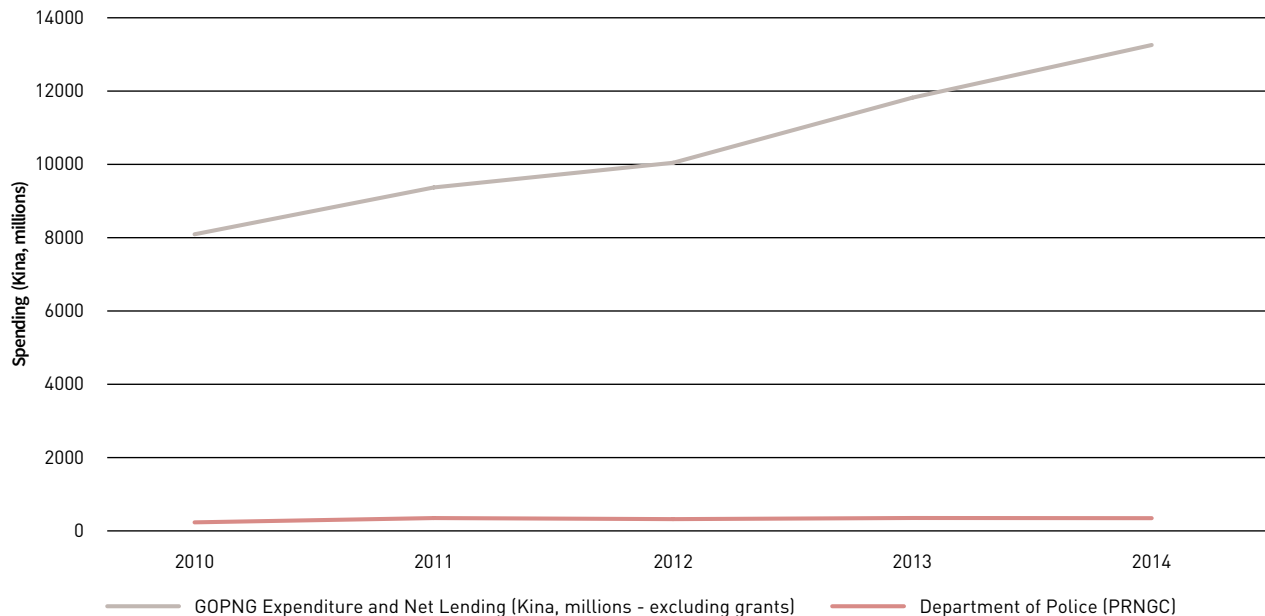
recent Australian governments. In PNG, lawsuits involving key leaders, leadership turmoil in the RPNGC, and interference in anticorruption efforts shape the environment of the mission and introduce a strong element of ambiguity.

There's also an incomplete understanding of what the AFP is supposed to be doing. Interviewees for this project told us that some expatriates thought the AFP was coming to make the streets safer for their businesses. Locals expect the AFP to arrest criminals and take action on their complaints about the RPNGC. And some officials just aren't sure of the aims. Expectations are high—perhaps too high when compared to the ECP, given the numbers, geography and mandate.

It's worth considering why all this assistance hasn't delivered a far greater return so far. Three reasons stand out: the fluctuating level of engagement, the scale of the task compared to the resources assigned, and the challenge of building capacity in PNG. These challenges—which also relate to education and the cultural factors discussed above—mean that very basic needs must be fulfilled at the same time as more sophisticated ones. Moreover, PNG's legal institutions aren't the exclusive form of legitimate authority—and they don't extend everywhere.



PNG-APP Advisor mentors an RPNGC colleague on approaches to handling front counter complaints at Gerehu Police Station, Port Moresby. Photo courtesy PNG-Australia Policing Partnership.

**Figure 1: PNG Government spending compared to police spending, 2010 to 2014**

Source: PNG Treasury (Final Budget Outcomes 2010–12, 2014 Budget Vol. 1)

**Table 1: Expenditure on police, per head of population, 1983 to 2013**

Year	Population	Actual Police Budget (million kina)	CPI (1977 = 100)	Police budget, millions (in 1977 kina)	Kina per person spent on police (in 1977 kina)
1983	3.179	13.651	154.3	8.8	2.8
1990 <sup>a</sup>	3.582	51.071	220.7	23.1	6.4
2004	5.948	121.000	782	15.4	2.6
2013	7.321	350.957	1184.8	29.6	4.0 (2013: 47.8)

a Reflects expenditure on the Bougainville crisis.

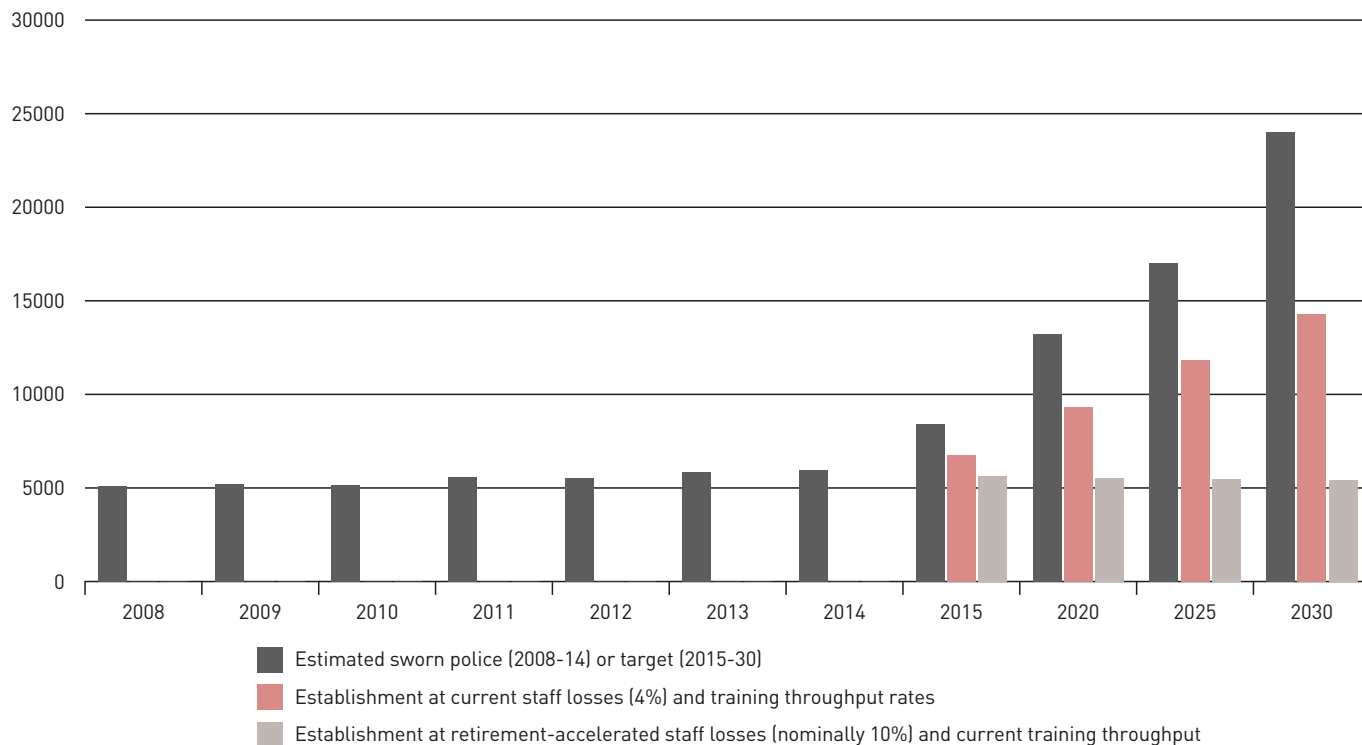
Sources: Population—RPNGC Administrative Review Committee 2004 (1983, 1993), World Bank (2004, 2013); CPI—Bank of PNG *Quarterly Economic Bulletin*, December 2013, Table 9.2; Actual police budget—Report of the RPNGC Administrative Review Committee (1983, 1993, 2004), *PNG Law and Justice Sector, Annual Performance Report 2013*, Table 12. Calculations by the authors.

In the policing field, the lack of resources that the PNG Government has provided to the RPNGC since independence is a major contributor to today's situation (see Appendix D). While no-one can say how much an effective RPNGC would cost, spending on the force hasn't kept pace with the overall increase in government spending in recent years (Figure 1). Spending per citizen on policing has also been relatively stagnant for a long time, except for during the Bougainville crisis (Table 1). That's changed recently, but not enough to build the RPNGC (Figure 2). The fluctuating level of Australia's support over the years hasn't been optimal either. After the high of the ECP in early 2005, it took over three years to

re-establish a significant AFP presence in PNG. After that, the PNG-APP grew steadily to 17 police by mid-2013, and then rapidly to the expanded mission of 73 today.

As result of these factors, traditional capacity development is only likely to work in the very long term, and in ways that support positive, peaceful, democratic and locally appropriate cultural and socioeconomic change. The practical challenges in delivering this cooperation have real implications for the type of assistance that might be offered by Australia in the future.

Figure 2: RPNGC growth—targets and trends



Sources: RPNGC strength 2008-2014 – RPNGC, *PNG Law and Justice Sector Annual Performance Report 2013*; RPNGC post 2014 – RPNGC.  
Separation rate: RPNGC and author's estimate.

## Implications for the future of Australian police assistance to PNG

The above analysis shows that PNG's law and justice sector, and in particular the RPNGC, has been under incredible pressure for years. The pressure comes from internal and external sources, led by the increasingly concerning crime and order situation. In addition, the government and the public expect better policing, as can be easily seen in the priority given to law and order and improving policing in PNG's National Security Policy and Police Modernisation program.<sup>9</sup>

The RPNGC faces significant internal challenges in meeting expectations. Given their depth, the ambitious growth plan for the force over the next 15 years, and the looming demographic challenges created by the approaching retirement of about 25% of the force, a comprehensive program of reform—and extensive support for that reform—will be needed.

The current police element of Australia's development assistance could help ameliorate the impact of PNG's crime and order problems on Australia's interests. It's also a good way to address important dimensions of the RPNGC's needs. It's currently targeted at most of the right areas, even if it's mainly in Port Moresby and Lae and publicly visible roles receive most of the resources. The program's changing all the time as adjustments are made in key areas, such as support to critical 'back of house' functions and whole-of-government cooperation in RPNGC Headquarters. New initiatives, such as building construction and a secondment program that brings PNG officers to Australia, are now starting too. But there are other opportunities that can't be pursued right now because of the mission's mandate and size.

A review of the program was originally planned for mid-2015, but it would be worthwhile to bring it forward to late 2014, especially given the recent call for a review by PNG Police Minister Robert Atiyafa. He wants to focus more effort on training PNG police overseas and using expatriate officers in four provincial headquarters. A review would also be

useful because Prime Minister Abbott is known to be open to deploying more Australian police if needed.

But it's hard to know whether the current allocation of Australian development assistance to the RPNGC is sufficient because we don't know what the PNG Government wants to achieve through the current level of assistance and how much the Australian Government is willing to spend to protect and promote its interests.

## Assumptions about the future

Since some assumptions are needed, this section outlines these before we provide options for different funding levels and alternative focuses for police assistance.

### We assume that the PNG Government wants an effective police force

Prime Minister O'Neill has said that he wants a better law and order situation and a stronger police force. After all, that's why he invited Australia to send police to PNG last year. He's also increased spending on the RPNGC and agreed to enhance the modernisation program. In his 2012 election policy, O'Neill said he wants to increase the number of police—dramatically—and apply a 'zero tolerance' approach to crime. He also understands the impact of other sectors upon law and order, especially education and training that will allow PNG citizens to become self-reliant. We assume a continuing validity for these policies over the coming years, and that future PNG Governments will adopt similar policies until they and their voters are satisfied with the RPNGC.

Some observers of politics and governance in PNG might say that our assumption is misplaced. They'll point to powerful countervailing forces in PNG that benefit from a police force that can't pursue sophisticated crime, especially fraud and corruption, or is likely to hold them to account for personal behaviour. But they'd probably agree that a 'no AFP support at all' position would be unlikely.

Indeed, the withdrawal of all Australian police again, as happened in 2005, is unlikely: a reasonable number (around 17) were already there under an established program. But it's certainly possible that PNG ministers might want to change the 'publicly visible' mission. So we won't develop a 'no AFP in PNG' option, and will focus our options instead on a mix of missions and resourcing levels.

### We assume that Australia will support an ongoing commitment to PNG's police

We also assume that the Australian Government will continue to assist the RPNGC if that assistance is welcome. What we don't know is how much support the government is willing to give, or how much will be accepted.

The current Australian mission puts around 73 AFP officers in-country and provides some funding for infrastructure, training courses, secondments and other support for a cost of around \$37 million.<sup>10</sup> We use this figure as a benchmark to provide options for around half that amount, for nearly twice that amount, and for roughly the same cost. We assume that the current AFP International Network deployment, which involves two AFP officers, local staff and funds for training, will remain the same.

Our level of additional funding is based on reports that Prime Minister Abbott might commit more to PNG if it can be shown that the additional outlay would be worthwhile. We've used a figure of \$25 million to represent the rough cost of deploying another 50 AFP officers, but express it in dollar terms to give some flexibility to our option development.

### Objectives must meet mutual interests

It's essential to identify the objectives of the cooperation before identifying options for a future engagement strategy. With the long-term political objective being to develop PNG as a sovereign, prosperous and successful country, creating an effective RPNGC that can promote the rule of law, prevent crime, use resources to their maximum effect and contribute to a positive human rights situation in PNG is a generational undertaking. There's no quick fix. The current level of direct assistance to the RPNGC of around \$37 million a year—or even more—will not achieve those objectives within 10 years, unless there's dramatic change in the appetites of both governments and changes to the PNG Constitution and an adequate resolution on immunities to allow an executive policing powers model.

Assuming that current appetites and legislative conditions remain relatively constant, it's necessary to set modest objectives for this cooperation. In the shorter term, out to 2020, the objective should be to **stabilise the RPNGC as an institution and build a base for the future**. This base would initially be built in the RPNGC's main centres. It would also

focus on establishing systems that allow the RPNGC to grow at a fundable rate, reducing the number of complaints against the force, laying the basis for an effective discipline system, building effective corporate governance and improving the rate of committal to court for those arrested. Any quantitative ambitions for improvement in these areas should be modest.

Beyond that, to 2025, the mutual objective should be to **build the effectiveness of the RPNGC across the nation**.

This objective should be based on improving the force's performance and lifting its standards until, over a 30-year period, they're similar to those of comparable police forces.

These are modest objectives. However, if they're matched with heightened accountability, sustained support and progress that's measured in sensible ways, stabilising the RPNGC and making it a stronger institution within 10 years is feasible. Building deep competence in highly technical areas, especially those concerning emerging crime, is likely to take more time.

### Principles for AFP–RPNGC cooperation

While the PNG Government and the RPNGC remain responsible for achieving these objectives, international support will certainly help. We think that this support should be based on some principles that stress this shared responsibility and set the intention for future cooperation.

Our examination of the respective interests and capabilities of PNG and Australia, and our understanding of how capacity development might lead to results in time, can be distilled into five basic principles for police cooperation and engagement that governments should seek to agree on.

- **Consistent, predictable long-term engagement and cooperation.** Policing in PNG is the responsibility of the PNG community and government, and it's up to the government to decide what help to ask for. But Australia is willing to provide real assistance if welcomed. At present, the AFP's new contribution is based on a four-year program within a 30-year vision for cooperation. This is a good start. It's flexible, and it sends a strong message about the persistence and depth of intention on both sides. While the shape of the engagement may change over time—for example, it may focus more on crime-fighting cooperation as the decades pass—the Australian Government should send the message that

it's a permanent partner with the RPNGC and respectful of PNG's sovereignty. A long-term statement, akin to the close and enduring Defence Cooperation Program, would help to promote this sense of permanency and reinforce existing statements of respect. It should be accompanied by a revised 30-year plan for cooperation that keeps the RPNGC in the lead while helping it to achieve the goals set for it in the PNG Government's Vision 2050 statement. It should also include some firm governance principles and an explicit link to development in PNG's broader law and justice sector. Subject to agreement by both governments, and perhaps further into the future, there could be value in exploring potential for a similar legal mechanism to the Status of Forces Agreement that governs the rights and responsibilities of Australian military personnel working in PNG and PNGDF members working in Australia.

- **Greater international focus.** The current PNG–Australia police partnership program includes some international aspects, but it's largely focused on Port Moresby and Lae, while DFAT and the New Zealand Government are working on Bougainville (see Appendix E). Still, Australia's the main source of capacity-building support to the RPNGC: there's little from any other country despite the significant growth in international investment in PNG over the past five years. Where that support is provided, it can be in unconstructive forms such as cheap weapons or unconditional aid. PNG also sees itself as a regional leader in practical terms, as demonstrated by its role as host for the 2015 Pacific Games and the 2018 APEC Leaders meeting. This desire to lead presents an opportunity to bring more international partners into the effort to help build capability in the RPNGC and to leverage its existing position.
- **Solid information on crime and the police.** The paucity of reliable statistics about crime and the RPNGC reduces the PNG Government's ability to base its resource allocations on evidence. Good data will also provide a basis for understanding change and the impact of support to PNG, and better information about the effectiveness of different capability development programs.
- **Full-spectrum capacity assistance based on full PNG involvement.** It's hard to identify an area of the RPNGC that won't require support for decades to come, but it will

also be hard to do everything at once. A plan for long-term engagement is needed. Practically, this will involve targeting priority areas first, paying attention to training, equipment, accommodation and the individual wellbeing of officers. The sustainability of the work and building connections to related areas are also important. This means that the spectrum of capacity development needs to include whole-of-government cooperation, and, in cooperation with other agencies, support to prosecutions and oversight. Some assistance to the mobile squads (see Appendix F)—an area currently not directly covered in Australian cooperation—is also needed, but this should be training in nonviolent conflict resolution, community engagement, human rights and the use of minimum force in public order policing. Importantly, external support for RPNGC capability development needs to be supported from within by a greater commitment to discipline and accountability. Without that, external support can only go so far.

- **Robust and transparent links to community and business.** The PNG Government can't provide sufficient resources to provide all the services required in the country, and the police force is but one priority among many. It's also a fact that the business community provides resources to police every day in PNG. This creates major ethical dilemmas and promotes corruption in both the police and business. It also sees the nation's very limited police resources channelled to support private concerns at a fraction of their true cost. A transparent, nondiscriminatory way for business to support the police should be created in PNG. It should be based on constructive engagement, arm's-length transactions and monitoring by non-RPNGC agencies or individuals.

A broad set of principles like this would be a useful basis for developing a program of cooperation and other initiatives that can be taken forward in the next 5–10 years.

## Options for the future

Options for such initiatives and for allocating Australian assistance to the RPNGC can be based on different levels of Australian funding (the current level, half the current level, and current spending plus an extra \$25 million). There is also variations in focus between 'publicly visible policing' (the current mandate) and a station/training/management focus (a deeper emphasis on supporting roles). Also included are some initiatives that should be implemented regardless of the option chosen.

Each option assumes that the AFP mission has discretionary funding to use on domestic and overseas training opportunities for the RPNGC, police station upgrades, some operational costs and a small amount for capital equipment acquisition. Such a budget will provide the AFP with some flexibility to overcome obstacles in the system. This budget will also support an extensive secondment program for the RPNGC in all options (around \$250,000 p.a.). If funds are available, the capital works should also extend to housing for RPNGC members and their families.

No change is assumed in the current legal standing of the AFP contribution. We think that a mission with executive powers (akin to the 2004 ECP) is the best option, but we don't think that the PNG Government has the appetite to propose the necessary legal changes to allow this type of mission now. Nor could we usefully speculate about whether constitutional change would be passed, so it's not worth developing an option for an executive powers mission yet.

The options are summarised in Table 2 and explained below.



Table 2: Options for a future AFP contribution to the RPNGC

Option	Modernisation goals for RPNGC				Impact
	Maintain law order in partnership with the community	Improved investigation, detection and prosecution of offenses	A highly professional and accountable organisation	A well-equipped and professional police service	
<b>Option 1: Baseline.</b> (\$37 million p.a. with the current 'publicly visible' mandate)	Mentoring to five stations in Lae and Pt Moresby	Some support in the areas of fraud and prosecutions	Some support for finance, planning, logistics, reform interagency liaison, internal affairs	Advice to Bomana Police College	With around 73 officers, this option meets government expectations, but we're unsure whether being 'publicly visible' is value for money
<b>Option 2: Organisation building</b> (\$37 million p.a. and a 'deeper support' focus)	Support for station management in three locations	More support in the areas of fraud, prosecutions, family violence, intelligence and organised crime	Significant support for finance, planning, logistics, reform, statistics, interagency liaison, internal affairs	Advice and in-line trainers to Bomana College, 2 x training teams, support to welfare	This option moves resources from publicly visible activities to deepen the AFP's support role for the RPNGC
<b>Option 3: Reduced involvement</b> (\$19 million p.a. with a reduced mandate)	Support for station management in two locations	Support in the areas of fraud, prosecutions and organised crime	Limited support for planning, logistics, statistics and internal affairs	Advice to Bomana College, support to welfare	With about 37 AFP officers, this option is unlikely to help the RPNGC reach its goals in the 5-10 year period
<b>Option 4: Baseline Plus</b> (\$62 million p.a. with the current 'publicly visible' mandate and about 50 extra staff)	Mentoring to around 14 stations in Lae, Pt Moresby and Mt Hagen	Some support in the areas of fraud, prosecutions, and organised crime	Some support for finance, planning, logistics, interagency liaison, internal affairs	Advice and in-line trainers to Bomana College	This option weights resources towards direct support to front-line policing and opens a third location. There's more for Bomana, and a little more for the 'back room', but it still lacks executive policing powers.
<b>Option 5: Organisation building plus</b> (\$62 million p.a. and a 'deeper support' focus, with funds for about 50 extra staff)	Mentoring to around six stations	Significant support in the areas of fraud, prosecutions, family violence, intelligence and organised crime	Significant support for finance, planning, logistics, reform, statistics, interagency liaison, internal affairs	Advice and in-line trainers to Bomana College, 7 x training teams, support to welfare	This option greatly increases support for training, and adds more resources for specialist squads, welfare and the back room.

### **Option 1: Baseline (\$37 million p.a. with the current 'publicly visible' mandate)**

The current AFP operation includes a 'publicly visible' policing mandate—which includes police on the beat and station management advisers—and costs around \$37 million. This amount provides for 73 sworn and unsworn officers in PNG, money for training courses and secondments, and some funds for minor building works. Importantly, the current operation—and so this option—also provides some resources to support training, governance and specialised squads.

This mission design aims to build RPNGC capacity to:

- lead and manage the force's police stations
- be visible in the community, including through foot patrols
- promote standards in prosecutions, detainee management, community engagement and intelligence
- support investigations in the areas of family and sexual violence, financial intelligence, internal affairs, fraud and anticorruption
- help units such as traffic, airport security and forensics
- enhance training at Bomana Police College
- implement better logistics, project management and the modernisation program in RPNGC Headquarters.

Over 60% of the mission's people are devoted to the first two aims, which fulfils the agreed direction to involve AFP officers in publicly visible activities. Resources are also available to develop multipurpose buildings at Boroko and the Officers Mess at Bomana in Year 1. The funding available will also support management-level training courses, provide a five-person team at Bomana College, and fund a small secondment program that will allow up to 40 RPNGC junior officers to come to Australia each year.

The key advantage of this option is that it meets the existing mandate, as agreed by both prime ministers. It provides a high level of AFP presence in police stations in Port Moresby and Lae, and allows that presence to be sustained from 8 am to 8 pm. There's direct support for the priority areas of internal affairs, prosecutions, and fraud and anticorruption. The current mission also puts significant resources into initial and workplace training and, through the post-training

secondments, professional development. Attention's given to 'backroom' governance functions; according to recent advice, this is increasing capacity in areas such as finance and event planning.

The disadvantage of Option 1 lies in the possible unwillingness of the PNG Government to continue with the model. Already, there are rumblings about cost-effectiveness and a minister has said a review's needed. The key disadvantages in the mission design are its limited geographical focus, the limitation to 12 hours a day of operations, the limited ability to influence the 'back of house' and specialised squads, and the lack of direct engagement in public order policing. The 'publicly visible' model, which is being performed without executive policing powers, also raises expectations that can't be met.

### **Option 2: Organisation building (\$37 million p.a. and a 'deeper support' focus)**

Option 2 assumes the current level of funding, and so retains levels of resourcing for facilities, training and secondments similar to those in Option 1. This option builds on elements of Option 1, which already devotes some resources to structure, especially for training, specialised squads and governance.

The key difference between this option and Option 1 is the transfer of resources from 'publicly visible' policing to enable a deeper emphasis on supporting roles. This would include more for training at Bomana College (including increasing its student and staff capacity), the formation of a small regional training team, and greater support for the RPNGC's specialised squads and backroom functions. Resources would be assigned to allow a smaller number of stations to have 24-hour advisory coverage, focusing on station management, follow-on training, resource usage and assisting community engagement. Resources for data collection (either staffed or outsourced) and welfare expertise would be included.

The key advantages of this option are its sharper focus on training the RPNGC and its potential for a wider geographical spread through the regional training team. This team would follow up the training at Bomana by helping RPNGC supervisors to complete competency-based training for the probationary constables. The team could also provide training in human rights, nonviolent conflict resolution and the minimum use of force for the mobile squads.

Its disadvantage is the lack of police in publicly visible roles, which means that a change in political direction would be needed to make the option viable. Some think that there might be a negative public response to the change, too. There's also an increased risk to personnel from night-time presence in the police stations, and fewer stations are covered in this model. It's also a concern that an early change might not allow the full impact of the current model to be evaluated. This would reduce both government's ability to judge whether the 'publicly visible' model worked or not. That could have implications for future assistance models.

This option also assumes that both governments would want Australian training—in limited areas—for the mobile squads, although rejecting this element doesn't seriously damage the option. The major disadvantage of this option would be that it spreads the AFP thinner on the ground. Fewer Port Moresby stations would receive dedicated support, and the regional teams (two squads) would need to be a fly-in fly-out operation across 19 other provinces (and perhaps Bougainville). This would limit it to about 3–5 weeks of visits to each province each year.

### **Option 3: Reduced involvement (\$19 million p.a. with a reduced mandate)**

Given the seemingly modest objectives of this engagement, it's plausible that reduced funding could still help the RPNGC and maintain Australia as its key support provider. A program costing around \$19 million per year and involving perhaps somewhat more than 37 officers the support provided under the PNG–APP in 2012–13, before the additional 50 AFP officers were added.

The reduced funding would cut most of the publicly visible tasks of the current operation, but retain mentoring functions in some police stations and specialised squads. Support to Bomana College would remain as is, but there would be additional resources for statistics and welfare services.

It's hard to find an advantage in this option except that it's cheaper than the current program and larger than the earlier Phase III program of the PNG–APP. However, it might suit political needs if PNG support for 'publicly visible' Australian policing assistance wanes. It keeps the same focus on

training while expanding into some more 'back-end' areas, and it would be easy to shift resources from station police to training if desired.

But this option contains a real risk that the RPNGC would not be in a position to begin an upward trajectory in five years. It could only be expected to attenuate, rather than overcome, the institutional challenges facing the RPNGC. And it's unlikely to meet Australia's interests either.

### **Option 4: Baseline plus (\$62 million p.a. with the current 'publicly visible' mandate and about 50 extra staff)**

Option 4 uses an additional \$25 million to deploy an additional 50 AFP officers, based on the current 'publicly visible' mandate. The increase would establish a new team to another major area (such as Mt Hagen) and round out the existing police team structures in Port Moresby and Lae. Additional support for training at Bomana College and the specialised squads could be provided. Further adjustment of the current model, allowing more staff to be deployed to priority areas, would also be a feature of this option.

If research and an objective review show that the current mission is achieving its objectives but that more is needed, then this option is worth considering. It would certainly provide a sharper focus on RPNGC development in three major centres and in the force's headquarters. Some reallocation of resources from Port Moresby and Lae might also be possible in time, as RPNGC capacity in those cities improves. This could allow for a team for a smaller fourth town or provide resources for a regional training squad (see Option 2). The expanded mission should be funded through an increase in resources to the AFP (rather than come at the expense of other aid projects).

The disadvantage of this option is the limited improvement in mentoring coverage that would be achieved for a significant increase in resources. The publicly visible model is people intensive, so rounding out the existing teams in Port Moresby and Lae and adding another (while clearly warranted) might not be considered good value for money. Again, the option might not be tenable if PNG Government support for a publicly visible mission wanes.

### Option 5: Organisation building plus (\$62 million p.a. and a 'deeper support' focus, with funds for about 50 extra staff)

Option 5 also includes increased resources, but adopts the same broad focus as Option 2. The extra resources would increase the number of station teams (to six) and allow the regional training team (of seven squads) to visit each province for about 8–10 weeks per year. There would also be sufficient resources for increased support for prosecutions and the specialised quads, including more officers for intelligence and family and sexual violence investigations. There could also be more support from unsworn officers and contractors for the back-end roles of whole-of-government planning, modernisation (morphing into oversight, should the RPNGC appoint an inspector-general, as suggested in 2004), statistics and personnel services.

Once again, this option is predicated on an agreement to reduce the focus on publicly visible roles while retaining support at the station level. Its advantages are in the depth of training and mentoring support that could be provided across the RPNGC. The depth of the training team, for example, could allow long initial visits and short follow-ups, which would reinforce training and help to cement changes. More AFP horsepower for the specialised squads would also boost their ability to tackle major crime while they send people for training and secondments. This would substantially increase the chances that the longer term objective of building the RPNGC could begin within 10 years.

Perhaps the main disadvantage of this option is that it spreads resources thinly. This could be ameliorated by increasing the visit cycle to provinces for the training teams from 12 to 18 months, decreasing the number of stations with dedicated mentoring support or increasing the AFP numbers slightly.

Two prerequisites are needed for this option to work. The first is unambiguous political support for the mission, which is currently missing. Second, the RPNGC's senior leaders would need to be willing to work even more closely with the AFP to implement the major aspects of this option. That might require the movement of some unsupportive or unsuitable officers to areas that more suit their expertise, and their replacement with RPNGC officers who will actively support the Police Commissioner's modernisation plans.

### Further initiatives

All five options could be supported by one or more further initiatives:

- **An enhanced partnership agreement.** We've assumed that the AFP won't receive executive policing powers in PNG. If that situation continues (and it's the PNG Government's right not to change its position), options that include 'publicly visible' police roles, or even in-line roles in training, are less attractive. However, a stronger partnership agreement that provides suitable protections might make it less risky for AFP officers take some important in-line roles in training and governance. Making the partnership a perpetual one, based on a 30-year plan and regular reviews, would help to promote a sense of permanency in the relationship.
- **Improving the gender balance.** Increasing the number of female police in the RPNGC would make the force more representative of its community. Local, Australian and international support in this area should be encouraged and funded.
- **Budget decentralisation.** Finding a better way to provide the police stations with funds must be a high priority for the RPNGC. The current system isn't working, as shown by last year's underspend and complaints about the amount and timing of money received at the station level. However, any decentralisation must not simply provide opportunities for more graft at lower levels.
- **Education and selection.** Finding ways to boost the number of quality candidates for the RPNGC will be critical to allowing the force to grow in a way that will address its challenges. We understand that a recent review has recommended outsourcing recruitment (and that may help), but getting enough raw prospects who'll apply for the RPNGC is also a challenge. A form of police educational scholarship, or perhaps a police cadet system, should be considered. This would encourage young people who need support through high school to consider the RPNGC as a career, or even provide education to suitable recruits through a school they could attend before formally entering the constabulary. We understand that there's a move in a similar direction in Bougainville, so that might serve as a pilot for a broader program.

- **Boost international support.** There are three ways to ‘internationalise’ the task of boosting RPNGC capability:

First, PNG and Australia should **approach other donors to support capacity development in the RPNGC.**

The numbers of people needed are not large, but they should include trainers, including on human rights and gender awareness, and specialists to assist with work on forensics, fraud and money laundering, and Asian and African organised crime. ‘Recruiting’ should be focused in countries and regions investing in PNG with a proven capacity for international support and solid practices. It’s unlikely that international support could displace the AFP’s leadership role in capacity development assistance, but it would provide more ‘flags on the ground’ and perhaps reduce the misplaced criticism that the AFP’s assistance is an Australian neo-colonial front.

Second, **use Bomana College as a regional centre in investigation training.** Once the college is established as a fully accredited training institution (which will take time), its remit should be expanded to include training in high-end police skills. Part of the college could be restructured as a cooperative arrangement between the PNG Government and major donors based on a model such as the Jakarta Centre for Law Enforcement. It should have an arm’s-length governance system led by Australia to increase donor confidence and ensure that PNG’s priorities are met. An early focus could be on investigations training. This would allow PNG to promote itself as a regional leader and establish common skills standards across the Pacific’s many police forces. Beyond that, the college would also provide opportunities to train other government agencies in law enforcement functions. And if well-coordinated with other initiatives, Bomana would complement other regional centres focused on other aspects of policing.

Third, **increase RPNGC training and secondments** in Australia (and perhaps New Zealand). The current placement scheme being established by the AFP is a very good start. Its two-month placements are better than those of previous schemes and will give secondees some depth of experience. It should be monitored for value, and extended if that’s worthwhile.

- **Links with business and the community.** Establishing robust and transparent relations with business should be a priority. One way to do this is to follow the model being used in Lae. Wherever possible, local support should be used to implement initiatives, and the AFP is well positioned to give all players confidence that projects they support will be completed. Extending this model to include major companies would also be worthwhile.
- **Boosting RPNGC numbers.** The RPNGC will miss its 2015 target strength by a long way. It’s also very unlikely to grow to its desired size by 2050 based on the current separation rate and training throughput. Reform of the training system and an expansion of Bomana College might help if the recruits can be found, but there’s a real risk that an accelerated separation rate—due to the number of pending RPNGC retirements—will leave a gap in the force. Using Australian Police in a supervisory role—that is, with limited powers—might address that gap if constitutional change occurs.

But other ways to boost RPNGC numbers might also be worth considering. For example, Police Minister Atiyafa and the PNG Chamber of Commerce have suggested employing contract police in the RPNGC. This has merits, particularly because it would quickly boost the force’s skills. It would also be possible to give the contracted officers executive policing powers, which the AFP can’t get right now. But there’s a disadvantage in that the scheme would create a ‘two-tier’ RPNGC. It might also be difficult to get quality candidates, especially if service in PNG is not highly valued by home police forces. Selecting the right officers—not mercenaries or those at the sunset of their careers—will be critical if this is to work.

- **Communicate with PNG leaders and citizens.** In conducting the research for this paper, we were surprised by how many otherwise well-informed Papua New Guineans, including senior officials, had only a cursory grasp of the police partnership. That was especially pronounced among those who reported that their expectations (mainly of a revived ECP) had been disappointed. While the Australian High Commission and the AFP already conduct briefings, more information that highlights the partnership would be useful in shaping those expectations.

## **Sustaining Australia's engagement with the RPNGC**

Our examination of Australia's interests concludes that providing support to the RPNGC, as a way of promoting PNG's prosperity and stability, is important and worth the money. We've assumed that Australia will continue to provide this support, and perhaps increase it.

The question is, to what value? The 2004–05 ECP planned to deploy 230 officers at a cost of around \$160 million p.a. (in 2004 dollars): that's well over twice the cost of our expanded contribution options. And our least-cost option—halving spending on AFP support to \$19 million—carries a real risk that the mission won't achieve mutual objectives in a 5–10 year timeframe.

The value of the Australian contribution could be clarified by a review of the current mission before the end of its first year, comparing data from pre-mission surveys in December 2013 and collecting evidence from a broad spectrum of participants, experts and PNG society.

It could also be clarified by a frank and collegial discussion between Australian and PNG authorities to explore alternatives, if that's what's desired. However, that discussion should conclude with a clear statement that PNG welcomes additional AFP support and is willing to remove any ambiguity about it. A failure to show that confidence will surely reduce Australia's will to devote resources to this mission, and a reduction in those resources would probably jeopardise prosperity and security in PNG in a direct way. While all involved respect PNG's sovereignty and approach the future with goodwill, prime ministerial leadership—like that seen in the decision to invite a larger AFP contingent in 2013—needs to be constantly reinforced.

And the AFP isn't an inexhaustible resource. It can face real challenges in mounting concurrent missions of national importance, as the recent response to the MH17 atrocity in Ukraine shows. There's also a real need to prepare AFP people for working in PNG, especially in language skills, which are essential outside the main cities, and as professional advisers. These factors place the Australian Government's intention to reduce funding to the AFP in 2015–16 in harsh relief.

The limitations on the AFP's ability to sustain a larger operation in PNG from a lower resourcing base increase the importance of gaining outside support. While some personnel would come from Australian state police forces, more international support should be obtained for this mission.

A larger and more geographically widespread mission would also increase the risk for non-PNG personnel. Accepting the deeper remit proposed in some of the options set out here will mean addressing those risks and accepting that some can't be completely negated.

This report does not examine the support to PNG from the AFP's International Network in depth, but interviewees explained the importance of that support. While senior AFP leaders think that the level of support is currently about right, it's possible that additional resources will be needed for countering organised crime, corruption and money laundering. Those crimes have the highest likely impact on Australian interests.

Regardless of the scale of future Australian involvement with the RPNGC and the rest of the law and justice sector in PNG, we think that the direction of all Australian programs in PNG needs to be under the control of the High Commissioner. We understand that that's not currently the case, which seems to go against best practice in development assistance.

The question of when Australian support should be scaled back won't need answering for some time yet. Building the RPNGC will take a generation, perhaps longer. So there should be regular reviews of the program—at least every two or three years—to ensure that successes are built upon and priorities can be reset as needed.

## **A joint effort, and an important one**

Violence, serious and organised crime, and challenges to public order in PNG are unlikely to decrease over the next decade. Collectively, these crime types will pose challenges for the country's sovereignty, prosperity and stability. Allowing crime to derail PNG's development or state institutions isn't in anybody's interest, including Australia's.

It's ultimately the responsibility of the PNG Government and its community to provide the climate and resources to promote law and order. The RPNGC—as part of the broader law and justice sector—will be the key institution in this national effort, but it will need significant support to do so. This means the international community, particularly Australia, should play a role in developing the RPNGC because this institution will be unable to become fully effective without such support. The extent of its needs, the prevailing conditions and the resource base all work against a wholly home-grown solution to the RPNGC's challenges.

The importance of a fully effective RPNGC cannot be overstated, but achieving that is a generational project. This means a long-term view of cooperation and engagement between Australia and PNG will be essential. This partnership could be pursued in a number of ways, including by following the format of the current AFP mission and possibly extending its size. However, that might not be the best way ahead: the AFP lacks the powers and immunities to make 'publicly visible' policing truly effective, and even a larger mission that followed the current pattern would still have a narrow geographical scope.

From our perspective, Option 5, which requires additional funding and places a stronger emphasis on using the AFP to develop supporting structures in the RPNGC is the recommended option, subject to the full agreement of the PNG Government. This option retains many aspects of the current mission, but allocates more resources for training at Bomana College and in the provinces, some attention to the mobile squads, enhanced support for RPNGC governance, and more training for RPNGC officers in Australia, in other countries and in the police stations of PNG.

This focus will be possible only if Australian and PNG leaders express a desire to reduce the proportion of resources devoted to the 'publicly visible' component of the current mission.

Increasing resources for this cooperation to around \$62 million p.a. would bolster a flagging RPNGC and ensure that a full-spectrum approach can be adopted and sustained over time. It would also promote professional police practice across the whole force. The current level of resourcing is unlikely achieve that.

It would be best to allocate additional funds to this project, rather than to simply reallocate from within the existing PNG aid budget because successful law enforcement will need a healthy and well-educated public who can rely on good infrastructure. Australian aid is important to all of these areas and to creating a prosperous, sovereign and successful PNG.

Of course, the resource cake can be cut in many ways, and mixing and matching the options is feasible. However, more money isn't enough to make this engagement work. Unless the RPNGC–AFP relationship has clear support from the two governments, the benefit of any effort is likely to be reduced. If the two governments agree to a long-term partnership, remove existing ambiguities and state their support for the RPNGC, international assistance could achieve the modest but essential objectives described here over the next 10 years. That would be a good outcome for all, and in everybody's enduring interests.

## Appendix A: Australian support to PNG's law and justice sector

Australia contributes around \$75 million a year to PNG's law and justice sector through four main programs:

- **PNG–Australia Law and Justice Program (PALJP).** Since 2003, Australia has provided support through this program to meet five strategic goals for the law and justice sector: improved policing and safety; improved access to justice; improved reconciliation and deterrence; improved accountability; and improved service delivery. Substantial infrastructure support, organisational and policy development, skills training, and policies to increase women's participation in the sector have enabled the expansion of services across the country. This is a sustained commitment that was refocused in 2014 to put more emphasis on increasing justice delivered locally in six provinces and Bougainville, including by village courts, a renewed focus on family and sexual violence, promoting multi-agency responses to improve service delivery, and anticorruption efforts. The program is mainly delivered by contracted advisers. It's being revised so that a new program can begin in 2016.
- **Strongim Gavam Program (SGP).** This program is managed as a partnership between Australian agencies and their PNG counterparts. There are around 35 Australian Government employees, with 11 from the Attorney-General's Department assigned to positions in the law and justice sector. They focus on legal agencies, including the Department of Justice and Attorney-General and the Office of the Public Prosecutor. In addition to capacity-building tasks and mentoring local staff, the treaty covering the deployments allows qualified Australians to provide legal advice and appear in court.

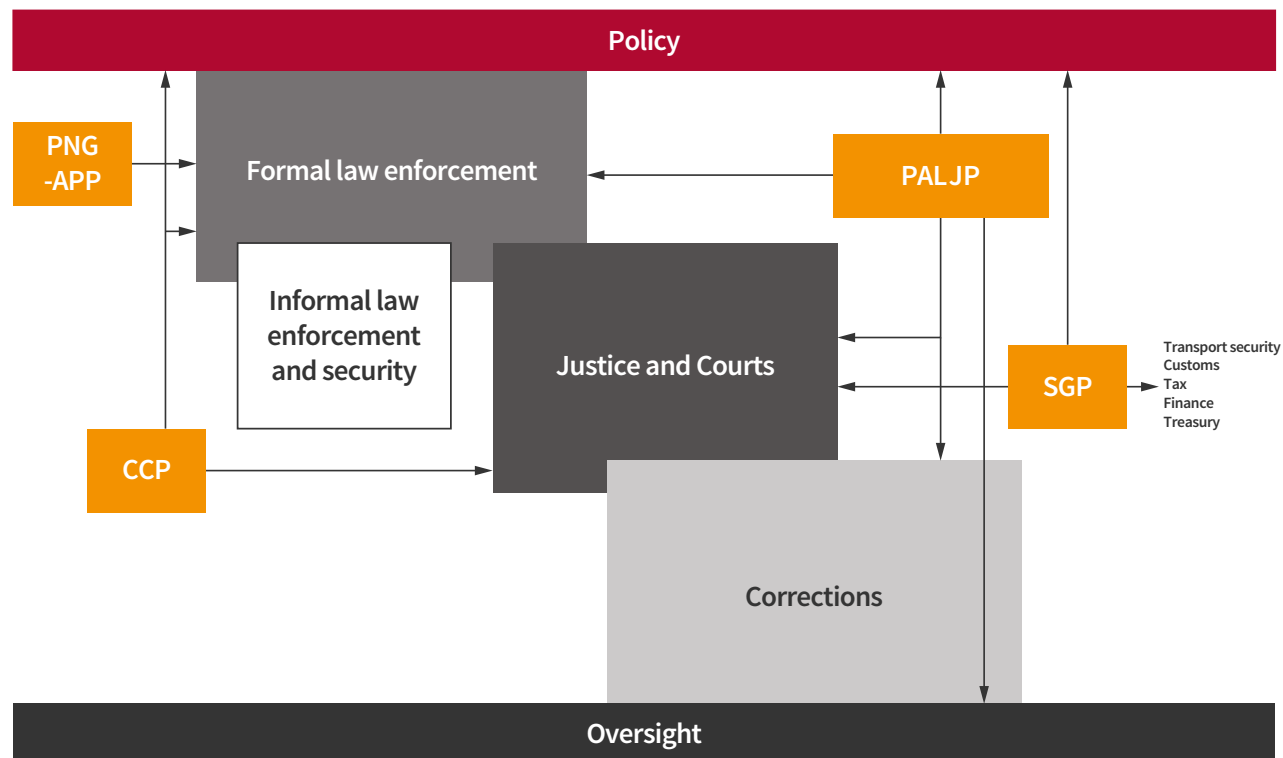
- **PNG–Australia Policing Partnership (PNG-APP).** Most of Australia's support to law and justice in PNG has been provided to the RPNGC through many programs, the most recent of which has been the PNG-APP (from 2008 to today). By mid-2013, this program had grown to 23 officers working in governance, long-term development and reform. It included projects on training, logistics, professional standards, governance and accountability, and fraud and anticorruption. A further 50 officers were added as 'Phase IV' after the joint agreement was signed in 2013. The PNG-APP is not controlled by the High Commissioner in Port Moresby, but reports directly to the AFP in Canberra.
- **Combating Corruption Project (CCP).** This project is delivered by the Attorney-General's Department and Austrac. It aims to enhance PNG's ability to prevent and combat corruption by hardening the financial system against money laundering, corrupt activity and terrorist financing. It builds PNG capacity to analyse, investigate and prosecute money laundering and recover the proceeds of crime. The project helps PNG comply with Financial Action Task Force recommendations and meet key parts of its task force action plan through legal policy development assistance and peer-to-peer institutional linkages and mentoring, delivered through a series of short-term visits and distance assistance.

The AFP also maintains a senior liaison officer in Port Moresby and a dedicated transnational crime liaison officer to help PNG participate in the Pacific Transnational Crime Network.

These programs, with the exception of PALJP, are managed from Canberra. While the High Commissioner in Port Moresby plays a coordinating role, Australia's most senior representative in PNG has no direct authority for managing this work. This situation is very different to that experienced by American ambassadors, who are responsible for all government activities in their country, regardless of which department provides the resources.



#### Australian contributions to PNG's Law and Justice Sector



*PALJP = PNG–Australia Law and Justice Program; PNG-APP = PNG–Australia Policing Partnership; SGP = Strongim Gavam Program  
CCP = Combating Corruption Program.*

## Appendix B: Growing the Royal Papua New Guinea Constabulary

The RPNGC's lineage can be traced to the British and German colonial police forces, the first of which was formed in 1885. Constables served with distinction in World War II and played a vital role in the colonial administration. This included their support to the 'Kiap' patrol officers who extended government control into the hinterland. Despite this heritage, the RPNGC is still a relatively recent innovation. Its development as a professional police force, separate from the colonial administrative system, only really began in the 1960s.

At independence in 1975, when the population of the new nation was around 2 million, the RPNGC was around 4,100 strong. In 2013, it had grown by 25% to 5,724 sworn and 374 unsworn members, while the population had trebled to more than 7.3 million. The slight growth in police numbers, which was not helped by a decade-long recruiting freeze that ended in 2013, means that PNG has a very low police-to-population ratio of 78:100,000 (Table 3). By comparison, the ratio in Vanuatu is 277:100,000; in Australia, it's around 268:100,000).<sup>11</sup> The number of female officers in the force is growing, and is now around 10%.

The PNG Government wants to grow the RPNGC to more than 13,000 by 2020 and to 24,000 by 2030. Based on current personnel separations (retirements, resignations etc.) of about 4% p.a., and a training throughput of about 540 new police p.a., those targets are unlikely to be reached.<sup>12</sup>

The separation rate is set to grow over the next five years as a large number of RPNGC officers reach retirement age. Already, 15% of the force is past mandatory retirement age, and another 29% will reach that marker by 2018. Nearly one-third of current supervisors should have retired by now, and 64% should retire within the next four years, suggesting that the RPNGC will have a significant experience gap in its ranks within the next few years.

Of those currently serving, only a small proportion are considered 'well trained'.<sup>13</sup> For example, nearly 1,000 haven't completed the compulsory on-the-job training that's meant to qualify them as full constables.

The policing body in PNG also includes reserve and community auxiliary police. The numbers of reserve police have tended to grow and then be wound back over the past decade and aren't included in those counted here. Reservists usually provide police support directly to a private company that sponsors them, but they can supplement regular police units during peak periods and on weekends.

The RPNGC has 199 police stations, but low levels of staffing and poor attendance mean that the stations aren't as effective as they might be. According to sources in Boroko and Lae, stations might be staffed to 100 on the books, but only 30–50% of personnel show regularly for work.

The number of arrests that result in committals and convictions is another measure of the challenges facing the RPNGC (Table 4). Currently, the ratio of case registrations to court committals is 20%; ideally, it should be 100%. The small prison population of around 2,800 suggests that the number sent to prison each year is also very small.

**Table 3: Police to population in PNG, 1975 to 2013**

Year	RPNGC uniformed (est.)	Population–m (est.)	Police: Citizen	Police per 100000 citizens
1975	4100	2.0	1:476	205:100000
1983	4460	3.2	1: 712	139:100000
1996	5000	4.0	1: 800	125:100000
2004	5250	5.9	1:1121	89:100000
2013	5724	7.3	1:1275	78:100000

Sources: Dinnen, *Criminal justice reform in Papua New Guinea* (1998) (population and police 1975, 1996), Report of the RPNGC Administrative Review Committee (2004) (population and police 1983, 2004); *Law and Justice Sector Annual Performance Report 2013* (police 2013); World Bank (Population 2013)

**Table 4: Reports, arrests and committals in 2013**

Reports	Arrests	Cases registered	Committed to national court	Prison populations (convicted)
2,847	1,301	5,584	702	2,837

Source: *Law and Justice Sector Annual Performance Report 2013*, p. 58 (Table 2) and p. 65 (Table 11).

## Appendix C: Australian/AFP–RPNGC activity since 1975

Year	Australian/AFP-RPNGC activity
1975-88	<ul style="list-style-type: none"> <li>Australian assistance to RPNGC occurs via direct budget assistance to the PNG Government. First program scoping began in 1985.</li> <li>Support included training, consultancies, missions and police postings. Expatriate Australian officers employed in RPNGC (one remains serving today).</li> </ul>
1988-2002	<ul style="list-style-type: none"> <li>Transition from direct budget support to project and jointly programed aid.</li> <li>Projects include equipment and housing assistance.</li> </ul>
1989-2005	<ul style="list-style-type: none"> <li>RPNGC Development Project Phases I-III: A\$153m over period (dollar value at the time). Included placements of PNG police in Australia and, at its peak, around 40 Australian advisers in PNG.</li> </ul>
2001—	<ul style="list-style-type: none"> <li>Cross-border joint patrols and combined intelligence group for activity in Torres Strait – including Queensland Police and Customs. A number of narcotics importations detected. Cooperation on people smuggling.</li> </ul>
2003-05	<ul style="list-style-type: none"> <li>The Enhanced Cooperation Program (ECP) was agreed 11 December 2003. The initial plan was to deploy up to 210 AFP officers and around 64 officials to build skills in RPNGC and broader PNG administration. The first deployment of officers began in February 2005.</li> <li>The police element of the ECP was withdrawn in May 2005 after the 'Wenge' decision by the PNG High Court.</li> </ul>
2006-08	<ul style="list-style-type: none"> <li>Transnational Crime Unit becomes operational in PNG with AFP support.</li> <li>Ongoing police-to-police cooperation on areas such as child sex offences, money-laundering, counter-terrorism, and preparation for deployments.</li> <li>Pacific Police Development Program sees bi-lateral cooperation with training including strategic intelligence, peacekeeping and police management.</li> </ul>
2008-09	<ul style="list-style-type: none"> <li>11 AFP officers and some short-term advisers are deployed in September 2008 to scope the new PNG-Australia Policing Partnership (PNG-APP) (called 'Phase I').</li> </ul>
2009-11	<ul style="list-style-type: none"> <li>PNG-APP delivers its strategic framework.</li> <li>Other cooperation on areas such as drug smuggling, pre-deployment training, and infrastructure development. The main program focus was the 'Centre of Excellence' at Bomana and organisational governance and reform.</li> </ul>
2012-13	<ul style="list-style-type: none"> <li>PNG-APP Phase II and III had 11 sworn and 5 unsworn AFP members in PNG. Phase III was set to grow to 23 officers when the new mission was announced. Projects focused on training, logistics, professional standards, governance and accountability management frameworks, and fraud and anti-corruption.</li> </ul>
2013-14	<ul style="list-style-type: none"> <li>Phase III of the PNG-APP is supplemented by 50 additional AFP officers (bringing the number to 73) to work with a 'publicly visible' mandate in Port Moresby and Lae, together with support to Bomana College, RPNGC governance and specialised crime squads.</li> <li>Other AFP-RPNGC activities include continued police-police cooperation, joint patrols and cooperation in the Torres Strait.</li> </ul>

Sources: AFP annual reports; AusAID, *The contribution of Australian aid to Papua New Guinea's development 1975–2000*; Sinclair Dinnen, *The changing character of Australian assistance to the PNG law and justice sector*, Table 13.1; EJ Michal, *Australian aid to Papua New Guinea police—goals and limits*, 1991

## Appendix D: Funding the RPNGC

Spending on the RPNGC is growing slowly, but it's not growing in proportion with overall government expenditure and is decreasing as a proportion of total spending and spending on law and justice (Table 5). These are indicators of a real problem. Assistance from the AFP currently adds about 20% to the resources provided to the RPNGC by its government.

It's worth tracking the change in expenditure per head on the RPNGC over time. This shows that the spending on the force (using the 'per head of population' measure) has increased. What it doesn't tell us is how much is really needed.

Table 5: RPNGC budget, 2012 to 2014

	2012 (actual)	2013 (actual)	2014 (approp.)
Law & justice sector	K711.7 million	K686.5 million	K820.5 million
Law and justice as % of national budget	8.1%	5.5%	5.97%
RPNGC allocation from PNG Government	K321.4 million	K351.0 million	K364.8 million
RPNGC as % of law and justice budget	45%	51%	44%

Sources: PNG Law and Justice Sector Annual Performance Report 2013, Table 12; PNG Department of Treasury.

## Appendix E: Bougainville

Australia is helping to develop a functional law and justice system in the Autonomous Region of Bougainville as the 2015–20 window for a referendum on its future political status approaches.

A key need after the bitter 1988–1997 conflict has been to re-entrench civil authority, embed the rule of law, and provide mechanisms for dealing with disputes and crime. Continuing stability will be underpinned by improved access to and delivery of justice. The 2001 peace agreement formally ending the conflict and the 2005 Bougainville Constitution included arrangements to set up the Bougainville Police Service (BPS) to operate as part of, but autonomously from, the RPNGC. Although Bougainville hasn't accepted full policing powers and functions from the national government yet, a fledgling BPS comprising about 150 officers has been established in several districts and the urban centres of Arawa, Buin and Buka. Community confidence in the BPS is patchy, and it needs support and development to meet its responsibility to effectively and impartially preserve peace and good order, and to maintain and enforce national and Bougainville laws—partly due to lingering crisis-era fault-lines and pressures, such as the availability of weapons.

Complementing the conventional BPS, about 350 community auxiliary police are drawn from the areas where they serve work with village leaders and courts to deliver local-level dispute resolution and conflict mediation. Established in 1999, even before the peace agreement, these officials aim to fill the gap in safety, security and crime prevention and to

foster a community-policing approach to order and justice. The community auxiliary police are well placed to make a strong contribution to lasting community safety by working with the grain of local beliefs and practices, according to academics Sinclair Dinnen and Gordon Peake.

Because political and social tensions may rise as the referendum approaches, greater efforts to harness and integrate the promise offered by the two bodies are needed: neither will be sufficient. It will take time for the more formal (and relatively costly) BPS to grow closer to the communities it serves. But the community auxiliary police display the procedural limitations and finite potential to be scaled up and formalised that are common to any organisation that works deep within micro-level societies and in line with their unique views, rules and processes.

Australia has provided \$32 million in support of law and Justice in Bougainville since 2004, and the AFP is currently exploring options to re-engage directly with the BPS. The New Zealand Police plans to double its contribution of six officers and will increasingly support the BPS as well as the community auxiliary police.

DFAT, the New Zealand Ministry of Foreign Affairs and Trade, and the PNG and Bougainville governments have also recognised the need, identified in the 2013 Joint Review of Autonomy Arrangements, to develop Bougainville's wider justice sector. Ideally, this will include support in areas such as protection for those vulnerable to family and sexual violence.

## Appendix F: Public order policing

The RPNGC's Special Services Division is responsible for public order policing in PNG. The division numbers around 600, or a tenth of the RPNGC.

The Special Services Division has 20 paramilitary mobile squads, each comprising 30 personnel. These units can be grouped for larger operations. The division is run semi-autonomously from McGregor Police Barracks on the outskirts of Port Moresby.

Australia has provided some training to the division in the past, including training on operational command principles. Australia has no operational involvement with the division, although future division members pass through Bomana Police College.

Police aren't the only institution responsible for public order in PNG. Under section 204 of the Constitution, PNG's Governor-General can accept the cabinet's recommendation to call out the PNG Defence Force to aid the police in keeping or restoring public order for a specified period—for example, for an impending event such as an election, to protect nationally vital economic infrastructure, or in the event of a specific major disturbance.

In a few instances, the national government has also exercised its emergency powers under section 228, for example by suspending the provincial government, declaring a state of emergency, mobilising the PNG Defence Force and the Corrections Service to assist the police, and installing an administrator to cope with a breakdown of governance and order in the Southern Highlands from August 2006 to February 2007.

## Notes

1. World Bank, *Crimes and disputes: missed opportunities and insights from a national data collection effort in Papua New Guinea*, 2014, p. 7. Experts consulted for this report believe that this figure massively under-reports the problem.
2. Although synthetic drug labs haven't been reported yet, PNG could potentially become a producer, given its growing manufacturing sector, its weak legislation against precursor substances, suspected links between international criminals and some PNG businesses, and shipping links between PNG and smaller Australian ports.
3. Asia/Pacific Group on Money Laundering / World Bank, *Mutual evaluation report: anti-money laundering and combating the financing of terrorism—Papua New Guinea*, 2011.
4. Asian Development Bank / Institute of International Affairs, *The challenges of doing business in Papua New Guinea*, February 2014, p. 3.
5. Jason Sharma, 'Chasing the kleptocrats' loot: narrowing the effectiveness gap', *U4*, 2012, p.7.
6. In 2013, the PNG courts awarded \$27 million in judgements against the government, and cases against the RPNGC were about one-third of the total number of cases in that year; *Law and Justice Sector Annual Performance Report 2013*, tables 15 and 16.
7. Police brutality isn't always punished. For example, a PNG judge complained that only two of seven officers suspected of slashing the Achilles tendons of 74 men accused of participating in a Port Moresby fight last year had been charged, and no-one had been convicted.
8. For example, this squad was very poorly funded until last year, when it received an increase of about \$0.5 million for its work.
9. PNG's National Security Policy, released in December 2013, lists law and order, corruption and human rights abuses as priority 1 national security threats.
10. Australian Federal Police, *Portfolio Additional Estimates Statements 2013–14*, Table 1.2, using estimated costs for 2015–16.
11. *Law and Justice Sector Annual Performance Report 2013*, pp. 18, 69.
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## Acronyms and abbreviations

AFP	Australian Federal Police
BPS	Bougainville Police Service
DFAT	Department of Foreign Affairs and Trade
ECP	Enhanced Cooperation Program
PNG	Papua New Guinea
PNG-APP	PNG–Australia Policing Partnership
PNGDF	PNG Defence Force
RPNGC	Royal Papua New Guinea Constabulary

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