
Police Development in Papua New Guinea: The Need for Innovation

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Since the late 1980s, a succession of Australian-funded programs has sought to strengthen the Royal Papua New Guinea Constabulary (RPNGC). The results of these efforts have, to say the least, been extremely modest. This article critically examines the underlying approach to donor assistance to the RPNGC, arguing, among other things, that it has failed to engage with the realities of normative and regulatory pluralism in Papua New Guinea's famously diverse social landscape. More fulsome acknowledgement of these plural realities, and the adoption of more innovative approaches to internal security provision that can harness and better align the strengths of different providers is likely to yield better results than a continuing reliance on state police alone.

On 4 November 2013, a Virgin Australia plane carrying thirty members of the Australian Federal Police (AFP) touched down to an elaborate reception at Port Moresby's Jacksons airport. Colourfully dressed sing-sing dancers and an immaculately turned out police band serenaded the officers off the plane and into the tropical heat. A phalanx of senior government officials from both Australia and Papua New Guinea (PNG) were waiting to welcome the new arrivals to what would be the ninth discrete police development program in the past twenty-five years.

The speeches and comments indicated high expectations of the new arrivals, who were the first of a total of fifty police that would arrive in PNG before year's end.¹ The Australian High Commissioner said the officers would "provide frontline advisory support" to the Royal Papua New Guinea Constabulary (RPNGC), declaring their appearance a "milestone" in relations between the two countries as well as being "the start of an exciting new phase in the PNG-Australia policing partnership".² The AFP Commissioner told the media that "the goal of our enhanced mission is, in partnership with the RPNGC, to continue to develop the capacity of the RPNGC to provide

¹ These incoming Australian Federal Police (AFP) officers joined with an existing AFP advisory deployment of seventeen police officers that has been working in the country since 2008.

² Australian High Commission Papua New Guinea, 'Arrival of the first AFP officers deployed under Phase IV of the PNG-Australian Policing Partnership: Jacksons International Airport Address by Australia's High Commissioner to PNG Ms Deborah Stokes', 4 November 2013, <<http://www.png.embassy.gov.au/pmsb/150.html>> [Accessed 9 April 2014].

sustainable and quality policing to the people of PNG”.³ The deployment of the fifty police to PNG is costed at \$132 million over four years and forms part of the deal on asylum seeker processing concluded by Prime Ministers of Australia and PNG, Kevin Rudd and Peter O’Neill, on the eve of the 2013 Australian election.⁴

Time will tell whether this intervention will generate any more substantive results than programs which have gone before it. From the late 1980s, a succession of donor-funded programs and training packages were developed to strengthen internal RPNGC systems and processes and improve operational performance.⁵ The normative assumption is that, by supporting the formal police institution, one is helping the citizenry. Each initiative has been framed largely in similar, state-centric terms and focused on working with familiar (i.e. Western/Australian) institutional forms.

The outcome of all this effort so far appears rather modest in terms either of enhancements in the capacities of the organisation as well as improvements in security and justice outcomes for end-users. It is striking that the language used to diagnose the RPNGC’s frailties in 2014 is practically identical to that used at the beginning of the first program. With such underwhelming results, the effectiveness, value-for-money and impact of all these efforts is very much an open question but so also is the underlying approach, which is focused primarily on institutional capacity building. In the last twenty-five years, proffered solutions have remained focused squarely on working with taken-for-granted institutional forms and echo the same types of efforts tried before.

Casting solutions in terms of additional supply side responses is alluring and politically convenient. It demonstrates Australian is ‘doing something’ that is visible and can be seen. However, the problems within the RPNGC are more existential and fundamental than can be solved simply through the deployment of additional expatriate advisers. This is because the model of policing embodied in the RPNGC may simply not be relevant or applicable for much of PNG. In reality, the RPNGC constitutes only one of multiple sources of regulatory or dispute-resolving power in a country renowned for its normative pluralism. Although there have been a number of voices over the years noting the salience of community-based and private systems of

³ Australian Federal Police, Media Release: Australian Federal Police Officers Arrive To Work Alongside Royal Papua New Guinea Constabulary, 5 November 2013, <<http://www.afp.gov.au/media-centre/news/afp/2013/november/australian-federal-police-officers-arrive-to-work-alongside-royal-papua-new-guinea-constabulary.aspx>> [Accessed 19 December 2013].

⁴ Stephen Howes ‘Foreign aid in the August Statement: pushing back the scale up for the fifth time; more details on aid to PNG’ Available at <<http://devpolicy.org/foreign-aid-in-the-august-statement-20130805-2/>> [accessed 3 June 2014]

⁵ Sinclair Dinnen and Abby McLeod, ‘Policing Melanesia—International Expectations and Local Realities’, *Policing & Society*, vol. 19, no.4 (2009), pp. 333-53.

governance and order-maintenance that message has not translated consistently into Australian programming approaches. More explicit acknowledgement of these plural realities, exploring more innovative approaches to security provision that can harness and better align the strengths of different providers may yield better results than near-sole reliance on state police alone. Going forward, this entails engaging with both 'above' and 'below' the State.

This article is divided into four main sections. The first traces the origins of the RPNGC and shows that concerns about crime and the adequacy of the police response are not new. The limited returns from focusing exclusively on the formal police institution have been long observed. The second section presents data identifying the scale of the problems in present-day PNG, issues which the police have proven manifestly unable to tackle. Indeed, in some instances, the actions of the police *contribute* to disorder as much as resolve it. The third section shows a remarkable consistency over the years in terms both of the diagnosis of the RPNGC's ills and their proposed official remedy, namely institutional capacity building. Few of these solutions—often predicated on the assumption that what 'works' in Australia and other metropolitan contexts can be transplanted directly to PNG—have flourished. This indicates a fundamental issue around the appropriateness of the policing model itself, one that cannot be simply overcome with technical or administrative solutions, and tweaked delivery modalities.

Against the backdrop of the generally modest outcomes of reform efforts to-date, the final section of the article examines the work of scholars who point to the plural and multi-layered character of security and justice provision in Papua New Guinea. It charts a discernible shift in development thinking and program design with an increased focus on the need to engage with the broader spectrum of actors involved in provision, state and non-state. However, while this shift is evident in government and donor rhetoric in relation to PNG's broader law and justice sector, it has manifested only a limited extent in terms of policing support. Some examples of innovative programming show promising signs, including a donor-supported police development program in Bougainville but these remain in many ways outlier initiatives. Other, still under-researched, examples of potential innovation comprise security programming supported by transnational resource corporations. The dominant frame remains avowedly focused on capacity-building solutions with the RPNGC, despite evidence accumulated since independence suggesting that such an approach—on its own—is unlikely to reap dividends. It is puzzling that the solution proposed is often the same as what failed before.

The RPNGC: Never a Good Fit

On 8 March 1975, the then Australian Attorney-General, Kep Enderby received a disheartening telex from Michael Somare, Chief Minister of Papua New Guinea. Less than eight months before the granting of independence, Somare's message was sombre and downbeat. He described a "serious and mounting concern ... particularly in the urban areas on the apparent lack of a coordinated government plan to deal with the control and prevention of crime."⁶

The Australian Government response was to assemble a meeting of experts in Port Moresby to discuss the issue. Participants at a seminar in July 1975 warned of a "serious crime problem developing" and of the "sad" condition of the country's police force. William Clifford, an Australian criminologist, wrote that many Port Moresby residents were "accustomed to their houses being broken into and their property stolen ... that they feel exposed, unprotected and downright resentful."⁷ Unemployment, substance abuse, urban drift and inequality were identified as drivers of insecurity, conflict-exacerbating factors that remain nearly forty years on.

In terms of enforcement, there was a sense that the RPNGC was not up to the scale of the challenge. In a ten-month period in 1973-74, there were 2,051 'breaking and entering' reports to the police, of which just 191 were cleared up.⁸ In mitigation, the RPNGC cited growing societal pressures—the increasing availability of liquor, poor housing and weakening of social controls in urban settlements—as inhibiting their efforts.⁹ In 1975, the police were claiming that juvenile crime was reaching "alarming proportions" in urban areas.¹⁰

Then, as now, these concerns were linked to the weakness of policing capacity and, in particular, seemingly endemic managerial weakness within the RPNGC. A consistent refrain was that the police were not up to the task and that its best days were behind it. Clifford wrote that the RPNGC was, then "only a shadow of the former stolid and capable force for law and order".¹¹ However, in many ways, such a perception of capability was rose-tinted. The RPNGC appear never to have had a 'golden era'. Even before independence, a range of voices warned of the threats posed by a potential breakdown of 'law and order' as crime increased in Port Moresby and other

⁶ William Clifford, 'Urban Crime in Papua New Guinea', in David Biles (ed.), *Crime in Papua New Guinea* (Canberra: Australian Institute of Criminology, 1976), p. 4.

⁷ *Ibid.*, p. 5.

⁸ *Ibid.* p.7.

⁹ Ila Geno, 'Perspectives of Local Authorities: Police', in David Biles (ed.), *Crime in Papua New Guinea* (Canberra: Australian Institute of Criminology, 1976), pp. 129-39.

¹⁰ Sinclair Dinnen, *Law and Order in a Weak State: Crime and Politics in Papua New Guinea* (Honolulu: University of Hawai'i Press), 2001, p. 56.

¹¹ Clifford, 'Urban Crime in Papua New Guinea', p. 17.

urban centres, and tribal conflict re-appeared in parts of the Highlands.¹² The constabulary in its current form had been formed less than ten years before independence and was an amalgam of the Royal Papuan Constabulary and the New Guinea Police force originally established by colonial authorities in the Territories of Papua and New Guinea. The police in their current form have their origins in Australia's efforts to create the structure—critics would argue that it was more a façade—of a modern, bureaucratic state, and marked a deviation from older colonial approaches to policing.

The establishment of the RPNGC represented a break from previous traditions of order-maintenance in PNG. Throughout much of the colonial period, the policing, judicial, and penal powers of the colonial state as it applied to indigenes formed part of a largely undifferentiated system of 'native administration' that was aimed primarily at extending and consolidating government authority rather than crime prevention and law enforcement.¹³ This system was personified in the office of the patrol officer or *kiap*, who acted simultaneously as government agent, police officer, prosecutor, magistrate, and gaoler. Although backed by the threat of deadly force, the *kiap*, accompanied by an armed 'native constabulary', administered a form of *de facto* and, in practice, often intermittent and idiosyncratic, community policing to widely dispersed and largely self-regulating rural populations. This approach appears to have worked reasonably well at the time, in part because it entailed pragmatic accommodations being made between the authority of the colonial state and that of the diverse and largely self-regulating local societies comprising the territories of Papua and New Guinea.¹⁴ In theory, if not always in practice, rural policing was a co-production between colonial and traditional authorities at local levels. A more familiar Anglo-Australian policing model was found only in the urban enclaves, where a small number of full-time and uniformed expatriate police officers catered primarily to the policing needs of the European elite.

The different approaches to policing in rural and urban areas were to gradually disappear as Australian authorities embarked on their modernising mission, to be replaced by the uniform and centralised model of policing found throughout the Commonwealth. The RPNGC, therefore, owes more to this 'urban-based' model of policing than to the tradition of the *kiap*.

To this end, the constabulary was separated from the Department of Native Affairs in 1961 and in 1966 it was removed from the control of the Public

¹² Dinnen, *Law and Order in a Weak State*, pp. 33-34, 55-62.

¹³ *Ibid.* pp. 16-34.

¹⁴ Sinclair Dinnen and John Braithwaite, 'Reinventing Policing through the Prism of the Colonial *Kiap*', *Policing & Society*, vol. 19, no. 2 (June 2009), pp. 161-73.

Services Commission in order to ensure its neutrality.¹⁵ Mobile squads were established after the police reorganisation in 1966 and were used in response to the revival of tribal conflict in parts of the Highlands, as well as in public order situations including around contested development projects such as the construction of the Panguna mine in Bougainville. The resources of centralised policing were concentrated in urban areas, accentuating a significant physical (and social) separation between the police and the predominantly rural populace. Police responsibility in 1975 was estimated to cover only 10 per cent of the country's total land area and 40 per cent of the population.¹⁶ For many observers, the dismantling of the old colonial system of administration led to an effective withdrawal of the state from rural areas. In 1971, for example, all police posts were accessible by road in a country where the road accessed only a small minority of the population. This retreat of the state from the most local levels was accompanied by growing resort to violent forms of self-help in some parts, including the revival of tribal fighting in areas where it had previously been successfully suppressed by colonial authorities.¹⁷

In many ways, the RPNGC has become more truncated in reach since independence. While PNG's population has more than trebled since 1975, the size of the RPNGC has not increased significantly since then. Recent figures indicate that in 2013 around 5,387 sworn uniformed personnel were responsible for policing around 7.5 million people dispersed across PNG's varied topography.¹⁸ Even that figure may over-estimate the number of officers engaged in policing activities in two respects. First, a substantial percentage of the police mobile squads are essentially contracted out to resource companies, and, for that reason, tend to be concentrated in or around resource projects. Second, the numbers 'on the books' is hard to square with the numbers of police at work. More than 550 officers are reputed to be at work in the National Capital District, yet the average work shift in a metropolitan police station comprises just a handful of officers.

The urban bias in the RPNGC that was already marked before independence has become even more pronounced. Most police resources are concentrated in urban areas, while 85 per cent of Papua New Guineans reside in rural locations and continue to rely on informal approaches for resolving everyday disputes and maintaining security at local levels. PNG's diverse and much-publicised 'law and order' problems, associated with

¹⁵ Dinnen, *Law and Order in a Weak State*, pp. 24-30.

¹⁶ Sean Dorney, *Papua New Guinea: People, Politics and History Since 1975* (Sydney: ABC Books, 2000), p. 304.

¹⁷ Nigel Oram, 'Law and Order: Maximum Participation at All Levels', *New Guinea*, January 1973, pp. 4-22.

¹⁸ Royal Papua New Guinea Constabulary—Fact Sheet 9, July 2013, p.3. Papua New Guinea-Australia Law and Justice Partnership.

larger processes of social and economic change, have added to an already complex policing environment.

By the time of independence, there were two related strains of argument about the RPNGC, one technical and one more existential, relating to a basic problem of 'fit'. In organisation, purpose and role, the RPNGC, which had been established less than a decade previously, was a carbon copy of Australian policing organisations, a structure that might have fitted on the other side of the Coral Sea but not necessarily in PNG's very different social environment. Basing his analysis upon interviews with serving officers, Clifford wrote that: "the Police maintain ... and not without some justification that a basic error in the administration of Papua New Guinea has been to import the Australian system of law which the people neither understand nor appreciate."¹⁹

These twin arguments have been rehearsed, revisited and revalidated in the subsequent literature about post-independence Papua New Guinea.²⁰ A thread that runs through many of the critiques of both police practice and reform in PNG is that efforts are monochromatic in their institutional focus and state-centric in orientation, predicated upon a concept of the State that, in reality, does not exist. An important aspect of many of these critiques revolves around the broader question of relevance. The RPNGC continues to be urban-based police in a country where most of the population live in rural settings; donors, perhaps because they themselves are also based in metropolitan centres, tend to under-estimate the limited reach of RPNGC and its penetration of local societies. Beyond authors' names and publication dates, it can sometimes be hard to distinguish critiques from 1975 from those tabled nearly forty years later.

PNG's Crime Problems

Paralleling the meme of inadequate policing is the impression of an imminent breakdown of 'law and order', particularly in PNG's urban centres. This too has a long history, which some scholars have traced back to near the beginning of the last century.²¹ Certainly, issues of crime and criminality were central concerns during the transition from Australian colonial administration to independence. The growth in urban crime and broader concerns with 'law and order' occurred against the backdrop of far-reaching

¹⁹ Clifford, 'Urban Crime in Papua New Guinea', p. 21.

²⁰ The authors of this critique are a fairly eclectic group. They are a combination of researchers and long-time observers of law and order in PNG together with ex-bureaucrats and police officials dismayed by the limited returns of focusing on institutional capacity-building and frustrated that donors see too much like states.

²¹ For an early example of a moral panic around crime in Port Moresby, mixed with sexual anxiety and racial politics, see Amirah Inglis, *'Not a White Woman Safe': Sexual Anxiety and Politics in Port Moresby 1920-1934* (Canberra: Australian National University Press, 1974).

processes of institutional modernisation as the old colonial administrative system was gradually dismantled and replaced with the framework of modern statehood in preparation for eventual independence. As well as removing discriminatory regulations applying to Papua New Guineans, such as those on movement and the consumption of alcohol, institutional modernisation required a separation between the executive, administrative and judicial arms of government, with particular implications for policing. As colonial restrictions on movement were gradually lifted in the 1960s and young migrants flocked to town, levels of recorded crime increased, leading to the regular airing of such concerns.²²

Concerns about urban crime have become increasingly more pronounced since independence, broadly following the patterns of urban growth. Tangible manifestations of pervasive insecurity are to be found in the fortifications and razor-wire securing the homes of the wealthy and the massive expansion of private security services that are used by businesses, government departments, restaurants, hotels, and schools and colleges, to name a few. Streets are routinely deserted in the evening and visitors warned not to visit certain areas or walk after dark. In Port Moresby, criminal violence has been attributed to the activities of *raskol* gangs. Some have depicted the evolution of these gangs as one of progressive organisational sophistication with the spread of criminal activities from socially disadvantaged communities to more respectable suburbs, the recruitment of better educated members, increasing use of violence (and firearms) in response to reactive and often brutal policing tactics, and growing connections to more powerful political and business actors in an urban milieu where criminal opportunities are continuously expanding.²³ Other researchers have drawn attention to their relatively loose and fluid quality and continuities with more enduring aspects of Melanesian sociality.²⁴

The full scale of crime and violence in PNG is difficult to assess, given the limited coverage and poor quality of police data, the scarcity of national-level studies and the urban bias in the available research material.²⁵ Yet various commentators and surveys estimate that violence victimisation rates in PNG

²² Marilyn Strathern, *No Money on Our Skins: Hagen Migrants in Port Moresby*, New Guinea Research Bulletin No. 61 (Canberra: The Australian National University, 1975), pp. 1-465.

²³ Bruce Harris, *The Rise of Rascalism: Action and Reaction in the Evolution of Rascal Gangs*, Discussion Paper 54 (Port Moresby: Institute of Applied Social and Economic Research, 1988), pp. 1-52.

²⁴ Michael Goddard, 'Big-man, Thief: The Social Organisation of Gangs in Port Moresby', *Canberra Anthropology*, vol. 15, no. 1 (1992), pp.20-34; Michael Goddard, 'The Rascal Road: Crime, Prestige and Development in Papua New Guinea', *The Contemporary Pacific*, vol. 7, no. 1 (1995), pp. 55-80.

²⁵ Sadaf Lakhani and Alys M. Wilman, 'Trends in Crime and Violence in Papua New Guinea', World Bank, Social Cohesion and Violence Prevention Team, Social Development Department, 30 November 2012.

are among the highest in the world. Recent data from both the RPNGC and from victimisation surveys suggest that crime has stabilised in recent years, and that in 2010 there was an overall reduction in total crime levels compared with those in 2000.²⁶ However, levels of unreported crime are believed to be extremely high, particularly in rural areas where access to police and justice services are limited, but also in respect of certain crimes such as rape and other sexual offences even where such services are accessible. Significant variations in the experience of crime and violence exist between urban and rural contexts, as well as within particular regional, rural and urban settings. Contrary to the national trend, data for urban crime ‘hot-spots’ suggests an increase in crime. For example, in Lae, PNG’s second largest city, recent victimisation data indicates that aggregated property crimes have doubled, and aggregated violent crimes more than doubled in a two-year period between 2008 and 2010.²⁷ The last available victimisation data for Port Moresby also suggests that the concentration of crime and violence moves location over time, with shifts away from the socially disadvantaged settlements—conventionally viewed as the main urban ‘hot-spots’—to more affluent suburbs, where more sophisticated security infrastructure and private security are in place.²⁸

The spread of firearms, both homemade and factory produced, has added greatly to problems of crime and violence.²⁹ Tribal violence (frequently involving high-powered weapons) remains a major problem in parts of the Highlands and also appears to have migrated to some urban areas.³⁰ Sorcery-related violence has become a major concern in recent years.³¹ Gender-based violence has long been recognised as a pervasive problem throughout PNG. Nation-wide surveys undertaken by the Law Reform Commission in the 1980s found that 67 per cent of women in rural areas and 56 per cent of women in urban areas had been violently abused by their husbands.³² Many Papua New Guineans, including members of the

²⁶ Ibid. p. 7.

²⁷ Lae Urban Community Crime Victimization Survey, 2010, Law and Justice Secretariat, Monitoring and Evaluation Unit.

²⁸ National Capital District, Urban Community Crime Victimization Survey, 2008, Law and Justice Secretariat, Monitoring and Evaluation Unit.

²⁹ Nicole Haley and Robert Muggah, ‘Jumping the Gun? Reflections on Armed Violence in Papua New Guinea’, *African Security Review*, vol. 15, no. 2 (2006), pp. 38-56.

³⁰ Ibid., pp. 44-5.

³¹ Nicole Haley, ‘Witchcraft, Torture and HIV’, in Vicki Luker and Sinclair Dinnen (eds), *Civic Insecurity: Law, Order and HIV in Papua New Guinea* (Canberra: ANU E Press, 2010), pp. 219-35.

³² Christine Bradley, *Family and Sexual Violence in PNG: An Integrated Long-Term Strategy*, Discussion Paper No. 84, Report to the Family Violence Action Committee of the Consultative Implementation and Monitoring Council (Port Moresby: Institute of National Affairs, 2001).

RPNGC,³³ continue to view domestic violence as a private matter. Reportedly 80-90 per cent of women seeking medical treatment do so as a result of domestic violence.³⁴ Women and girls are also highly vulnerable to sexual and other types of violence in the public markets where they go to buy and sell produce and which play such a critical role in the informal economy. Recent survey data from Port Moresby indicates that 55 per cent of females surveyed had experienced some form of violence in the city's markets.³⁵ Although there is no reliable nationwide data, rape is widespread within and outside of intimate relationships. A recent multi-country study found a prevalence rate of 26.6 per cent for non-partner single perpetrator rape in PNG and an astonishing 59 per cent rate for intimate partner rape.³⁶

Reporting rates for rape and other crimes of violence against women are low, as are the chances of them being successfully prosecuted once reported. According to one victimisation study, just 11 per cent of the respondents who had been sexually assaulted had reported the assault to the RPNGC.³⁷ A survey of violence in Port Moresby's markets found that 73 per cent of female respondents did not follow up with any authorities following their experience of sexual violence.³⁸ Household crime victimisation surveys indicate that "believed ineffectiveness of policing" is one of the contributory factors behind high levels of fear of violent crime.³⁹ A 2013 study undertaken in Lae found the "probability of a sexual violence case involving a female or child victim being successfully prosecuted are 1:338 and 1:192, respectively".⁴⁰ It appears that sexual violence can be

³³ Abby McLeod, 'Police Reform in Papua New Guinea', In M. Anne Brown (ed.), *Security and Development in the Pacific Islands: Social Resilience in Emerging States* (Boulder: Lynne Rienner Publishers, 2007), p. 80.

³⁴ Amnesty International, *Violence Against Women in Papua New Guinea: Never Inevitable, Never Acceptable* (London: Amnesty, 2006), p. 13.

³⁵ UN Women, *Making Port Moresby Safe for Women and Girls: Report on Scoping Study Findings* (Port Moresby: PNG Country Office, 2012). p. 7.

³⁶ R. Jewkes, E. Fulu, T. Rossell and C. Garcia-Moreno, 'Prevalence of and Factors Associated with Non-partner Rape Perpetration: Findings from the UN Multi-country Cross-sectional Study on Men and Violence in Asia and the Pacific', *The Lancet Global Health*, vol. 1, no. 4 (October 2013), pp. e208-e218. DOI:10.1016/S2214-109X(13)70069-X.

³⁷ Cited in 'Olgeta Meri Iगत Raits: "All Women Have Rights": A Framework of Remediation Initiatives in Response to Violence against Women in the Porgera Valley', 2012, <<http://www.barrick.com/files/porgera/Framework-of-remediation-initiatives.pdf>> [Accessed 30 May 2014].

³⁸ UN Women, *Making Port Moresby Safe for Women and Girls*, p. 6.

³⁹ Gerard Guthrie 'Social Factors Affecting Violent Crime Victimisation in Urban Households', *Contemporary PNG Studies: DWU Research Journal*, vol. 18 (May 2013), p. 52.

⁴⁰ Stephen Howes, Kamalini Lokuge, Daisy Plana and Ume Wainetti, 'Responding to family and sexual violence in PNG: the case for a Case Management Centre', Devpolicy Blog, ANU, 11 July 2013, <<http://devpolicy.org/responding-to-family-and->

committed with almost complete impunity in large swathes of the country. Little wonder the Economist Intelligence Unit's Women's Economic Opportunity Index 2012 ranks PNG at 125 out of 128 countries.⁴¹

Beyond crimes of violence, corruption and financial crimes have also become endemic,⁴² and this is another matter that the RPNGC appears unable to tackle effectively. The National Parliament's Public Accounts Committee, has found "evidence of misappropriation, fraud, negligence and disregard for the law and for the welfare of the state by public servants at every level".⁴³ A large portion of the national budget, estimated by the public accounts committee to represent 25 per cent of the country's GDP, is thought to be siphoned off through corruption.⁴⁴ The World Bank recently concluded that PNG "faces serious risks of money laundering from various criminal activities including ... misappropriation of public funds."⁴⁵ PNG was ranked 144 out of 177 countries surveyed in Transparency International's 2013 Corruption Perceptions Index.⁴⁶ The police themselves have not been immune to this problem, with allegations of collusion with criminals and corrupt officials through to low-level acts of extortion and theft from motorists.⁴⁷

While the scale and range of crime in PNG would be enough to test the most effective of police organisations, the capacity of the RPNGC appears to be decidedly limited and, indeed, their own actions may, in at least some instances, exacerbate the problem. The ability of the RPNGC to investigate cases and provide files that meet minimum evidentiary standards has always

sexual-violence-in-png-the-case-for-a-case-management-centre-20130711/>
[Accessed 30 May 2014].

⁴¹ Economist Intelligence Unit, 'Women's Economic Opportunity 2012, A Global Index and Ranking from the Economist Intelligence Unit. Findings and methodology', 2012, p. 8.

⁴² Grant W. Walton, 'Is all corruption Dysfunctional? Perceptions of Corruption and its Consequences in Papua New Guinea', *Public Administration and Development*, vol. 33, no. 3 (2013), pp. 175-90.

⁴³ Public Accounts Committee, 'Jurisdiction Report of the Public Accounts Committee of the Parliament of Papua New Guinea', Australasian Council of Public Accounts Committees (ACPAC) Biennial Conference, April 2013, p. 4.

⁴⁴ Parliamentary Public Accounts Committee, 'Inquiry into the Public Accounts of the Government of Papua New Guinea for the Financial Year 2006', 2009.

⁴⁵ World Bank and Asia/Pacific Group on Money Laundering, 'Mutual Evaluation Report: Anti-money Laundering and Combatting the Financing of Terrorism', 2011, p. 7.

⁴⁶ Transparency International, 'Corruption Perceptions Index 2013', <<http://cpi.transparency.org/cpi2013/>> [Accessed 30 May 2014].

⁴⁷ See, for example, Government of Papua New Guinea and Institute for National Affairs, 'Report of the Administrative Review of the Royal Papua New Guinea Constabulary' to Minister for Internal Affairs Hon Bire Kimisopa, 2004, pp. 12-3.

been low. The vast majority of sexual violence cases submitted by the RPNGC to prosecutors do not get past the committal stage on grounds of inadequately prepared case files. File management is hardly a new problem; the 1975 expert meeting identified file preparation as a deficiency within RPNGC.

A consistent theme over the years has been police brutality. As Dinnen has observed, the “violence of the state is hard to distinguish from the violence it seeks to control”.⁴⁸ Public confidence in the police is low not solely because the institution is ineffective but also because there is perceived to be an entrenched culture of criminal behaviour, brutality and impunity within its ranks.⁴⁹ RPNGC officers have been cited for involvement in torture, family and sexual violence, and gang rape.⁵⁰ As an indication of the scale of the issue, claims against the state for improper use of police powers have previously amounted to more than double the annual budget of the RPNGC.

Familiar Responses to Institutional Fragility

Another time-honoured observation of analysts is that the RPNGC is without the technical accoutrements and quality personnel deemed necessary for it to function effectively. Since the 1970s, a series of special committees and commissions have considered law and order, all reaching the conclusion that the police are overwhelmed by the scale and diversity of the challenge confronting them.

The first (of many) stocktakings of the law and justice sector post-independence was undertaken in 1984 and led by criminologist, William Clifford. The report found that the RPNGC faced ‘manifold problems’ and noted an absence of standardised training, communication references, absence of standard procedures, and deficiencies in investigations.⁵¹ It also addressed the wider question of fit and appropriateness. At the core of its critique was the perceived over-reliance on a state system whose appropriateness and sustainability was questionable.

⁴⁸ Dinnen, *Law and Order in a Weak State*, p. 185.

⁴⁹ Human Rights Watch, *Making Their Own Rules: Police Beatings, Rape and Torture of Children in Papua New Guinea* (New York: Human Rights Watch, 2005); Human Rights Watch, *Still Making Their Own Rules: Ongoing Impunity for Police Beatings, Rape and Torture in Papua New Guinea* (New York: Human Rights Watch, 2006); Preliminary Observations on the official visit to PNG by Mr Christof Heyns, UN Special Rapporteur on extrajudicial, summary or arbitrary executions, 3-14 March 2014.

⁵⁰ Australian Police Integrity Forum, *Assaults within the RPNGC* (2006). Paper prepared for the 16th Australian Police Integrity Forum Workshop, Perth, December 2006.

⁵¹ William Clifford, Louise Morauta and Barry Stuart, *Law and Order in Papua New Guinea* (Clifford Report) (Port Moresby: Institute of National Affairs and Institute of Applied Social and Economic Research, 1984).

(T)he possibility that existing services may be defective or inefficient—not because they are starved of resources but because they are either irrelevant to the situation in Papua New Guinea or refusing to work with communities—does not seem to have detained people long.⁵²

Concerted efforts were needed to improve the articulation between state and non-state approaches, with the role of the former being primarily to support and complement the latter.

Despite the prescience of its insights, the Clifford Report remained a solitary voice and was, in any case, quickly overtaken by more pressing political concerns with responding to growing law and order problems in Port Moresby and elsewhere. Instead of addressing ‘the gap’ between state and non-state security and justice providers identified in the Report, reliance on reactive and militarised policing responses, supplemented with periodic states of emergency and curfews, became the familiar shape of the crisis management approach by successive governments during the 1980s and early 1990s.⁵³ The radicalism of the Report was, perhaps predictably, not especially palatable to members of the legal, judicial and policing establishment, and, moreover, held little appeal for a political elite with little appetite for reform in this area.

The far-reaching implications of the report were also largely sidestepped by donors, who have concentrated on propping up the formal police institution, to the exclusion of other sources of authority. Since Clifford’s report, there has been a raft of discrete Australian funded initiatives focused on the police, in addition to significant technical and advisory support tendered for other areas of the formal justice system such as courts, prisons, legal services and ombudsmen.

These include three phases of the Royal Papua New Guinea Constabulary Development Project, (1989-2005) managed by AusAID, four phases of the Papua New Guinea-Australia Policing Partnership (2008-present) managed by the Australian Federal Police and one short-lived Enhanced Co-operation Program (2004-05) which saw Australian police officers put into ‘in-line’ policing roles within the Constabulary.⁵⁴ Additionally, police development has formed a component of a number of law and justice programs undertaken during that period.

⁵² Ibid., p. 125.

⁵³ Sinclair Dinnen, ‘Thirty Years of Law and Order Policy and Practice: Trying To Do “Too Much, Too Badly, With Too Little”’, in R. J. May (ed.), *Policy Making and Implementation: Studies from Papua New Guinea* (Canberra: ANU E Press, 2009), pp. 233-60.

⁵⁴ Abby McLeod and Sinclair Dinnen, ‘Police Building in the Southwest Pacific—New Directions in Australian Regional Policing’, in Andrew Goldsmith and James Sheptycki (eds), *Crafting Transnational Policing: Police Capacity-building and Global Policing Reform* (Oxford: Hart Publishing, 2007), pp. 295-328.

Setting aside different managerial, contractual and reporting arrangements, the goals and underlying rationale of each particular police development program or project have been broadly similar. The programs are informed by a linear conception of modernisation and fairly uncritical reliance on the institutional forms of Western police, with little consideration of alternative forms or approaches. In development parlance, programming has adopted a 'deficit-based' approach. If 'law and order' was getting worse, it must be because the police agencies were not working properly and required more training, resources and capacity building. The focus was on capacity building and institutional strengthening, focusing on areas of weakness such as fraud and anti-corruption, prosecutions, community relations, logistics, management and leadership training, finance and discipline. In short, and consistent with trends elsewhere, the focus remained squarely on taken-for-granted institutional forms, at the expense of any serious reflection on other ways of undertaking the functions assigned to them. By contrast, Australia's approaches to *the overall sector*, as opposed to the police, has adopted a more pluralistic viewpoint. This followed the endorsement by the Government of Papua New Guinea in 2000 of the National Law and Justice Policy and Plan of Action.⁵⁵ This policy sets out a broad vision for the law and justice sector as a whole, including but not confined to the police. Sub-titled 'Toward Restorative Justice', the Policy embodied a strong orientation towards crime prevention and restorative justice through engagement with community-based mechanisms and actors. Australian support, initially through the AusAID-supported Law and Justice Program shifted in line with the PNG policy and its subsequent development. This included establishing the Community Justice Liaison Unit as an innovative facility to foster collaboration between sector agencies and civil society organisations, very much in the spirit of the Clifford Report in 1984.⁵⁶ While the bulk of Australian assistance has continued to concentrate on capacity-building with the formal agencies, the Papua New Guinea-Australia Law and Justice Partnership entailed significant support to village courts operating simultaneously through state law and local custom. Support to the police has nevertheless remained largely immune to these shifting currents.

Measuring the overall effect of all the endeavours to strengthen the RPNGC is difficult. Numerical indicators such as numbers of officers trained and equipment handed out are output indicators of activity and not outcome indicators as to whether all the effort undertaken had any impact in terms of changed managerial behaviours or policing practice. Certainly, however, the fact that advisory support continues to revolve around training and advising on the same set of issues would suggest that the effort expended heretofore

⁵⁵ Government of Papua New Guinea, *The National Law and Justice Policy and Plan of Action: Toward Restorative Justice 2000-2005* (Port Moresby: Department of National Planning and Monitoring, 1999).

⁵⁶ Tom Seta, *Bridging the State-Society Gap: The Community Justice Liaison Unit in Papua New Guinea* (Manila: Asia Development Bank, 2008).

has not resulted in any particularly radical transformation. There is a good argument that Australian support has helped assist the RPNGC to maintain a semblance of organisational functionality but not contributed meaningfully to realising fully the constabulary's motto—Securing a Safer Community.

The last major review of the RPNGC was conducted in 2004, fifteen years after the beginning of advisory support.⁵⁷ The review found substandard police leadership, inadequate resourcing, poor budgeting, a culture of indiscipline and unaccountability, and an almost complete break-down in terms of community trust.⁵⁸ Nearly ten years on, it is hard to imagine that findings are likely to be very much different were a similar exercise to be conducted.

Seeing Familiar Trees but Rarely the Forest

Anyone brave enough to wade through three decades of police-related designs, evaluations, monitoring reports, strategic plans, partnership agreements, protocols and lesson plans would probably form the conclusion that the RPNGC was the sole designated provider of safety and security in PNG. Donor support remains focused squarely on assisting the RPNGC. The current AFP-led police development program is very much in that tradition.

Concentrating on the formal police organisation, however, is at best only ever going to address part of the problem. Such a focus appears somewhat blinkered. For a start, its focus is almost exclusively on metropolitan areas, even though most citizens live in rural areas, geographically and culturally removed from the police. In these places (as well as in urban centres) the majority of disputes are still addressed through a range of informal, community-based, mechanisms that owe more to restorative justice than investigation, prosecution and incarceration. The picture emerging from many parts of PNG is of dispute resolution as the continuous interplay between different social orders which shape everything from the conduct of government, land usage, regulation of trade and commerce, to the management of conflict. Beneath the meta-narrative of progressive deterioration, there are examples of diverse and often quite creative local responses in some areas that draw on a mix of state and non-state resources with an emphasis on prevention and reduction. State policing only amounts to a small part of the picture and, in some places, is absent almost altogether.⁵⁹

⁵⁷ Government of Papua New Guinea and Institute for National Affairs, 'Report of the Administrative Review of the Royal Papua New Guinea Constabulary'.

⁵⁸ *Ibid.*

⁵⁹ Volker Boege, M. Anne Brown and Kevin P. Clements, 'Hybrid Political Orders, Not Fragile States', *Peace Review*, vol. 21, no. 1 (2009), p. 17.

The diversity and localised character of such initiatives, as well as their general lack of visibility, makes it difficult to generalise a pattern. This is also very much an under-researched area and more empirical work is required. However, most appear to share at least some of the characteristics associated with the relative success of the older, colonial era forms and modalities of governmentality. As well as generally being community-driven and owned, these characteristics usually entail some configuration of horizontal and vertical linkages between different actors and levels of government. Likewise, most of these initiatives have a distinctly hybrid character, drawing simultaneously upon different sources of authority and legitimacy (e.g. traditional, church and state). Justice and security outcomes under these circumstances are the product of a process of co-production between multiple actors, rather than of a single agency or system.

Policy in this area is shifting, slowly, to recognise the dappled realities of justice provision in the developing world. Recent years have witnessed a noticeable shift in donor discourse and a growing acceptance of the need to move beyond a narrow state-centrism and reluctance to engage with non-state providers of policing and justice services. The need to work within the context of PNG's vibrant pluralism—this is a country where more than 800 languages are spoken—is now being recognised in many parts of the justice sector.

However, despite the calls for innovation and initiatives with catalytic potential, examples of attempts to engage 'beneath the state' or experiment beyond the conventional policing frame are few and far between. While animating a lively scholarly debate and generating normative shifts at the level of meta-policy, the practical impacts of the changing discourse have been more modest. Recent independent reviews of Australian and New Zealand justice and policing assistance also note that despite the shifting rhetoric both governments' endeavours in the region provided little support for actors operating beyond familiar institutional frameworks. Police reform seems much less of a testing ground for innovative approaches than in other parts of the law and justice sector.

There are exceptions. A UN 'Safer Cities' Project in Port Moresby is working with the RPNGC and a wide variety of governmental and non-governmental stakeholders in the city's markets. In Eastern Highlands Province, District Peace Management Teams comprising provincial and district officials, police, village court officers and community and church leaders also play an important role in order-maintenance. Trained in non-violent conflict resolution, they mediate between conflicting parties, broker ceasefires and help negotiate the terms of written peace agreements and resolve the underlying causes of local conflicts. Breaches of these agreements can be reported to the police and offending parties penalised. This initiative has reportedly resulted in a dramatic reduction in the incidence of inter-group

conflicts.⁶⁰ Tribal fights have decreased from a baseline of eighty-four fights in 2007, to four fights in 2010, and two “active” fights as at April 2013.

Another possible example, requiring further research, revolves around the work that extractive industries are doing in terms of security. In the remote areas where these companies work, the presence of the government is either weak or absent altogether. In such places, the potential for misunderstandings and disputes with local actors in the vicinity of the mine, comprising multiple groups, and including both people from the area and migrants from elsewhere, is considerable. Transnational companies have developed their own security capabilities, often cooperating closely with state security and justice actors, notably the RPNGC, as well as with a range of non-state security actors at community levels. Although there has been some research done on (innovations undertaken by) corporate security in Indonesian Papua, the topic has been underexplored on the eastern side of the island.⁶¹ Further research—resource extraction being the main animator behind current patterns of socio-economic change in PNG—would help identify if there are measures, initiatives and approaches that could be adopted in terms of better policing and, equally, if the resource companies are able to compel improved practice on the part of the RPNGC.⁶²

For now, the focus of most donor-funded policing projects remains gimlet-eyed towards state policing, and with little apparent engagement with PNG’s plural realities. One small exception is a project in Bougainville, which is engaging with hybrid local justice and security practices in the island’s still fragile post-conflict context, and would appear to be generating some positive outcomes.⁶³

Bougainville is officially policed by two separate but linked organisations: the Bougainville Police Service (BPS) and the Community Auxiliary Police

⁶⁰ See Matthew Allen and Rebecca Monson in this issue.

⁶¹ Research on Papua includes Chris Ballard, *Human Rights and the Mining Sector in Indonesia: A Baseline Study* (London: International Institute for Environment and Development, 2001); Eben S. Kirksey and Andreas Harsono, ‘Criminal Collaborations? Antonius Wamang and the Indonesian Military in Timika’, *South East Asia Research*, vol. 16 no. 2 (2008), p. 165; and Kylie McKenna, ‘Interdependent Engagement: Corporate Social Responsibility in Bougainville and Papua’ PhD Thesis, The Australian National University, Canberra, 2012. There would appear to be only one study on corporate security in PNG, Glenn Banks, ‘Razor Wire and Riots: Violence and the Mining Industry in Papua New Guinea’, in Sinclair Dinnen and Allison Ley (eds), *Reflections on Violence in Melanesia* (Annandale: Hawkins Press, 2000), pp. 254-62.

⁶² The authors hope to conduct some preliminary field research on these issues in early 2015.

⁶³ Sinclair Dinnen and Gordon Peake, ‘More than Just Policing: Police Reform in Post-conflict Bougainville’, *International Peacekeeping*, vol. 20, no. 5 (2013), pp. 570-84.

(CAP). The BPS consists of approximately 163 sworn officers based in the three urban centres and, sitting under it, are nearly 340 members of the CAP, based in their own communities throughout rural Bougainville.

The CAP is a hybrid institution in terms of its organisation and the different sources of its authority. Although they are sworn members of the BPS, CAP officers are selected through a process that is in harmony with the dynamics of leadership and authority in rural communities. Village chiefs nominate the officers and the Council of Elders must approve their candidacy before it can go any further.

It is the CAP, rather than the BPS, that would appear to handle most policing in Bougainville. Matters dealt with by CAP officers include assaults, family violence, land disputes, sorcery allegations and disputes stemming from the conflict. The permanent presence of these officers in rural areas where the majority of people live contributes to the broad support they enjoy. This fit with local aspirations lies behind the high degree of buy-in on the part of Bougainville's political authorities—something that donors so often struggle to achieve.⁶⁴ The CAP is funded through Bougainville's current fiscal envelope. Although policing is a critical part of the work of the CAP, their role is not just limited to law enforcement. Many CAP officers perform important and multifaceted roles as awareness raisers, educators, mediators, conflict preventers and managers. While operating within a framework of national law, the CAP works with the grain of local beliefs and practices, including by maintaining a close relationship with a wide range of local authorities.

Conclusion

A clear message emerging from an analysis of the literature on policing in PNG is that the more things change, the more they stay the same. The similarities between analysis of PNG's crime problems before independence and nearly forty years on are striking while a succession of similarly-focused programs attempting to build the police to conform to an Australian model have generated generally underwhelming results. As the latest police development initiative shows, there remains blind faith in the transformative and catalytic potential and geographical reach of RPNGC despite ample evidence to the contrary.

The article has pointed to a number of dispersed and programmatically unconnected initiatives ongoing in various parts of PNG. Preliminary analysis of these endeavours suggests that going beyond the conventional inward focus on institutional capacity building appears to deliver some

⁶⁴ The most tangible expression of this commitment was a 2012 Autonomous Bougainville Government cabinet decision to double the allowances paid to Community Auxiliary Police officers.

promising results. Approaches which are innovative, grounded in local realities would appear much more likely to accrue measureable outcomes in terms of improved safety, security and access to justice for citizens. Institution-focused capacity development without such alignment offers a low chance of success. At the very least, there would appear to be a strong case for donors investing in police development to look in more detail at such cases of innovation rather than repeating what has gone before.

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