

# **Bougainville Community Policing Project**

## **Independent Evaluation**

Sinclair Dinnen & Gordon Peake

February 2013

**Acknowledgements**

The Independent Evaluation Team gratefully acknowledges the support provided by key Bougainvillean and New Zealand stakeholders in participating in these consultations. The Team also appreciatively recognizes the support of Murray Lewis and the BCPP team in Buka for ensuring smooth running of all aspects of the in-country consultations. Particular thanks go to Jamie Rutana and Lowell Mirino for all their assistance throughout the trip. The Team thanks Anthony Regan for his contributions.

**Authors' details**

Sinclair Dinnen: Senior Fellow, State, Society and Governance in Melanesia Program, The Australian National University

Gordon Peake: Independent Consultant & Team Leader

**Contents**

Acknowledgements.....	2
Authors' details.....	2
Acronyms.....	4
Executive Summary.....	5
Introduction.....	8
1. Activity Background.....	8
2. Purpose, scope and objectives of the evaluation.....	8
3. Methodology.....	9
4. Context.....	11
Findings.....	17
1. Relevance & Effectiveness.....	17
2. Impact.....	24
3. Efficiency.....	27
4. Sustainability.....	30
Conclusions, Recommendations and Lessons Learned.....	32
1. Conclusion.....	32
2. Recommendations for between now and end of 2013.....	32
3. Lessons Learned.....	36
Annex A – Terms of Reference.....	40
Annex B – Methodology.....	50
Annex C – Meetings and Consultations.....	64

**Acronyms**

ABG	Autonomous Bougainville Government
AFP	Australian Federal Police
APR	Activity Progress Report
BCPP	Bougainville Community Policing Program
BEC	Bougainville Executive Council
BPA	Bougainville Peace Agreement
BPS	Bougainville Police Service
CAP	Community Auxiliary Police
CoE	Council of Elders
CPO	Community Police Officers
GIF	Governance & Implementation Fund
IE	Independent Evaluation
ISG	International Services Group
M&E	Monitoring & Evaluation
MFAT	Ministry of Foreign Affairs & Trade
NCO	Non-Commissioned Officer
NZ Pol	New Zealand Police
PALJP	Papua New Guinea-Australia Law and Justice Partnership
PEC	Provisional Executive Council
RPNGC	Royal Papua New Guinea Constabulary
UNDP	United Nations Development Program

## Executive Summary

This is an Independent Evaluation (IE) of the Bougainville Community Policing Project (BCPP)'s activities during 2009-2012. BCPP is managed and funded by the New Zealand Ministry of Foreign Affairs and Trade (MFAT), and implemented by the New Zealand Police (NZ Pol).

The purpose of the IE was two-fold: to examine the BCPP according to the criteria of effectiveness, relevance, efficiency, impact and sustainability; and to generate potential options for the future of the BCPP and New Zealand's engagement with the Bougainville Police Service (BPS) and wider Bougainville law and justice sector.

The IE has been written according to an evaluation methodology agreed to by MFAT. The methodology the team used to conduct its work was a mixed-method approach, based upon document review, desk analysis and, fieldwork, which included interviews and focus group discussions.

Broadly speaking, the BCPP has two components. One component concentrates upon managing the work of the 346 Community Auxiliary Police (CAP) that are involved in policing at the local, village-based level throughout rural Bougainville. The second component concentrates upon developing the institutional capacity of the BPS.

In the view of the IE, the BCPP has generated a number of successes. Most of the program's achievements relate to its work with the CAP, with much more provisional accomplishments relating to its work with the BPS.

As regards the CAP, four achievements that have occurred between the last review period and this one are particularly noteworthy. Firstly, the BCPP has expanded significantly the geographical spread of the CAP, which means more Bougainvilleans now have access to policing services than before. It also would appear that CAP officers are responsible for the substantial bulk of policing reported to BPS. Secondly, BCPP recruitment strategies have resulted in a significant increase in the number of women reported as CAPs, reportedly from 5-21% during the last four years. This development provides Bougainvillean women with an increased opportunity to interact with female CAP in respect of potentially sensitive complaints. Thirdly, the program has established a Non-Commissioned Officer (NCO) component, which provides a leadership structure, source of accountability and potential career incentive within the CAP. Finally, the program has introduced two simple but effective performance measures that improve accountability and management in the CAP scheme. Where the BCPP has been much less successful has been in terms of transitioning day-to-day management of the program to BPS.

The BCPP's work with the CAP is highly relevant and well-regarded throughout Bougainville. Evidence available to the team suggests that CAP play an important and multifaceted role as awareness raisers, educators, mediators, and conflict preventers. It constitutes good value-for-money and is a rare example of a successful international police building engagement.

In terms of the second component of the program, namely developing the capabilities of BPS, the record is far less impressive and the challenges going forward formidable. Many of the problems confronted by NZPol advisers are familiar to those encountered in similar undertakings elsewhere in the Asia-Pacific region.

With the BPS, NZ police have followed a well-worn strategy of 'capacity development'. The approach focuses upon strengthening internal systems within the police organization with the intended goal that this will somehow translate into an improved policing service with tangible outcomes in terms of safety, security and access to justice. However, this model appears to take little account of social appropriateness of such an organization and its fiscal sustainability. Although the program has generated a wide array of policies, procedures and systems at no occasion were these documents referenced in the team's discussions with BPS officers, suggesting that they are not streamlined or used in the course of everyday policing. Another consequence of the approach is that advisers' time appears to be focused on work inside the station, which means less time for engagement with community leaders. In many respects, the value of the New Zealand engagement with the BPS lie less in internal improvements achieved in the BPS but more in terms of practical problem solving and ensuring that the organisation maintains a semblance of functionality.

The IE team observed that the program's monitoring and evaluation record has several deficiencies. Although the BCPP gathers data to report on its activities, the program's M&E methodologies mostly recorded various types of outputs – numbers of courses delivered and manuals produced. There is little indication in the BCPP's M&E system of what outcomes these activities have produced. The IE team notes that sub-standard M&E was flagged in the last evaluation of the BCPP but it has improved little (if any) since. The team also found that only a small percentage of advisers' time was spent providing actual advice and mentoring relating to policing. In fact, the principal role of BCPP advisors to the CAP revolved around administrative issues. Employing NZ Pol personnel to undertake these non-policing tasks is inefficient and uneconomical. Additionally, the team observed that there is somewhat of a misalignment between some advisers' skill sets and the tasks they are undertaking.

The Team approves of the current managerial relationships whereby MFAT directly supervises NZ Pol's work but believes that this relationship could be enhanced still further.

As regards sustainability, the team believes that the CAP component of the BCPP is already on its way to becoming sustainable. The financial support tendered to the scheme by the ABG financial support is a firm indication that Bougainville authorities consider the CAP as the foundation for the islands' policing dispensation. There is considerable potential for the CAP to be a catalyst for legitimate and effective policing at local levels. In terms of the BPS, the team found that without continued financial support, many BCPP-funded activities are unlikely to continue. Many of these endeavours are not 'owned' to any serious degree by BPS.

With this phase of the BCPP scheduled to end in late 2013, the IE Team advises that there should be a thorough redesign. In the meantime, the IE Team recommends that the program:

- Deploy to southern Bougainville in order to provide complete coverage;
- Involve the ABG in selection process for new BCPP team leader;
- Prioritise further community engagement initiatives;
- Engage an M&E practitioner;
- Enhance working relationships with the Australian-Papua New Guinea Law & Justice Partnership;
- Simplify and render more efficient linkages, communication and management responsibilities between Buka, Port Moresby and Wellington;
- Commence applied research in order to inform future programmatic design;

- Assist Bougainville with elaborating a distinct Bougainville police model

Among the lessons that can be derived from the experience of the BCPP and which may be of relevance moving forward into the design of any new program are:

- The need for police programs to engage development practitioners;
- The necessity of engaging expatriate police officers on longer contracts;
- The value of having local Bougainvilleans work on the program;
- The need to make full use of the Governance and Implementation Fund to assist police reform.

## Introduction

### 1. Activity Background

This is an Independent Evaluation (IE) of the last four years of the Bougainville Community Policing Project (BCPP), which was launched in 1998. The BCPP aims to assist the Bougainville Police Service “to operate as an effective community policing agency and to assist the BPS to integrate, and support a strong and sustainable Community Auxiliary Police programme”. The time period covered in this review is November 2009 - October 2012.

The BCPP is funded by the Ministry of Foreign Affairs & Trade (MFAT), and managed and implemented by the New Zealand Police (NZPol) under a Memorandum of Understanding between the NZ Pol and MFAT.

MFAT, in liaison with the BCPP steering group, selected the IE Team.<sup>1</sup> It comprised two people with respective and complementary experience in law and justice development, monitoring and evaluation and policing in Melanesia, Gordon Peake (consultant and team leader) and Sinclair Dinnen (consultant). The team began its assignment on November 14 and ended its in-country work on December 1, a total of eighteen working days.

To conduct the in-country component of the review, the team began their consultations in Port Moresby, meeting with representatives from the New Zealand High Commission, before travelling onwards to Bougainville. There, the team met with representatives from the BPS, NZ Pol, Autonomous Bougainville Government (ABG), civil society organizations, and community members in the towns of Arawa, Buka, and Buin as well as a number of rural communities. Additional meetings were held with a wide range of national and international stakeholders upon the team’s return to Port Moresby. The views of New Zealand police in Wellington were ascertained via telephone prior to departure and following the end of in-country consultations.

This IE Report is divided into three main sections entitled Introduction; Evaluation Findings; and Conclusions, Recommendations, and Lessons Learned. The Introduction lays out the objectives of the evaluation, the methodology that the IE Team used in order to accomplish those aims, and the context within which the review took place. The Evaluation Findings section is broken down into four parts. These examine, respectively, the IE Team’s analysis of the program’s effectiveness & relevance, impact, efficiency and its sustainability. The concluding section is divided into three parts. The first part sums up the results of the IE team’s review, followed by a series of practical and pragmatic changes which the IPR Team recommends the BCPP introduces between now and the end of the current phase of the program. The final section, with an eye to subsequent programming following the end of this period of the BCPP, outlines a number of lessons, which the review team identified, and which may be worth bearing in mind going forward in a subsequent redesign.

### 2. Purpose, scope and objectives of the evaluation

The primary aims of this evaluation were to:

- assess the relevance of the BCPP to BPS development and to the broader law and justice needs of Bougainville over the coming three to eight years;

---

<sup>1</sup> The BCPP steering group comprises representatives from the Ministry of Foreign Affairs and Trade, New Zealand Police, Autonomous Bougainville Government, Royal Papua New Guinea Constabulary, Australian Federal Police, and AusAID.

- determine the impact and effectiveness (including cost effectiveness) of the BCPP;
- assess progress to date against objectives and outcomes;
- identify and document the risks to the BCPP;
- comment on any additional or alternative areas of engagement that New Zealand may be well placed to consider in this sector in Bougainville; and
- propose recommendations to mitigate risks, including alternative project models and arrangements for progressing the integration of Community Auxiliary Police (CAP) into the BPS, and an anticipated timeframe for future support.<sup>2</sup>

It is important to note that this IE was never meant to be a full-throated evaluation of the BCPP, adhering to the complete set of OECD/DAC assessment categories and criteria. It was made explicitly clear to the team that the purpose of this evaluation was every bit as much about looking forward as well as back. As well as its review component, the IE Team were made aware a major goal of this evaluation is to generate potential options for the future of the BCPP and New Zealand's engagement with the Bougainville Police Service (BPS) and wider Bougainville law and justice sector.

### 3. Methodology

This IE is written to correspond strictly to the team's Evaluation Methodology, agreed to by MFAT in November 2012.<sup>3</sup> The IE Team has used a mixed-method approach based upon: (a) document review and desk analysis and (b) fieldwork consultation, which included interviews and focus group discussions. This approach ensured that the IPR team's conclusions are based upon a range of techniques including, but not limited to:

- data culled from a variety of sources;
- the use of multiple perspectives to interpret the data;
- the use of a team of evaluators, each of whom comes to law and justice development from a unique standpoint
- participatory techniques<sup>4</sup>

MFAT provided written documents to the IE team prior to arrival and following departure from country. The IE Team also conducted its own research, collecting material from a variety of sources. Once assembled, the IE Team has documentation from a wide range of data points including, but not limited to, Autonomous Bougainville Government (ABG) studies and publicly enunciated policy positions, academic and scholarly articles, progress reports from the last two years of the program, and a range of internal evaluations-cum-'back-to-office' reports written by NZPol's International Services Group (ISG). While in country, following closely the evaluation questions set out in the methodology, the team conducted a wide range of semi-structured interviews and group discussions with a wide cross-section of stakeholders and interlocutors. The team interviewed all of the current long-term BCPP advisers from New Zealand and sought the viewpoints of a selection of senior, middle-ranking and junior officers in the BPS as well as CAP members. In order to receive multiple perspectives on policing in Bougainville, the team also consulted with a range of community members drawn from both rural and urban areas. The team's informants included chiefs, ex-combatant groups and municipal government officials. The team also had a series of meetings with

---

<sup>2</sup> As per Terms of Reference for BCPP Evaluation. Annex A

<sup>3</sup> For a copy of the IE Team's methodology see Annex B

<sup>4</sup> As per IE Team Evaluation Plan, November 2012

senior officials of the ABG, including ministers and the president. Prior to departure and/or upon return to Australia, members of the team talked via telephone with key individuals from NZ Pol involved in the development and oversight of the BCPP.

The mixed-method approach facilitated the IE team's ability to use various analytic techniques as it conducted its work, "including induction (discovery of patterns); deduction (testing of theories); and abduction (uncovering explanations), the combination of which will produce more valid and reliable evaluation findings."<sup>5</sup> When combined, the IE team's approach enabled it to use multiple sources and techniques to verify, double check, and triangulate individual claims and team findings to ensure that they were reliable, valid, and verifiable.<sup>6</sup>

### *Limitations of the Evaluation*

Naturally, it is nigh on impossible to review every facet of such a multifaceted program in a complex and transitional environment in less than three weeks on the ground. Although the team travelled extensively through Bougainville and met a large range of actors in all three regions, the team did not meet some key figures owing to scheduling difficulties, travel commitments and the onset of the Christmas holiday season. Those who the team were not able to consult included the key interlocutors from the RPNGC and PNG government, as well as the ABG's police minister who was attending a 'policy dialogue' in the Philippines under the auspices of UNDP during the team's visit. Nevertheless the team is satisfied it has assembled a wide enough range of information and opinions in order to be able to form a comprehensive assessment.

Another weakness was the lack of written data available to the team. Although the team received a package of documentation before departure, this collection of materials had some gaps. In comparison to other law and justice programs, it struck the team that there was relatively limited written documentation generated by BCPP. There does not appear to have been a concept for operations, individual work-plans or any form of adequately systematized monitoring and evaluation to gauge the efficacy of the BCPP's multi-year endeavours and measure the extent to which the program was achieving its stated outcomes.

Consistent with other law and justice programs in Melanesia, the level of empirical data and research revolving around policing in Bougainville and its environment was extremely limited. That has meant that the team had to take for granted accounts provided by our various informants without being able to validate and verify these claims in any rigorous way. Apart from one masters-level university thesis, other relevant empirical research that had been conducted over the last decade did not appear to be widely known to BCPP staff or used to inform decision-making.<sup>7</sup> Our recommendation in relation to the undertaking of empirical and baseline research is intended to address this information deficit.<sup>8</sup>

---

<sup>5</sup> Ibid.

<sup>6</sup> For details see Annex C

<sup>7</sup> One body of empirical research that could have been utilized is the *Bougainville Community Crime Survey 2005*. Port Moresby: National Research Institute and Justice Advisory Group, 2006

<sup>8</sup> Upon its return to Australia, the team learned that a 'Bougainville Health and Safety Study' had been conducted in mid-2012 under the auspices of UNDP. At time of writing the results of this study had not been publicly released. The team understands that no questions in the study pertained directly to the BPS or the CAP, which makes it difficult to use as a proxy upon which to draw conclusions about the BCPP's impact. The 2009 review noted that "the Law and Justice Sector

The two team members are fortunate to be colleagues with Anthony Regan, whose has extensive experience working on Bougainville issues going back to the 1970s and whose personal library of relevant documentation is unique in its coverage and depth. Mr Regan provided a series of extremely valuable background documents to the team.

#### 4. Context

##### *Policing in Bougainville: A Short Contextual History*

While the broad contours of Bougainville's recent history are relatively well known, international actors are often less familiar with the profound and longstanding character of local resistance to imposed organisational forms, including in the areas of policing and justice, as well as the strong Bougainvillean desire to develop governance and regulatory systems that build on indigenous forms of social organisation, leadership and customary authority. The prevailing ethos in post-conflict Bougainville calls for processes of institutional development to be adapted to local circumstances, an approach that seeks to intentionally blend universal state forms with distinct local socio-political practices.<sup>9</sup> These sentiments long pre-date the recent conflict and provide a powerful and recurring aspect of Bougainvillean engagement with the outside world and globalisation.<sup>10</sup>

Bougainville's decade-long conflict (1988-1997) began with the militant actions of aggrieved landowners around the giant Panguna copper mine, prior to evolving into an all-out secessionist struggle with Papua New Guinea, while, in its later stages, it entailed multiple local conflicts between diverse Bougainvillean factions.<sup>11</sup> Since 1997, Bougainville has been engaged in what has turned to be one of the world's most successful peace processes.<sup>12</sup> Led by local actors and supported by international donors and neighbouring countries, including New Zealand, Australia and the United Nations, this has included extensive reliance on traditional reconciliation and peacemaking processes at local levels,<sup>13</sup> as well as the signing of a comprehensive Bougainville Peace Agreement (BPA) with Papua New Guinea in 2001. The latter heralded the creation of a new and unique political dispensation for the island. Bougainville is now an Autonomous Region of Papua New Guinea with a wide array of political powers that have been, or are in the process of being, devolved from the national government in Port Moresby to the Autonomous Bougainville Government (ABG) that was established in 2005. Devolved powers include the power to establish its own public service, police force, court system and its own criminal laws and human rights protections.<sup>14</sup> The BPA also granted Bougainville a constitutionally guaranteed referendum on its future political status, including the option of independence, to be held within a 10-15 year period, after weapons disposal has been completed, and once the ABG has achieved 'internationally-accepted standards of good governance'.<sup>15</sup>

---

Secretariat (LJSS), supported by the PALJP, was conducting a crime perceptions survey" but this document was not referenced in any of the IE Team's consultations and the IE Team was unable to source a copy of that particular document.

<sup>9</sup> See, for example, Joanne Wallis, 2012. 'Building a liberal-local hybrid peace and state in Bougainville', *Pacific Review*, 25(5): 613-635.

<sup>10</sup> See, Anthony J. Regan and Helga M. Griffin (Eds), 2005. *Bougainville before the conflict*. Canberra: Pandanus Books.

<sup>11</sup> Anthony J. Regan, 1998. 'Causes and course of the Bougainville conflict', *Journal of Pacific History*, 33(3); 269-85.

<sup>12</sup> Anthony J. Regan, 2010. *Light Intervention – Lessons from Bougainville*. Washington DC: United States Institute of Peace Press.

<sup>13</sup> Pat Howley, 2002. *Breaking Spears and Mending Hearts*. Sydney: Zed Books and Federation Press.

<sup>14</sup> Bougainville Peace Agreement clauses 114, 123, 276 and 295

<sup>15</sup> Bougainville Peace Agreement clauses 310-3

While there are many different opinions about the best way forward, there appears to be a remarkable consensus among Bougainvilleans over the need to build a government system grounded in the island's distinct social and cultural endowments. Rather than a singular reliance on processes of institutional transfer and capacity-building, there is a strong aspiration to build on the foundations of Bougainville's traditional social forms that have proven to be remarkably resilient and adaptable, most notably during the years when formal government systems had effectively ceased. Borne of recent hardships and a difficult and highly contested colonial history, Bougainvilleans have articulated a strong desire to control their own political and economic destiny, and, in particular, to actively shape and participate in their own system of government. The current post-conflict and reconstruction period is viewed by most as an important opportunity to learn from the past and embark on a new form of institution building capable of more effectively meeting Bougainville's future needs.

These sentiments are most evident in Bougainvillean thinking about law and justice in general, and policing in particular. Strong local aspirations for strengthening community governance systems based on traditional and customary authority have been evident in many parts of the island during both colonial times and following PNG's independence. These aspirations are currently reflected in the role afforded Councils of Elders (CoEs) in the local government system operating in the Autonomous Region. While Bougainville, like the rest of PNG since 1975, had formal courts and a national police force, most local disputes and infractions have always been managed through 'traditional' approaches. As Regan has noted, "In much of rural Bougainville 'traditional' leaders continued to deal with most local conflicts even in the 1980s, including acts which the Papua New Guinea legal system classified as criminal offences... Disputes tended to be regarded in much the same way as they had for thousands of years – as disturbing community balance. The response of 'traditional' leadership was directed largely to restoring balance".<sup>16</sup>

The longstanding aspiration for a more locally grounded system of conflict management was further accentuated as a result of negative experiences of the RPNGC, and, in particular, the mobile squads, during the recent conflict. These experiences also fuelled a strong desire for Bougainvillean control of policing under the new political dispensation, as well as recognition of the need to develop a different policing model that was more community oriented and linked to traditional and customary systems. In the immediate post-conflict environment, restoration of civilian authority was a priority and in April 1998 Bougainvillean stakeholders requested training for a new type of community police to operate within their own communities and under the supervision of the regular police. This was the beginning of the Community Auxiliary Police (CAP) and the Bougainville Community Policing Project which built on New Zealand's lead role in facilitating the peace process.

During the BPA negotiations it was recognised that Bougainville's wish for its own law and justice system and police organisation would require a phased transitional process. While in the short term Bougainville would continue to operate with existing PNG agencies, powers and functions would be progressively transferred from Port Moresby to the ABG, eventually leading to full Bougainville control. In 2003, the Interim Provincial Executive Council approved proposals emphasising Bougainvillean control over justice and policing functions, a role for traditional leaders in dispute resolution and the need for a community-oriented form of policing:

---

<sup>16</sup> Anthony J. Regan, 2000. "'Traditional' leaders and conflict resolution in Bougainville: reforming the present by re-writing the past?", in Sinclair Dinnen and Allison Ley (eds), *Reflections on Violence in Melanesia*. Sydney and Canberra: Hawkins Press and Asia Pacific Press.

The combined Bougainville leadership that negotiated the Bougainville Peace Agreement agreed that almost all power in relation to law and justice should be in the hands of the autonomous Bougainville government (ABG). They envisaged as much as possible conflict and disputes being resolved through chiefs and other traditional leaders. Otherwise, matters that could be dealt with at that level should be dealt with by Police and courts under control of the ABG. This was not just a matter of wanting autonomy – there was also a strong feeling on the part of some of the factions involved in the process that the behaviour of the PNG Police had contributed to the way the conflict had developed, and that as a result, the continued operation of the PNG Police in Bougainville was no longer acceptable. As a result, Bougainville sought and achieved agreement on its right to establish its own police force, separate from the RPNGC, and that it wanted different and far more community-friendly police arrangements operating in Bougainville than was seen as the way in which the RPNGC operated.<sup>17</sup>

Consultations undertaken as part of the work of the Bougainville Constitutional Commission revealed the strength of popular support for a form of policing aligned to older community-based dispute resolution systems:

The people have made it clear to the BCC that there is very strong support for the community policing concept in Bougainville. People were generally happy with the concept of community police officers (CPOs) introduced in Bougainville since the late 1990s. They also wanted to see the regular police both more integrated into the communities in rural areas of Bougainville, and focussed on provision of support and backup to, and liaison with, the CPOs. They wanted to see both the regular police and the CPOs working closely with COEs, village courts (or whatever system of Bougainville courts that replaces them), and with chiefs and other traditional leaders, with a view to becoming an integral part of a Bougainville system of justice based on our *kastomary* practices of restorative justice, a matter also discussed elsewhere in this Part under the heading of “The Bougainville Courts”.<sup>18</sup>

The adoption of a new name, the Bougainville Police Service (BPS), was another expression of the desire for a new approach to policing different to the widely discredited RPNGC model.

Various attempts have been made by Bougainvillean authorities over the past decade to further develop the conceptual and policy underpinnings of the new approaches to policing and justice. A discussion paper on Law and Justice Policy outlining the main issues was drafted in 2003 and recommended the setting up of a Law and Justice Working Group for long-term policy development.<sup>19</sup> The then Provincial Executive Council (PEC) accepted this recommendation and established a Working Group comprising senior representatives of ex-combatants, and senior administration staff and advisers. An elaboration of the ‘new Bougainvillean concept of policing’ was prepared as part of a larger proposal by the Working Group in 2003.<sup>20</sup> The main features, including the relationship between community-based officers and regular (or full-time) police and the linkage with traditional leaders, were identified as follows:

---

<sup>17</sup> Policy on Law and Justice for Bougainville – Long term and Short Term. Draft Submission to Members of the Interim Provincial Executive Council, dated 30 May 2003, at p.3.

<sup>18</sup> Report of the Third and Final Draft of the Bougainville Constitution. Prepared by the Bougainville Constitutional Commission. Arawa and Buka, Bougainville, July 2004, pp.232-233.

<sup>19</sup> Discussion Paper, ‘Law and Justice Policy for Bougainville’, Bougainville Transitional Consultative Council, dated 4/4/2003 and signed by John Momis, Governor, Interim Bougainville Provincial Government, and Joseph Kabui, President, Bougainville People’s Congress.

<sup>20</sup> ‘Law and Justice for Bougainville – Transition to New Bougainvillean Policing, Courts, CIS, Community Based Dispute Settlement etc.’, Bougainville Administration Officers’ Working Group, 12 June 2003.

- i. The focus of policing efforts under transitional policing arrangements should be on community-based policing, where both community police officers (CPOs) and full-time police work closely with communities and especially with chiefs and other traditional leaders<sup>21</sup>
- ii. The foundation of policing – especially in rural areas – will be the CPOs, who will be supported and supervised by full-time police. This means a major re-orientation of the roles of full-time police to work more closely in supporting and supervising the work of the CPOs. It is only in the Autonomous Region of Bougainville (and in none of the provinces of PNG) where such a strong reliance on CPOs exists as the focus of community policing. This focus should continue as part of the transitional arrangements
- iii. CPOs should be trained to deal with problems in their communities in consultation with chiefs and other traditional leaders. They should only be involving the full-time police in relation to serious criminal matters that cannot be resolved through either chiefs or village courts
- iv. To be effective in supporting the CPOs, the full-time police will need not only to change their approach, away from being the ‘front-line’ of policing but will also have to be deployed into rural areas. Proposed that full-time policing should be based at district level, but with many officers based in rural centres below the district level
- v. CPOs are best suited for rural areas. Urban areas have distinct needs. Urban oriented community policing is needed but will need to be adapted to urban circumstances.<sup>22</sup>

While the commitment to a different kind of policing remains strong among Bougainvilleans, serious capacity constraints have inhibited further policy development work on the part of subsequent Bougainville administrations since these early efforts in 2003/4. In the absence of a fully elaborated model and practical roadmap as to how this might be implemented, the default position has been to stick with existing and familiar arrangements irrespective of their generally disappointing policing outcomes. Although certainly not intended, an inadvertent effect of the substantial and welcome law and justice assistance provided to Bougainville under the PNG/Australia Law and Justice Partnership (PALJP) may also have been to reinforce existing (PNG) systems rather than facilitate the development of alternative Bougainvillean approaches; as, indeed, may some of the reviews of international policing consultants imbued with universal notions of best policing practice.<sup>23</sup>

Despite limited capacity in the administration in Buka, further policy development in respect of Bougainville’s model of policing (and law and justice more broadly) is clearly required. There are lessons to be learnt from other areas where policies have been developed despite similar constraints.<sup>24</sup> For example, Bougainville’s Constitution calls for a distinct policy in the critical and sensitive area of land policy. In this case, the ABG Lands Department arranged for a series of NZ volunteers to work closely with the department to facilitate the policy process. This included extensive consultations with a broad range of stakeholders, the preparation of background documents, and the holding of three regional forums that culminated in a Bougainville-wide forum. In addition to assisting in organising the consultations, technical assistance has been provided in preparing necessary legal documents. This assistance has been provided through strategic placements in the department, thereby assisting the development of policy making skills in the administration. Another example is the building of a Bougainville mining department from scratch

---

<sup>21</sup> Community Police Officers (CPOs) were forerunners to the CAP

<sup>22</sup> Ibid. p.5.

<sup>23</sup> See, for example, the Bougainville Police Restructure Project – Final Report, 9<sup>th</sup> July 2010.

<sup>24</sup> The IE team thanks Anthony Regan (personal communication, 14 January 2013) for pointing out these examples.

over a three-year period. Given the importance and sensitivity of mining policy, considerable assistance has been provided by both the PNG government and the ABG. In addition, and given Bougainville's longer history with mining, it has been possible to draw upon the skills Bougainvillean professionals with extensive experience in the mining industry. The result has been significant progress in the development of a distinct Bougainvillean mining policy in which Bougainvilleans have taken the lead.

### *The Bougainville Community Policing Project: A Short Background*

The BCPP has been working in Bougainville since 1998 and has been reviewed at various junctures during this time. The last independent review was conducted in late 2009 and this current evaluation runs from when that review was finalized until November 2012, a period of approximately four years.

This last independent evaluation was broadly positive. The review concluded that the BCPP had "progressed towards" its goals and that the program was highly regarded by a wide range of Bougainvillean stakeholders, including the ABG.<sup>25</sup> The evaluation identified a number of environmental challenges that impacted upon the success of the BCPP, most immediate of which was that the BPS was too institutionally weak to "resource and manage" the CAP scheme effectively.<sup>26</sup> The review team also judged that the BPS had "insufficient capacity to respond to key law and order issues, such as juvenile drug use and domestic violence".<sup>27</sup>

Additional challenges identified by the evaluation pertained to the prevailing distribution of expertise within the BCPP. The review recommended that the program engage a development adviser as Deputy Team Leader in order to strengthen donor co-ordination and play a more meaningful role in policy development. The review also characterized the program's monitoring and evaluation framework as "unwieldy" and suggested that it be revamped.<sup>28</sup>

The evaluation recommended a mini re-design of the program, with a switch in support away from an exclusive focus on CAP and towards technical assistance to develop core management and operational functions of the BPS. Broadly speaking, the current program is structured to reflect this core recommendation from the 2009 review with an increase in institutional capacity building support to the BPS in anticipation that the organization will be able to manage and implement the CAP scheme. One component focusses on assisting the BPS to administer the CAP program while the other concentrates upon developing the institutional capacity of the BPS, primarily through mentoring of senior officers. Of the current batch of seven advisers, two work on helping administer the CAP scheme with four advisers working with the BPS. The Team Leader is spread across both roles.

The program reports against four outcomes:

1. Enhanced community confidence in Bougainville Police Service (BPS)
2. Strengthened delivery of community policing services
3. Improved knowledge and skills of BPS officers and community auxiliary police (CAP) officers

---

<sup>25</sup> James McGovern & Monica Taga 'Review of the Bougainville Community Police Project (Phase 4)' December 2009 p.8

<sup>26</sup> Ibid.

<sup>27</sup> Ibid. p.9

<sup>28</sup> Ibid.

#### 4. An effective and managed CAP integrated into the BPS<sup>29</sup>

In a notable (and welcome) change from how many capacity development programs are structured, the program is not solely located in the seat of government. Four advisers are based in Buka, the administrative capital and three in Arawa, in the central region. However, the program does not yet have full geographic coverage. Owing to security concerns, reportedly emanating from police headquarters in Wellington, NZ Pol officers are not able to travel either to the southern part of Bougainville or the Panguna mine complex.<sup>30</sup>

BCPP is not the only donor program working in the field of law and justice in Bougainville. The other major program in this sector is the AusAID funded Papua New Guinea-Australia Law and Justice Partnership (PALJP). During the team's visit, PALJP had four advisers working in Bougainville across a range of law and justice activities, with a concentration on policy development, training, police prosecutions and logistics/finance. The United Nations Development Program in Bougainville is also working in this field and have reportedly assisted in the establishment of a peace and security committee in Siwai district, with the intention of rolling out similar committees throughout the island in 'due course' following approval by the Bougainville Executive Council.<sup>31</sup> The IE Team has read the UNDP documentation and views it as extremely ambitious, noting that it makes little mention of Bougainville policing authorities.<sup>32</sup>

This current constellation of international actors is unlikely to expand in the foreseeable future. The Australian Federal Police (AFP) conducted a 'scoping mission' in October 2012 in order to assess the potential for programming in Bougainville. Although the results of this visit were not released at time of writing, the IE Team was informed that there is unlikely to be a permanently stationed AFP capacity building presence in Bougainville in the short to medium term. Some occasional training or other sporadic assistance may be provided in the coming year(s). This training will, most probably, be directed from Port Moresby.

---

<sup>29</sup> As outlined in the New Zealand State Sector Development Partnerships: Activity Progress Report January 2011-December 2011. The team notes that there are a number of different top-level outcomes listed in various NZ Government documents on the program. An undated 'background briefing' document provided to the team lists two different desired program outcomes, which are: strengthen the management and operational capacity of the BPS; and integrate CAP into BPS operations and management processes. The differing outcomes that are outlined in the various documents are hard to reconcile.

<sup>30</sup> By contrast, no such restriction on travel applies to other New Zealanders working in Bougainville, such as volunteers.

<sup>31</sup> United Nations Development Program 'The Peace and Security Implementation and Co-ordination Strategy: Summary of the Concept and the Framework' (undated document supplied by UNDP)

<sup>32</sup> Regrettably, the team did not meet with UNDP during its Bougainville visit owing to scheduling difficulties.

## Findings

### 1. Relevance & Effectiveness

The team believes that the BCPP has generated a number of notable achievements in its last three years of programming. Most of the program's 'wins' relate to its work with the Community Auxiliary Police (CAP), with much more sporadic and provisional accomplishments with regards to the BPS.

#### *CAP Successes*

Through management, training, supervision and accountability initiatives, the program has contributed significantly to the success of the CAP. 346 CAP personnel are involved in policing at the local, village-based level throughout rural Bougainville, operating through local systems.<sup>33</sup> These officers are based locally in 196 rural communities within 89 COE areas throughout Bougainville.<sup>34</sup> The BCPP leadership is to be commended for chaperoning these initiatives, which work because they engage with and build upon local forms of leadership and authority.

The BCPP has instituted four significant developments with the CAP since the last review, which deserve to be lauded. The significant individual contribution of the Team Leader in steering these developments is also to be noted.

Firstly, the CAP scheme has expanded significantly in its geographic spread. This is an important accomplishment because it means that more Bougainvilleans now have access to policing services than previously. Preliminary research, backed up interview and other anecdotal evidence, suggests that the CAP are responsible for the substantial bulk of all incidents reported to BPS; the same research suggests that this amounts to as much as 86% of all crime reports.<sup>35</sup>

Secondly, these changes have also entailed a significant increase in the number of women appointed as CAPs, reportedly from 5% in 2008 to 21% at present, and accomplished primarily by prioritising female participation in recruit courses.<sup>36</sup> This development provides Bougainvillean women with an increased opportunity to interact with female CAP in respect of potentially sensitive complaints such as family violence and sexual abuse. A recurrent anecdote that the team heard was that there was now a female CAP located within four-hours walking distance of each Bougainville resident.<sup>37</sup> This increase in women officers also serves to address one of the most persistent criticisms levelled against engagements with 'traditional' leaders and customary authorities, namely that their dominance by older men tends to reinforce local power relationships to the detriment of women and other disadvantaged groups.<sup>38</sup> Throughout our consultations, the IE Team came across near-universal acknowledgement from fellow CAP and community leaders that there was an important place for female officers dealing with issues that would be unlikely to be referred to male CAP.

---

<sup>33</sup> The upper tier of CAP members is set at 350.

<sup>34</sup> CAP officers are not allocated to urban areas. However, they sometimes support BPS in towns during special events such as Christmas time and local and government elections.

<sup>35</sup> Janice A. Lewis 'Quality Assurance Project Report: Bougainville Community Policing Project' Massey University (2011) p. 12.

<sup>36</sup> The IE team notes that the majority of this increase took place in 2009 at around the time of the previous review. In late 2009, the percentage of female CAP was estimated to be 17% McGovern & Lata (2009) p.18.

<sup>37</sup> It would be useful to verify this claim at some point.

<sup>38</sup> See, for example, *Converging Currents – Custom and Human Rights in the Pacific*. Wellington, New Zealand: Law Commission, Study Paper 17, September 2006.

Women CAP were perceived to be performing a complimentary role in relation to their male counterparts. As was explained to the team in the southern region, women have always played an important and distinct role as decision-takers and peace-makers in Bougainville<sup>39</sup> and this cultural dimension underpins their prominent contribution and role in the CAP program.<sup>40</sup>

Thirdly, the program has established a Non-Commissioned Officer (NCO) component, which provides a leadership structure, source of accountability and potential career incentive within the CAP. NCOs are responsible for discipline, accountability and ensuring – on an everyday level – that CAPs are fulfilling their duties. There are now 33 CAP NCOs providing the scheme with a career progression that enhances further individual commitment and loyalty. Additional responsibilities on the part of NCOs are recognised in the provision of higher allowances by the ABG. Throughout the regional consultations, the team noted that the CAP leadership cadre manifested a more pronounced *esprit de corps* and professional attitude than their better paid BPS counterparts.

Fourthly, the program has introduced two performance measures that improve accountability and management in the CAP scheme. The BCPP have adopted a leading role in managing an accountability system that has contributed to maintaining higher levels of performance and accountability among the CAP than is clearly the case within the BPS. However, the success of this system is entirely dependent on BCPP, serving as the final arbiter of CAP accountability. Available disciplinary data suggests that as many as forty CAPs have been dismissed for reasons such as not attending training, not putting in reports, being involved in criminal activity and/or drinking homebrew. This level of accountability contrasts markedly with the persistent complaints about the lack of disciplinary among the BPS follow-up for more serious offences such as serious assault, corruption and persistent absenteeism.<sup>41</sup> The CAP now has a well-established disciplinary procedure that bodes well for future development.

Where the BCPP has been less than successful is in transitioning the management of the program to BPS. According to the 2012 work plan, this transition is to be concluded by the end of 2013, although the team was informed that the intent of the MOU was less directive.<sup>42</sup> In the view of the team, concluding this phase at the end of this year is most unlikely to eventuate and a transition to the BPS in its current state would risk imperilling most of what has been achieved to date. The unvarnished reality remains that BCPP staff continue to provide almost all the essential support necessary for the CAP scheme, even though it may be badged as BPS in documentation (such as reports). An example was provided during the team's visit to a training facility in Tinputz in the northern region. Originally it had been envisioned that a BPS truck would transport CAPs to the training venue. However no such vehicle was available on this day, reportedly because the vehicle was not to be found and the driver presumed to be sleeping off the excesses of a heavy night of drinking. The training could only proceed because the BCPP provided transport and the team was told that this lack of basic BPS professionalism was far from unusual. The team believes that should the transition take place without adequate preparation, the entire scheme is likely flounder. While the team recognises the need to progress the transition from BCPP to BPS, we caution against transition for transition's sake in order to declare completion of a project that is not yet finished. In our view, the BPS will be in

---

<sup>39</sup> See, for example, Ruth Savoana-Spriggs, 2003. 'Bougainville women's role in conflict resolution in the Bougainville Peace Process', in Sinclair Dinnen (ed), *A Kind of Mending – restorative Justice in the Pacific islands*. Canberra: Pandanus Books, pp.195-213.

<sup>40</sup> CAP meeting Buin 21.11.12

<sup>41</sup> Meeting with CAP NCO, 17/11/12; communication with BCPP Team Leader 14/1/13

<sup>42</sup> Written comment from MFAT Programme Manager on Draft Evaluation Report, dated 30/1/13

need of at least another ten years of dedicated assistance along the lines outlined in the report's conclusion.

### *A Highly Relevant Development Intervention*

In our view this highly relevant and well-regarded initiative provides good value-for-money and constitutes a rare example of a successful international police building engagement. The BCPP is having a substantial impact with the potential to develop further with appropriate and continuing support.

While the success of the CAP scheme may be viewed from a narrow policing perspective as simply a very effective community policing scheme, there are multiple reasons why this program is relevant which go far beyond its policing dimensions.

There are at least five reasons why the CAP fits in Bougainville.

Firstly, it fits well with the social organization and leadership structures of local Bougainvillean societies and, in so doing, reflects the aspirations for policing articulated in the foundational documents (see Contextual History above). CAP work closely with traditional chiefs and leaders, and customary authorities to resolve disputes and preserve basic community safety and stability. This provides the CAPs with a high level of legitimacy to do their work as an integral part of a local social order, something that their counterparts in the BPS do not have. The BPS is seen as an external and foreign entity whereas the CAP appears to enjoy high levels of local support. Because the CAP operates in the rural areas where the vast majority of Bougainvilleans live, this makes it more apposite to prevailing realities.

This difference was expressed vividly in a village consultation in the northern region with the view expressed that the CAP reflected "black-man culture" whereas the BPS reflected "white-man culture". As the paramount chief in this village told the team "BPS are foreigners to us."<sup>43</sup> A CAP NCO in the southern region made a similar point when he distinguished between two policing methodologies within Bougainville. He told the team the CAP worked as part of local culture while the BPS operated outside or it or even against it.<sup>44</sup>

Secondly, the CAP provides an important conflict prevention mechanism. The team heard numerous accounts of the CAP, working together with local leaders, playing a critical role in ensuring that small disputes do not escalate into larger conflict. Of course, accurately quantifying this role is difficult as the evidence of success lies in the absence of conflict. However, the remarkable improvement in the level of safety and stability evident in post-conflict Bougainville over the last ten years is a proxy indicator of the success of this CAP role.

Thirdly, in light of the continuing fragile post-conflict environment, the CAP appears to have an important role as mediators and peace builders within their respective communities. The reason why CAP would appear effective in this role owes much to the broad-based legitimacy that they enjoy. The team heard various accounts of instances where CAP were working with community authorities to dampen down conflict and ensure it did not escalate, ranging from sorcery-related violence to direct hangovers from groups involved in the conflict. What the CAP works on would

---

<sup>43</sup> Consultations in Tung village, 24/11/12

<sup>44</sup> Consultations in Buin, 20/11/2012

appear to vary from region to region. For example the team got the impression that many of the issues in the south related to legacies from the conflict while in the central region, issues around mining and land appeared to be dominant.

Fourthly, an important locus for CAP accountability lies at the local level where they operate. This local accountability, in turn, is not dependent upon external support and maintenance. It includes traditional leadership structures, enshrined in the Councils of Elders (CoE) system, and, more broadly, the continuous scrutiny exercised by members of the community of which these officers are part. In contrast with BPS who tend to live in secluded barracks apart from the surrounding community, CAP are part of their village or rural communities and are accessible on a daily basis, while their activities remain visible to all. Lapses in discipline and performance by CAP rarely go unnoticed and are likely to generate community sanction.

Fifthly, and acknowledging that there is clearly a need for more applied research on this matter, their functions would appear to include four discrete roles in addition to policing. These are

- a. a quasi-judicial and para-legal role as part of a devolved justice system. This entails working with traditional chiefs and leaders in resolving disputes as well as supporting village courts in the mediation and settlement of local disputes.
- b. a role as a 'community organiser' working with and developing local governance structures and committees, and taking a lead in organising community activities such as 'clean-up' events.<sup>45</sup>
- c. an awareness raising or educational role, communicating broader messages and outside news, including from the ABG.
- d. a role as potential conduit between different levels of government from village level up to the ABG.

To put it another way, the CAP are an inherently versatile and adaptable mechanism that are potentially capable of performing multi-faceted roles according to the particular priorities and circumstances of different communities and localities. Some functions relate to policing; some do not.

### *Bougainville Police Service*

In terms of the second component of the program, namely developing the capabilities of BPS, the record of the BCPP is far less impressive, while the challenges going forward remain formidable.

Many of the problems confronted by NZ Pol are not unique to Bougainville and are similar to those encountered in police-building undertakings throughout the Asia-Pacific region. These include issues of resources, leadership, management, accountability, discipline, commitment and a lack of professionalism. Well-worn approaches such as training, mentoring and the provision of internal guidelines, policies and procedures provide the staple elements of the capacity building approach. However, they appear to have had little more measurable success in Bougainville than elsewhere in

---

<sup>45</sup> This is similar to the old colonial position of 'community organiser' in parts of Solomon Islands during the British administration & still found in the Western Province of Solomons today. See Sinclair Dinnen and Nicole Haley, 2012. Evaluation of the Community Officer project in Solomon Islands. Washington DC: World Bank, Justice for the Poor, Research Report May 2012. Available from: <http://web.worldbank.org/WBSITE/EXTERNAL/TOPICS/EXTLAWJUSTICE/EXTJUSFORP>

the wider region.<sup>46</sup> Moreover, this model appears to take little account of the critical issues relating to the social appropriateness of such an organization and its fiscal sustainability

The BCPP is working with a counterpart organization that beyond its rhetorical commitment appears to have little ostensible interest in a reform process. The team learned that many BCPP 'counterparts' were either frequently absent without explanation or generally lacking in enthusiasm and pro-activity. To give a stark example, the team was told that during a one-week's absence on the part of an adviser in Arawa not a single BPS officer showed up for work and the station remained deserted save, reportedly, for the office cleaner. On another occasion, the team observed officers apparently using police vehicles for purposes hard to square with their designated function.

The problems afflicting the BPS (and, therefore, impacting upon BCPP) are both historical and institutional. Policing in Bougainville has always suffered from a low level of legitimacy and this already low base was eroded further by the alleged actions of the RPNGC during the conflict. The need for a dramatically different approach was a recurrent feature of the all the peace talks and subsequent political settlement, as noted in the earlier contextual section.

While there have been various efforts to articulate a vision for policing in Bougainville, there has been little practical progress in turning these rhetorical statements into a practical reality. In the absence of such a policy development process, the default position has been to revert to the conventional institutional capacity building model which, as indicated above, has wrought little success and reinforces a model that has been forcefully rejected by Bougainvilleans.

To some extent the failure to progress this new vision of policing attests to the vagaries of high politics between Buka and Port Moresby over the transfer of powers. While it is envisioned under the BPA that full policing powers will be transferred to Bougainville, this process remains incomplete, creating some confusion and tension between parallel policing authorities. However, it also reflects a failure of imagination on the part of all actors involved to take advantage of the opportunity presented by Bougainville's new political dispensation and move beyond the 'comfort zone' to actively flesh out and implement a Bougainville model for policing.

Four BCCP advisers plus some of the time of the team leader's time are devoted to working with the BPS. Two of these individuals are located in Arawa, advising the BPS commander and assisting the investigations branch, while two are in Buka in the northern region. One of the Buka-based advisers is meant to work with the regional commander (who appears to be rarely present and, at the time of the team's visit, was suspended on disciplinary grounds), while the other works on a combination of duties including adviser to the Station Commander at Buka in the area of Watchhouse and cell block as well as providing assistance to a PALJP training adviser on BPS training. In addition, a number of advisers have worked on discrete areas of activity such as traffic, intelligence, and investigations. One of the team leaders' advisory tasks is to work closely with the ACP, a difficult assignment as this counterpart is often in Port Moresby on RPNGC business.

---

<sup>46</sup> This 'organizational capacity development' model is the dominant model of justice assistance that has provided in law and justice programs funded by Australia, although it should be noted that a recent review commissioned by AusAID's Office for Development Effectiveness has raised doubts as to whether it is always the most effective approach. Marcus Cox, Emele Duituturaga & Eric Scheye *Building on Local Strengths: Evaluation of Australian Law & Justice Assistance* (2012). For an academic analysis, see Sinclair Dinnen and Matthew Allen, 2012. Paradoxes of postcolonial police-building: Solomon Islands, *Policing and Society*, DOI:10.1080/10439463.2012.696643

The BCPP approach appears to be focused almost entirely upon the transfer of technical skills, which are seen as being deficient or absent in the BPS. In the course of interviews with a number of BPS officers, it was an open question as to whether such a form of training was either considered necessary or otherwise valued. One senior officer who receives dedicated advice said that he found little of this useful, stating “I advise myself” and could not recollect any specific substantive question he had asked of his credentialed NZ Pol counterpart.<sup>47</sup> In another instance, the team learned that an adviser was partially reassigned because he had no counterpart. While not doubting the professionalism and commitment of the NZ Pol officers engaged in this work, the team questions the effectiveness of this approach. Are they actually serving to build the wrong model? Is anyone really interested? What is being learned? One might further question whether the time and energy devoted to this activity is misplaced.

In terms of previous advisers dedicated to working on discrete technical areas, the team was informed of successful completion of activities but could not find no way of measuring whether these outputs had been translated into sustained outcomes and organizational change. The BCPP team leader pointed to the work of a short-term traffic adviser, investigations specialist and intelligence adviser as “good examples of the work of advisers in discrete technical areas embedding within the BPS.”<sup>48</sup> In the first case, he pointed to the number of traffic infringements noticed and increased regularity of checkpoints in the Buka and Arawa areas. In the second case, he pointed to the successful completion of a course by twenty BPS and full attendance at that course. The team acknowledges this but notes that these definitions of success are based on ‘output’ indicators and not sustained outcomes. For example, the team leader’s assertion of substantive improvements of improved traffic issues would need more evidence beyond subjective assertion. As regards the CIB course, it would require assessment of the extent to which training has translated into improved performance and similar metrics would be required for assessing the quality and long-term efficacy of the intel contribution. (This over-reliance on output indicators in the program is discussed more in the section on ‘impact’). Likewise, the BCPP team leader’s assertion that the BPS can now claim to be at least partly Intel led and at least partly proactive in their approach to policing owing to the contribution of a short term Intel advisor needs further substantiation and runs counter to most of the accounts told to the IE team.

The IE Team also questions the effectiveness of the program’s concentration on developing policy documentation. For example, an adviser has been working for the last year or so in isolation from the BPS on articulating a community policing philosophy and generating a number of documents to this end. The team has reviewed these documents and considers them technically sound. However, there was no evidence that anyone in the BPS appeared aware of their existence, let alone following them in their everyday practice. Even the ACP who has purportedly written the foreword to the philosophy did not appear aware of its existence. When the team queried the effectiveness of this approach in the first draft, it was informed that the reason why no-one seemed to have heard of the community policing philosophy was because it “has not as yet been delivered to the BPS, ABG or Community”, which itself raises troubling questions as to the inclusiveness of BCPP’s approach.<sup>49</sup> The team is concerned that developing a document in such a way (without, seemingly, any apparent consultation or interaction with the BPS) is an ineffective approach given the very considerable

---

<sup>47</sup> Interview with IE Team.

<sup>48</sup> Comments received by IE team 24/1/13

<sup>49</sup> Written comments received by IE Team 24/1/13

difference between NZ and Bougainvillean community contexts. The team notes, however, that the development of this philosophy was not completed as the adviser had to return to New Zealand owing to family circumstances. The team hopes that there will be significantly more Bougainvillean input upon his return to complete his assignment in March 2013.<sup>50</sup>

In the view of one senior BPS officer whom the program was not working directly with, this focus on developing policy and procedures was not filtering down and, therefore, was of fairly nugatory value in terms of police development. One conclusion to draw from the minimal traction of written documents is that the program, with its top-down approach, may be pitching its aims at too high an organisational level.

In many respects, the main value of the New Zealand engagement with the BPS lie less in internal improvements achieved in the BPS but more in terms of practical problem solving and ensuring that the station kept ticking over. One NZ Pol estimated that just 40% of his time was spent providing policing advice while the remainder was devoted to maintaining a semblance of organizational functionality such as ensuring that prisoners were being fed. The example of the adviser going away for a week and the chaos he returned to is a case in point.

The value, therefore, of the NZ Pol officers comes in terms of their everyday problem-solving or housekeeping skills and not necessarily their contribution as technical specialists. We see an important role for this generic problem solving role description moving forward into the next phase of the program.

The final observation to make in terms of BCPP engagement with BPS concerns community engagement in Arawa. Because the focus of the BCPP advisers there has primarily been inward on improving the running of the station, there appear to be insufficient time devoted to engagement with the broader community. A senior district official in Arawa voiced dissatisfaction at the limited interaction that BCPP staff had with the district administration, seeing it as limited to showing up at the occasional ceremony. The same official said that the rapid turnover of staff militated against community engagement by the NZ Pol because they weren't there for a sufficiently long time. Reflecting on different BCPP staff that had passed through, the official also emphasised the importance of the type of person being recruited, recalling favourably the can-do attitude of one particular adviser who regularly visited adjacent villages and established a reputedly successful neighbourhood watch scheme. A senior local government official claimed to only see the NZ Pol officers in the car on their way to and from work. According to written comments provided by BCPP team leader, this impression is incorrect. The ranking officer in Arawa and his team reportedly engage in copious community engagement activities including holding monthly meetings with community representatives, holding foot patrols, requesting rubbish bins from a bank and revitalising a garden around the police station.<sup>51</sup> While we don't doubt the BCPP team leader's statement, the fact that there is such a significant divergence in opinion between the BCPP advisers and members of the local community should be a cause for reflection as to the BCPP approach. The

---

<sup>50</sup> Ibid.

<sup>51</sup> Additional activities reportedly include awareness sessions, working to establish a community watch scheme, playing in a local soccer team and 'regular communication and visits with Lord William from Kingdom of Meekamui (sic) (died four weeks ago)' Comments received by IE Team 24.1.13

team also notes that community engagement is not a feature of the Arawa team's work-plan, which is focused almost entirely on internal organizational adjustment.<sup>52</sup>

## 2. Impact

Gauging the impact of the program is an extremely difficult. Reliable crime statistics are not collected by the BPS or the BCPP and, as noted, there has been insufficient empirical research and analysis conducted in order to form solid evidence-based conclusions about the impact of the New Zealand inputs. In lieu of hard data, conclusions about the program's impact rest primarily upon observations and impressions collected during the team's interviews with a wide cross-section of Bougainvillean society. The feedback received about the impact of the two components of the program – assistance to CAPS and assistance to BPS – could hardly have been more starkly different.

As regards the CAP, there was a broad consensus in all our consultations that this contribution of the program has wrought a significant impact in terms of perceptions of community safety. "Honour and respect" is given to CAP, stated a senior ex-commander in central region, because of their role as mediators and resolvers of disputes.<sup>53</sup> This component of the program appears to be highly regarded by the wide range of Bougainvillean interlocutors the team spoke to.

It is almost a mirror opposite story regarding the BPS and extremely difficult to discern what, if any, impact the BCPP is having in terms of improved policing outcomes. In each of the three regions of Bougainville, the IE team heard similar stories about BPS dysfunction. The BPS "can't do much" related an interviewee in central region while views were even more critical in the south, one interviewee describing the BPS simply as "useless" before reciting a series of colourful (and unverifiable) allegations about their in-office and extra-curricular activities.

The 2009 review concluded that "the Project is yet to have significant impact in developing the BPS as an organisation that can manage and fund an effective and holistic community policing approach". Four years of dedicated advisory support later, the finding of this review team is exactly the same.<sup>54</sup> Officers of BPS rarely leave the station, adopt a reactive approach when they do, and, in the southern region especially, experience extremely low levels of legitimacy and community support. In Buin, the low regard in which the BPS were held and lack of progress towards achieving a different model of policing was reflected in their derogatory description as "PNG Police".

At the broadest of levels, the most significant impact of the NZ police project comes not so much in terms of institutional reform but in providing reassurance to residents of Bougainville through their enduring presence. The team was told throughout its consultations of the importance of this 'reassurance policing' role. Local interlocutors in the southern region were unanimous in their assertion of the value of having a presence in the southern town of Buin, where NZ advisers are currently not based. On the face of it, this 'reassurance policing' role may appear to be an inefficient use of credentialed police officers. However, in light of the still fragile environment, including the enduring legacies from the conflict, as well as concerns around current and forthcoming developments such as the growth of towns, the likely resumption of mining, and impending referendum on independence, the reassuring presence of the respected and impartial uniformed NZ Pol officers cannot be underestimated.

---

<sup>52</sup> NZ Pol Arawa Base BPS Mentoring Strategy 2012-23. Received by the IE Team via email 19/11/12.

<sup>53</sup> Interview, Arawa, 18.11.12

<sup>54</sup> McGovern & Lata (2009) p.8

*The Difficulty of Discerning Impact: Sub-optimal Monitoring & Evaluation*

Although the last review of the BCPP in 2009 recommended that a clear, cogent and comprehensible M&E framework be enacted, this has not occurred, for whatever reason.<sup>55</sup> The absence of a comprehensive monitoring and evaluation system not only inhibits strong evidence-based data that can be drawn upon to measure the program's impact but also raises questions as to how performance is assessed and programmatic decisions are based.

Over the last few years, the BCPP has produced an Activity Progress Report (APR) for the perusal and appraisal of various internal stakeholders. Prior to 2012, the APR seemed to be produced yearly with headings entitled "major achievements, key conclusions and necessary actions". These documents summarized activities in the calendar year and assessed the program's relevance, effectiveness, efficiency and sustainability, as well as assessing cross-cutting issues, changes to activity context and providing a 'risk management matrix'.

Post-2012 documentation adopts a different reporting regimen but without any explanation as to why this has occurred. Reports have been produced every six months. These summarize what are, in the judgement of the BCPP, the 'key conclusions' and 'necessary actions' arising from the previous six months. They also note changes of context and assess (always in positive terms) relationships between the BCPP and their Bougainville and Port Moresby-based partners, as well as providing an update on 'key management activity documents'. Appendixes enumerate the costs accrued during the reporting period and provide reports against the program's work-plan.

The challenge of using this documentation to evaluate performance is two-fold. Firstly, because the reports seem to be produced to an erratic timetable - sometimes six-monthly, sometimes yearly - and (without explanation) reports to a different set of criteria, it is confusing to anyone who may be seeking to use these reports to form an empirically-based judgement about the program's progress.<sup>56</sup> The second, and related, challenge is the ability of the reporting to judge impact. More often than not, appraisals of activity seem to be formed on personal judgement rather than on any empirical evidence.

Two examples should illustrate this point. The first comes from the 2011 Activity Progress Report which appraises the outcomes of "technical assistance intelligence" training. Reporting describes how NZ Pol "provided the expertise to develop a basic Intel model suitable for the Bougainville environment and the training of specialist Intel staff as well as all BPS staff on the basics of Intel led policing" before recounting that training occurred. The training is adjudged to be "very successful", on the grounds of an unsourced statistic that 80% of crime is reported by CAP officers. There is nothing in the reporting that suggests the means used to form this assessment. There appears to have been no follow-up testing of the recipients of the training as to whether they use the techniques learned and/or how the instruction had influenced operational or managerial behaviour. When the team visited Arawa, it learned that the NZ Pol adviser was in fact having difficulty motivating his counterpart in the Intel section to show up for work, let alone carry out his designated tasks.

---

<sup>55</sup> The team received multiple explanations as to why this recommendation was not actioned.

<sup>56</sup> The team was told that this because "The reports are completed as required of the schedule contained in the MOU between NZPOL and MFAT. The criteria are varied and different from year to year as the address the content of each current annual work-plan" Comments received by IE Team, January 24 2013

Analogous difficulties of cause and effect present themselves when assessing the impact of assistance tendered in the area of criminal investigations. A comprehensive twelve-week course was reportedly delivered in 2011 and, again, was judged to have been “very successful”. This judgement appears to have been reached primarily on the attendance of officers at the course rather than an analysis of what they learned. Again, there appears to have been no work on the part of the BCPP to ascertain the extent to which the training resulted in improved performance on the part of the officers that received it. The IE team is not in possession of any empirical evidence to enable it to ascertain whether the training was effectual or not. Information received from various sources throughout the team’s consultations would suggest that there remain significant challenges in terms of the BPS’ ability to investigate crime and successfully prepare a case for prosecution. The BCPP’s pronouncement of these interventions as “very successful” seems, therefore, to be highly subjective.

### *Measuring Performance and Developing Work Plans*

Among other components, two key features of a sound M&E regime are establishing a baseline against which to measure performance over time and developing a work-plan against which progress can be assessed. One of these initiatives seems to have stalled while the other appears to have only been recently enacted and, although better than nothing, is far from ideal.

The 2011 Activity Report noted that an “initial performance framework, which provides a baseline assessment of BPS performance is in the process of being developed” but this work appears not to have been completed. A document entitled ‘Baseline Performance Assessment’ was produced in January 2011 which suggested a number of sources of data by which to assess the BPS in terms of their ability to deliver crime and public safety, community policing impacts and capacity building. The report also includes a ‘base-line assessment’ by which to assess the BPS, although it is difficult to see from where the author himself/herself derived the data in order to form these conclusions.<sup>57</sup>

While interesting and rich in data, the document has the feel of a rough first draft. It could have been the basis upon which an adequate baseline was honed and developed. This does not seem to have happened and the ‘baseline’ is not referenced in any subsequent internal reviews conducted by NZ Pol. (Generally speaking, these reviews themselves are subjective and impressionistic in terms of their analytical approach.)

Another problem with the draft performance assessment is that it concentrates only on one part of the BCPP’s activities, namely, assistance to the BPS. Beyond a few mentions here and there, there is no mention of the CAP or discussions about how to measure their impact and effectiveness. Naturally, assessing CAP performance would require a different set of methodological tools, which do not appear to have been developed. Going forward, a means of baseline assessment and developing tools to generate sound, verifiable information about BPS performance and BCPP contributions to that performance will be essential.

Another component of a sound M&E framework is a clear work-plan tying day-to-day activities to the BCPP’s four stated outcomes of enhanced community confidence in BPS, strengthened delivery of community policing services, improved knowledge and skills, and an effective and well managed CAP. Prior to last year, it would appear from the APRs that no work-plan was in place, with reporting of activities against the four stated project outcomes and a subjective analysis as to the relevance,

---

<sup>57</sup> New Zealand Police ‘Baseline Performance Assessment’ (January 2011)

effectiveness and impact of these activities on the part of NZ Pol. A more detailed work-plan was introduced in 2012, apparently, the team was told, at the urging of the MFAT program manager based in Port Moresby.

While the 2012 work-plan is a significant improvement on what went before, as currently organized it is not without significant problems. For instance, the document makes no mention of the four project outcomes and, instead, divides the work into seven output lines, five of which relate almost exclusively to the BPS. Moreover, the tools enumerated in the plan to assess progress – which, puzzlingly, are presented under the heading ‘budget’ – are exclusively output indicators about a course that has been delivered or adviser movements and do not measure or gauge the results or impacts of BCPP activities.<sup>58</sup>

Additionally, there does not appear to be an entirely complete correlation between the program work-plan and the on-the-ground work of individual advisers. For example, the senior NZ Pol officer in Arawa has developed his own work-plan to structure his inputs during his six-month deployment. This is a commendable initiative on the part of the adviser but it does not reflect what was in the 2012 work-plan.<sup>59</sup> Problematically, the work-plan is not structured in a way that captures the full panoply of BCPP activities, including some of which are extremely praiseworthy. For example, the four-part ongoing endeavour spearheaded by the BCPP team leader to boost numbers of females, rationalize geographic spread, create an NCO cadre and improve management is not captured succinctly, if at all, in the work-plan.

Consequently, the IE Team finds that while the BCPP’s M&E regime has improved over the last year or so in terms of capturing short-term activities, it cannot be considered satisfactory in measuring the program’s performance and impact in totality. In short, it remains underwhelming and in need of urgent improvement.

### **3. Efficiency**

The program is delivered through a mix of short and long-term advisers. As of the beginning of the review, there were seven long-term advisers including the BCPP team leader and two locally engaged staff. Since 2009, in excess of 40 individuals (New Zealander and ni-Vanuatu) have been deployed to Bougainville in some capacity.

#### *Adviser deployment*

The six to nine-month rotations of advisers in and out of country is inefficient both in terms of cost and practical effectiveness. The reasons for why short-term deployment are not optimal are well rehearsed in the international literature: there is insufficient time for the officer to become familiar with geographical, cultural and legal differences; there is the unsettling impact of continuous adviser churn on counterparts, with deleterious effects on relationship-building; as well as insufficient time

---

<sup>58</sup> It is also worth noting that many of the activities set out in the yearly work-plan appear to have been stymied by reported disinterest on the part of BCPP counterparts.

<sup>59</sup> The IE Team was unable to find work-plans of previous Arawa-based officers or, indeed any means to record or verify what their accomplishments were during their stint with the program.

to start and complete designated tasks of any substance.<sup>60</sup> This lesson has been understood and acted upon by many international actors, including the Australian Federal Police. For example, AFP officers deploying on analogous capacity-building endeavours elsewhere in Papua New Guinea are sent for two year periods. The team understands that this finding reinforces that of the Strategic Evaluation of Policing undertaken on behalf of MFAT in 2012.<sup>61</sup>

The simple fact of the matter is that time pays dividends in a place like Bougainville. The extended deployment of the BCPP team leader and the productive relationships he has forged reaffirms the strong finding from international experience that longer deployments have a greater prospect of generating success. The achievements of the manager noted above are to a large extent a consequence of the knowledge, familiarity and contacts forged over an extended period of time. Improvements to the CAP scheme, which the team considers the foremost accomplishments of the BCPP, are unlikely to have been achieved had the *modus operandi* been confined to deploying a succession of advisers on short-term stints. With a view to the future, this suggests that longer-term deployments are a vital requirement in any future phase of the BCPP.

#### *Adviser Roles*

The team observed that advisers' skills and experience are not being optimized. Advisers working with the CAP spend a lot of time on internal administrative processes and clerical work such as organizing per diems, transport and, reportedly, completing documentation that should be completed by the BPS. All told, these essentially secretarial tasks may leave as little as 10% of their time for substantive policing advice.<sup>62</sup> Civilian personnel could just as productively undertake many of the tasks currently being conducted. This is an inefficient use of highly trained and credentialed police expertise. While advisers working with BPS counterparts spend more time on policing, time devoted to non-policing tasks remains substantial. One officer told the team that he spent just 25% of his time on providing police-related advice, with the remaining 75% dedicated to general administration.<sup>63</sup> Another estimated the ratio at 40:60.

The team also observed a misalignment between some advisers' skill sets and the tasks they are undertaking. While recognizing that circumstances change and advisers take on new tasks during the course of their deployment, the fact remains that advisers with particular skills sets are working in areas for which they are not particularly well qualified. For example, for somewhat arbitrary reasons, an accomplished and seasoned detective appears to be spending at least 40% of his time liaising as the NZ Pol representative on various ABG planning committees, which include all donors working in Bougainville.<sup>64</sup> This task, involving donor harmonisation and discussions on a wide range of policy development, is undoubtedly an important one given current issues revolving around status, transfer of functions and the future of Bougainville policing. According to the BCPP Team Leader this initiative will, "if successful guide the strategic direction of the BPS for the years to come" which

---

<sup>60</sup> Charles Call & Michael Barnett 'Looking for a Few Good Cop: Peackeping, Peacebuilding and CIVPOL' *Peacebuilding AND Police Reform* (London: Frank Cass 2000) Eirin Mobekk 'Identifying Lessons in United Nations International Policing Operations' (Geneva: DCAF 2010); B.K Greener 'The New International Policing' (London: Palgrave Macmillan 2009)

<sup>61</sup> Recommendation 5 of the *Strategic evaluation of police work funded under the New Zealand Aid Programme 2005-2011* (2013)

<sup>62</sup> Interviews 15.11.12./17.11.12

<sup>63</sup> Interviews 17.11.12

<sup>64</sup> This time was freed up for the adviser in question because, reportedly, his 'counterpart' had been suspended and the replacement was disinterested in receiving dedicated mentoring.

means that it is all the more pressing that a qualified person is in such a position.<sup>65</sup> To be effective in such a role, an adviser requires a sound grounding and demonstrated experience in policy development work. Such a task is not obviously amenable to persons working through a six-month deployment and whose primary expertise lies elsewhere. Accordingly, without the requisite skill set, an adviser in this context is unlikely to contribute meaningfully. In the view of the team, for the BCPP contribution to be efficient and effective in this role would entail both a more enduring engagement and an individual armed with appropriate skills and experience. These would include demonstrated expertise in strategic thinking, policy analysis, report writing and shepherding change management processes. An experienced development practitioner would appear to be a more suitable fit.

### *Management Issues*

Considerable efficiencies could also be achieved through improved management and communication between the various NZ stakeholders in Buka, Port Moresby and Wellington. The team was struck by what it saw as difficult professional relationships between the various New Zealand partners, which inevitably impact upon the efficient management of this important project.

According to the MoU, the managerial relationship is clear. The program is managed by MFAT from Port Moresby and implemented from Buka by the NZ Police. However, the impression that the team drew was that the reporting and management lines were more convoluted and confused than was necessary. There would appear to be a strong communication linkage between the NZ Pol in Buka and their superiors in Wellington but this does not appear to be aligned very well with MFAT, particularly at post.

Part of the issue may be the limited time that the designated MFAT Programme Manager at post has to manage the project, which was currently estimated at 10%, a figure likely to dip even further owing to staffing shortfalls. Inevitably, this restricts the ability of this Manager to engage meaningfully on Bougainville in a manner that would reflect the significant MFAT stake in the project. The individual's time on the ground is often limited to a day here and there when there is a meeting and is restricted to Buka.

One suggestion received by the team to ameliorate these difficulties was to manage the project directly from Wellington as had been the case before the current MOU. The team does not consider this to be an appropriate or desirable outcome because Wellington is ever more removed from the complexities and realities of Bougainville than the Papua New Guinean capital. Instead, what is required is a more effective link between Buka and Port Moresby, which is, and should remain, the manager of the project. Given that it appears unlikely that the MFAT Manager will have more time to devote to the BCPP in the foreseeable future, the team strongly believes that there is a place for an individual that could bridge the separation between the 'policing' and the 'development' spaces. This individual would ensure that reporting from Buka conforms to post requirements, oversees improved M&E and actively leads on critical development discussions with Bougainvillean and PNG authorities and donor stakeholders. Enacting this proposal would be a significant improvement upon what is happening currently and is critical to future developments.

---

<sup>65</sup> Comments received by IE Team, 24/1/13

#### 4. Sustainability

In terms of sustainability, the team believes that the CAP component of the BCPP is already on its way to becoming sustainable. This is evidenced by the strong support provided by ABG, evidenced most recently by recent decision of the Bougainville Executive Council to double the allowance to CAPS. This financial support is a firm indication that Bougainville authorities consider the CAP as the foundation for the islands' policing dispensation as envisaged in the foundational documents. The financial commitment provided by ABG is also indicative of the likely sustainability of the project within Bougainville's fiscal envelope. As importantly, it demonstrates an unusual level of political 'buy-in' from the ABG, something that donors so often struggle to achieve, as experienced elsewhere in Melanesia. Considering that the World Bank estimates it takes on average 41 years to establish sustainable governance institutions, to be close to doing so with the CAP in a much shorter time is a remarkable achievement, which deserves to be lauded.<sup>66</sup> Of course, financing is only part of the sustainability equation: to maintain and build on achievements heretofore will necessitate continuing regulation and management from BCPP, as discussed in previous sections. CAPS therefore, is not sustainable as of this moment but have the *strong potential* to be sustainable in the years to come. This is a considerable achievement.

Going beyond issues in the financial realm as it pertains to CAPS, the IE Team has already noted the considerable potential of the CAP as a catalyst for legitimate and effective policing at local levels. As noted before, CAP also has important potential as a spur in other areas, such as the development of a devolved system of justice and in institutionalising an appropriate and effective system of local level government. In both these cases, the CAP could contribute to a broader process of sustainable institution building, and that is another reason why the CAP should not only be conceived through the prism of policing. In so doing, therefore, the CAP intervention potentially contributes to the larger task of Bougainville-wide state building and reconciliation as envisioned in the Bougainville Peace Accord and embodied in the constitution of the ABG.

With regards to the BPS component, the team believes that the current approach is largely unsustainable on financial, technical, cultural and ownership grounds. The costs associated with a fully-fledged BPS as envisioned in the most recent donor-commissioned consultancy reports are more than the ABG is likely to be able to afford for the foreseeable future.<sup>67</sup> One need not look very far to find examples of the kinds of dysfunctional organization and outcomes wrought by concentrating funding on a formal and, in the final reckoning, ultimately unsustainable policing model. In terms of technical skills transfer, the BCPP seems unsustainable on the grounds that there is no evidence that the skills hitherto imparted have 'stuck'. (Of course one reason why it is hard to determine the impact of these technical endeavours may be the BCPP's subpar M&E regime but evidence gathered during the fieldwork indicated little had been achieved of a sustainable nature.)

Some of the BCPP endeavours appear a poor cultural fit. In a Melanesian social setting where information is passed orally and through social relationships, developing a western style intelligence policing model holds little prospect of long-term sustainability. In a society where nothing would appear secret for too long, the merits of developing an office to store and analyse secrets in a confidential matters appears questionable. The vision of policing as articulated in the foundational

---

<sup>66</sup> World Bank *World Development Report* 2011

<sup>67</sup> Bob Shaw report

documents which builds on local cultural foundations appears to offer a better prospect of long-term sustainability.

Finally, many of the BCPP endeavours do not appear to be 'owned' by the BPS. Although BCPP advisers have generated a series of policies, procedures, regulations and matrices, the extent to which these are likely to survive beyond the departure of their authors is doubtful. The example of the project-written 'community policing' policy, which seemed unknown to all BPS officers, is salutary. It struck the team that the BCPP approach to the CAP, precisely owing to its social appropriateness, cultural roots, and modest financial outlay, renders it a much more sustainable long-term proposition than the current engagement with BPS augers to be.

This is not in any way to suggest that there is not a crucial role for the BPS. In detailed discussions with a wide range of Bougainville actors in and out of government, the elements of an appropriate role for the BPS began to emerge. These discussions implied a more streamlined, professional, primarily urban policing service as an essential ingredient in any new policing dispensation. Small in number, highly skilled, the service would be competent in the areas of the investigating serious crime, handling potential public order challenges, efficiently managing the linkages with judicial authorities, all of which would sit atop the community-based policing work of the CAP which a streamlined BPS could manage. This smaller BPS is obviously more likely to be sustainable given financial realities.

Current thinking envisions a progressive integration of the CAP and BPS as the most appropriate way of building on the strengths of the former and addressing the deficiencies of the latter. According to the current MOU between NZP and MFAT, this transition is expected to be complete by the end of 2013. As noted in the section on effectiveness, the team's discussions and consultations throughout Bougainville and with PNG interlocutors suggest that adhering to such a schedule is seriously unwise. It is both unrealistic in terms of time frame and, potentially, counter-productive in terms of potential outcomes. As indicated by our evidence, the BPS is not managerially capable of administering and supervising the highly successful CAP scheme. Such a move risks undermining all the achievements made to date with the CAP. To use a medical metaphor, bringing together a sickly body (the BPS) with a healthy one (CAP) risks spreading the infection, not halting it.

## Conclusions, Recommendations and Lessons Learned

### 1. Conclusion

In light of the achievements to date, the team recommends that New Zealand should continue with a program of support to policing in Bougainville for the foreseeable future. There are four principal reasons to continue this support. Firstly, the notable success of the CAP scheme remains, for now, conditional upon the light regulatory and management role provided by the BCPP. Premature withdrawal would jeopardise achievements to date. Secondly, the 'reassurance policing' role of the BCPP was a recurrent motif within the team's discussions in the north, central and southern parts of Bougainville. This may appear intangible, hard to measure, and difficult to appreciate from afar, but it remains one of the most consistent and powerful arguments for continuing with BCPP. New Zealand, and NZPol in particular, holds a unique and elevated position as a guarantor of peace and stability. Thirdly, likely developments in terms of the resumption of mining and imminence of the referendum on independence makes the continuation of New Zealand's long-standing and reassuring presence of critical strategic importance. Now is not the time to consider exit. Fourthly, the CAP in particular is actually about much more than policing, which it is currently the dominant lens through which it is viewed. It has considerable potential for linking with broader development and state-building objectives.

It is critical that the program continue but it should undergo refinement. The team recommends a thorough re-design of the BCPP in 2013 in order to reflect the fact that the program is, fundamentally, about much more than simply policing and police reform but involves larger processes of law and justice reform, institutional development and linking better local level governance across local, regional and ABG levels, as well as taking place at a time when Bougainville approaches a decision-point as regards its political future.

### 2. Recommendations for between now and end of 2013

Between now and then, the team recommends a number of steps be taken to enhance the current program and prepare for a future phase.

#### *Deploy to southern Bougainville in order to provide complete coverage*

While the southern region remains the most challenging in relation to policing, the team visited Buin and gained the strong impression that the local security situation was conducive to an extension of New Zealand presence. Although just a short visit, the team is confident a proper and comprehensive risk assessment by police specialists would confirm this assessment. The placement of a practically oriented, problem solving, police adviser will assist the task of restoring community confidence in the BPS and enable them to link better with the CAP officers. Additionally, a deployed officer will serve an important role in providing 'reassurance' during this fairly critical juncture in Bougainville's journey from post-conflict to the referendum and beyond. The team received explicit requests for a New Zealand presence from a wide range of interlocutors ranging from senior ex-combatants through to village leaders.

#### *ABG to participate in selection process for new BCPP team leader*

The current BCPP team leader is scheduled to depart in February 2013 and the selection process for a replacement must be handled extremely carefully. One key ingredient will be consultation with the ABG. It is now standard international best practice for 'host' administrations to be involved in the selection of international staff. For example, in Papua New Guinea and Vanuatu, the national government participates in the selection of incoming Australian Federal Police personnel and this is also customary in police reform projects that are managed by the UK's Department for International Development (DfID). Not only is this good form, it can also lead to a beneficial diplomatic dividend. Participation in the selection of the new team leader would entrench further the already good relationship between New Zealand and the ABG and enhance the unusually high Bougainvillean political ownership of elements of the BCPP.

#### *Greater Community Engagement on part of BCPP*

There appears clear value in the BCPP engaging the community more consistently and regularly throughout various forums. This means building on incipient relationships with local level government in Buka and Arawa and also going beyond the urban areas to appreciate how the majority of Bougainvilleans actually live. One way to do this would be to participate in 'rural patrols' which is a familiar (if sometimes under-utilized) vehicle for the roll-out of government services to widely dispersed populations.

The knock-on consequences of increased engagement are obvious. A high level of knowledge and interaction with the community is surely a prerequisite into developing an appropriate and sustainable community policing approach. As discussed above, extending the deployment time for staff would assist in forging these community bonds. More visible community engagement contributes further to New Zealand's 'reassurance policing' role.

#### *Engage an M&E practitioner*

The program's M&E is found seriously wanting and in need of urgent attention. This is particularly so given the failure to act on a similar recommendation from the 2009 review, which perhaps reflects a lack of in-house comfort and familiarity with basic concepts such as developing a sound work plan, indicators, and way of charting implementation and measuring impact.<sup>68</sup>

For the next phase of the program, there is a need to import a dedicated M&E specialist to assist, develop and institutionalise such a framework. To ensure a seamless transition from one phase to the next, it is critical that this individual(s) should also be involved in the design process for the next phase of the program. Taking into consideration best practice, this individual would probably need to work on a 'fly in, fly out' basis, an engagement of approximately ninety working per annum. The team understands that this is the approach that is currently being adopted for the NZ Community Policing Program in Timor-Leste.<sup>69</sup>

---

<sup>68</sup> The team notes that an analogous review in Timor-Leste has reached similar conclusions about NZ Pol's M&E efforts. S. Emmott, M. Barcham, T. Ali Khan & E. Soares *Community Policing Pilot Programme: Timor-Leste: Independent Review Report* (2010)

<sup>69</sup> Sustineo, a Canberra-based professional services firm, was contracted by MFAT in February 2012 to provide monitoring and evaluation support services to the New Zealand community-policing program in Timor-Leste.

*Enhance Working Relationship with PALJP*

New Zealand is not the only player in this development space as Bougainville moves forward. Four advisers to the BPS work directly under the auspices of the Papua New Guinea-Australia Law and Justice Partnership. The Partnership is the principal vehicle for the delivery of Australian assistance to the PNG law and justice sector. The links between the PALJP and police reform in Bougainville should be manifest and obvious. These include the linkages between the police and other law and justice agencies and the need for these linkages to be effective in order to ensure strong working of the sector. PALJP is working side-by-side with Bougainville authorities in developing sector-wide law and justice policy.

The team met with a couple of PALJP advisers and was generally impressed by their development expertise and notes that there appear to be particularly good relations between the BCPP and PALJP in the area of training. It is therefore critical that an already effective working partnership be leveraged further in order to maximise co-ordination and minimise duplication. Going forward, PALJP are a significant vehicle and forum for progressing policy formulation and implementation around Bougainville policing.

PALJP operates through local systems and is the most obvious on-the-ground Australian partner program in terms of policing and justice issues. From the team's consultations, it appears unlikely that the AFP will return to Bougainville and, accordingly, it is a much less likely candidate for partnership.

*Simplify and render more efficient linkages, communication and management responsibilities between Buka, Port Moresby and Wellington*

The evaluation team notes that the current arrangement is not conducive to efficient management. The team acknowledges that this is partially explained by different geographical loci and changes in roles and responsibilities since the last phase of the program. The current arrangement between MFAT and NZ Pol should continue and, going into the next phase, should include a 'development adviser' to help bridge existing gaps between the various institutions involved in implementing the program. A recruitment process for this position should commence forthwith. The position would be based in Bougainville.

*Commence applied research in order to inform future programmatic design*

The team was pleased to observe that some relevant empirical research has been conducted which was supported by the program. Preliminary data collected suggests that the bulk of offences recorded are generated by CAP rather than BPS. This finding chimes with the evidence collected by the team in the course of its fieldwork and, taken together, suggests that most policing in Bougainville is conducted by CAP. However, that seems to be is the limit of empirical evidence about policing. One does not know, for instance,

- the role played by CAP in the prevention of crime in the three regions,
- the relationship between CAP and BPS,
- the relationship between CAP and various local groupings operating in Bougainville
- crime patterns in different regions and between urban and rural settings
- CAP interaction with village courts

- CAP contribution to reducing or dealing with gender-based violence
- CAP interaction with youth
- CAP work in urban areas
- CAP interaction with CoEs

There has been just as little information gathered with reference to the BPS who, as discussed, are an integral element in any new policing dispensation. There seems little evidence base for analysing reasons behind the (under) performance of the BPS. The review team is also of the strong belief that there is considerable merit in conducting a community survey of community attitudes which would serve as the baseline to measure progress over time. Similarly, there will need to be sound political economy analysis as to the variations in the law and order environment over time and between regions and districts. This analysis would also look forward, forecasting potential crime trends and law and order problems amidst the context of increased movement of peoples and the resumption of mining.

Such information as laid out in the paragraphs above is required to ensure that the next phase of the program is rooted in a strong evidentiary base and not exclusively on anecdotal and untested and uncorroborated assumptions. Policy development in this area has tended to occur in the absence of a strong evidentiary basis and this has led to a less than effective programming approach.

International best practice now recognises the need for strong evidence to inform programming. This is particularly so in relation to pluralistic justice contexts, such as is found in Melanesia. A good example of a path to follow would be the *Justice Delivered Locally* project in Solomon Islands undertaken on behalf of Ministry of Justice & Legal Affairs and funded by the World Bank's Justice for the Poor Program.<sup>70</sup> This applied research, recently completed, will provide a sound basis for future policy development in area of law and justice in Solomon Islands, including policing.

#### *Assist Bougainville with elaborating a distinct Bougainville police model*

The Bougainville Peace Agreement and Constitution of the Autonomous Region of Bougainville clearly and unequivocally envisage the development of a new kind of policing different to that of the past.

The team was struck by the disjunction between the strongly expressed desire on the part of Bougainvilleans for a new policing dispensation and, at the same time, the absence of a clearly articulated roadmap to realize that aspiration. The team learned that, back in 2003, there was an attempt to develop a process to articulate this vision but that this did not proceed, for reasons which the team do not know.<sup>71</sup>

We are also aware of the various law and justice planning groups currently being convened to advance Bougainville's law and justice policies but note that the policing dimension appears to be largely detached from this process, as discussed in previous sections. Although a number of meetings have been convened, little progress has been achieved to date.

In the view of the team, a complementary procedure that separately addresses this policing element would be desirable and New Zealand is in a unique position to facilitate this process. There are a

---

<sup>70</sup> For more information on this program, see the World Bank's Justice for the Poor website. [www.worldbank.org/extlawandjustice/justiceforthepoor](http://www.worldbank.org/extlawandjustice/justiceforthepoor)

<sup>71</sup> Interview, Anthony Regan, January 8, 2013

number of ways in which this process could be kick-started. One means may be to convene a workshop of officials to order to flesh out the vision and give it practical form but this could be expensive. An alternate, and more participatory, democratic and inclusive approach would be to have a sequenced process involving consultations in each of the three regions, building up to the articulation of a practical schema to meet Bougainville's policing needs. A good model of how this might be achieved is the process adopted for developing land policy (as discussed in section on context). The BCPP should contact Bougainville authorities to signal its preparedness to assist this policy development process.

### **3. Lessons Learned**

In the view of the team, the BCPP has achieved significant successes to a degree unusual in international police reform. As stated in the body of the report, a large part of the reason for this success is an innovative and context-specific approach that engages with the complex social realities of Bougainville and takes Bougainvillean aspirations seriously. Why the program has been less successful in other areas, namely assistance to BPS, is in part because it has adopted a fairly standard model focused on institutional capacity building and skills transfer that have little evidenced success elsewhere.

The team firmly believes that the program should continue but, recognising that circumstances evolve, so too must the shape and form of New Zealand's assistance. This implies that there is much to be gained from continuing with the fresh and imaginative approach that would appear to be demonstrating positive outcomes while, at the same time, recalibrating the means by which assistance to the BPS is conceptualised. In the coming years, Bougainville faces many significant challenges such as the forthcoming referendum and potential resumption of mining, with potentially serious law and order implications. A redesigned reform program is also necessary to reflect these changing circumstances.

Future programming needs to reflect fully the broad array of activities that the police, primarily the CAP, do and could contribute to, beyond policing itself. These include enhancing local level government, strengthening conflict prevention and participatory governance practices at local levels. The larger potential here, which goes significantly beyond community policing, comprises 'building block' measures linking the multiple actors in this space. Given that partnerships are at the heart of New Zealand's development strategy, such a 'team approach' would be optimal in Bougainville. This means a wide range of skill sets is required.

The team recommends that any future program of assistance continue to be managed by MFAT and implemented by a multidisciplinary team led by NZ Police, with the managerial relationship and program goals laid out in a new MoU. Leading the process would be a senior serving or recently retired police officer with a background in managing organizational change at the highest levels. The team led by such a person would include:

*A policy/development specialist as deputy team leader*

This position, which we view as an integral component of a successful team, was recommended initially in the 2009 report and, in our view, the proposal is even more valid now than it was then. An experienced development practitioner well-versed in policy development, delivering strategic

advice, donor liaison and working with national and local government systems will play a vital role as an interface between the various elements of the program, PNG and Bougainville authorities and the larger development community, and providing a critical linkage role between Buka, Port Moresby and Wellington. The individual would be based in Buka with regular travel to Port Moresby. This would be a minimum two-year position to reflect the continuing and the acquisition of fluency in the local development context.

The team understands that there is reticence in some quarters as to whether a civilian would fit into a policing project. However genuinely felt, such preconceived sentiments should not be used to hinder the establishment of this position. The team knows of many examples where such a multidisciplinary approach is now the norm in police development programs, including, for example, the UK's DfID, AFP, and the United Nations police (UNPOL).

#### *Police problem solvers on longer contracts*

Police officers should, and would, remain at the centre of any new phase of the BCPP but their tasking would move away from a near-exclusive focus on institutional capacity building and to include a more externally-oriented approach. This recommended orientation may, in fact, suit their existing skill sets better.

As stated above, the principle value of deploying expatriate officers as advisers has been in their everyday problem-solving role within the BPS, managerial and regulatory role vis-à-vis CAP and their broad reassurance policing function.

Energetic, committed and engaged Kiwi officers with a strong practical bent are a central component in the next phase of the program as part of this 'team approach'. Their role will be more outward looking, moving more out of the station and into increased engagement with local level government and community structures.

Reinforcing by now well-known international practice, these officers should be deployed for a minimum of a one-year tour. To ensure the best quality candidates apply, this may entail designating Bougainville, as a family posting, should appropriate risk management assessments determine a stable and safe environment.

The team understands that there may be practical problems in securing the release of serving officers for this period of time, and also notes that family reasons may also inhibit such appointments. Recognising these constraints, one potential option may be to deploy recently retired officers with the requisite experience and a demonstrated 'can-do' attitude. The team also notes that, bearing in mind local cultural norms, value is accorded to seniority and the wisdom that is acquired with age.<sup>72</sup>

Officers should remain as advisers; the team considers the advantages of in-line positions do not currently outweigh the risks.<sup>73</sup> At the same time, were a formal request to come from Bougainville

---

<sup>72</sup> Ideal adviser attributes in Melanesia are fleshed out by Abby McLeod in "Police Capacity Development in the Pacific: The Challenge of Local Context" *Policing & Society* Vol.19 No.2 pp. 154-55

<sup>73</sup> The team heard from a number of interlocutors that such a change in approach might generate friction between New Zealand police and the BPS, thereby potentially impacting upon progress to date.

authorities for an in-line officer or officers, that would be another matter, which would require due consideration.<sup>74</sup>

The team believes that there should be 3-4 officers engaged in the program, with at least one individual located in each of the three regions. The team notes approvingly that some familiarisation training is taking place for new arrivals and that this initiative should continue and, perhaps, be developed, utilizing the skills of existing Bougainville networks.

#### *Greater utilization and development of locally engaged staff.*

The team noted that there were a limited number of Bougainvilleans employed in the program, with expatriate officers engaging in clerical and administrative tasks that, in many other programs, would have been devolved to locally employed staff.

The value of locally engaged staff goes beyond an issue of cost saving. As members of the community, they have linguistic, geographical and cultural familiarity that is invaluable in navigating, what for any newcomer, can be a perplexingly unfamiliar environment.<sup>75</sup> Greater utilization will also have a positive impact in terms of local skills development that will outlast the project. As well as development best practice, there are good efficiency and long-term sustainability implications from such a modus operandi. Locally engaged staff could, for example, manage the CAP program.

#### *Governance Implementation Fund*

The GIF is a funding mechanism within which the ABG, government of PNG, New Zealand and Australia pool resources for prioritised development purposes. This mechanism, naturally, lends itself to the kind of high-impact initiatives including the joint rural patrols discussed above and providing tools needed for policing and could be better utilised in terms of policing. It could provide what tools are needed to further the goals of the program amid tight financial circumstances.

#### *Concluding Remarks*

To reiterate once again, the program has accomplished much and remains an unusual example of genuinely successful police reform in a fragile environment. The NZ government, MFAT and the NZ police have much to be proud of. For a relatively modest investment, NZ has contributed significantly to peace building in Bougainville. For the time being, this success remains provisional, and contingent upon enduring support from Wellington. Although significant improvements are being made, the situation in Bougainville remains fragile, particularly so in light of future events such as the resumption of mining, internal demographic changes and the referendum. The likely costs of the breakdown of policing in Bougainville far outweigh the New Zealand government's outlay in this area. Therefore, in our judgement, the government of New Zealand should have no hesitation in signalling its long-term commitment to assisting the authorities and peoples of Bougainville going forward. The development of a new policing dispensation should be a vital component in this assistance.

---

<sup>74</sup> The team heard a number of perspectives as what an 'in-line' contribution should look like which range from deploying one officer to up to twelve.

<sup>75</sup> The IE Team themselves received substantial and invaluable assistance from a casual employee of the BCPP, Mr. Jamie Rutana. Without his contribution, the team would have struggled to meet the requirements of this evaluation in the time allocated.



## Annex A – Terms of Reference

# Terms of Reference for the Evaluation of the Bougainville Community Policing Project

---

*September 2012*

## Overview

---

This document specifies the terms of reference for the evaluation of the Bougainville Community Policing Project (BCPP).

## Contents

---

<u>Background information</u> .....	41
<u>Purpose of the evaluation</u> .....	43
<u>Scope of the evaluation</u> .....	43
<u>Evaluation objectives</u> .....	44
<u>Methodology for the evaluation</u> .....	44
<u>Team composition</u> .....	45
<u>Governance and management</u> .....	46
<u>Outputs and milestones</u> .....	47
<u>Reporting requirements</u> .....	47
<u>Relevant reports and documents</u> .....	48
<u>Approval</u> .....	49

## Background information

The Bougainville Community Policing Project (BCPP) is New Zealand's flagship programme on Bougainville. Its purpose is 'to assist the Bougainville Police Service to operate as an effective community policing agency and to assist the BPS to integrate, and support a strong and sustainable Community Auxiliary Police programme'<sup>76</sup>. The BCPP commenced in 1998 and its current phase is due to end in December 2013. The project is funded by the Ministry of Foreign Affairs and Trade (MFAT) and managed and implemented by New Zealand Police (NZP), under a Memorandum of Understanding with MFAT.

Following a decade long conflict in Bougainville, a truce was declared in 1997, followed by the signing of the comprehensive 2001 Bougainville Peace Agreement (BPA). The BPA provided for elections to form an Autonomous Bougainville Government and an election 10-15 years after the formation of that Government on the question of Bougainvillean independence. The Constitution for the Autonomous Region of Bougainville (ARB) was passed by the PNG Government in late 2004 and in mid-2005 the first Autonomous Bougainville Government was sworn into office.

The Peace Agreement and the ARB Constitution provided for the creation of the Bougainville Police Service (BPS) – a fully autonomous agency from the national policing authority, the Royal Papua New Guinea Constabulary (RPNGC). Functions and powers are being transferred gradually from the RPNGC to the BPS.

In the immediate post-crisis environment, restoration of civil authority was a priority and in April 1998 Bougainvillean stakeholders requested training for a new type of community police to operate within their own communities, and under the BPS. This was the beginning of the Community Auxiliary Police (CAP) programme and the beginning of the BCPP which built on New Zealand's lead role in facilitating the peace process.

CAPs are drawn from and selected by the community in which they serve and generally do not have a policing background, although the programme provides them with significant on-going training. Their role is to resolve and mediate local disputes through community structures and village courts, and to refer more serious matters to the BPS. They also play an important role in assisting the BPS in intelligence-led policing. CAPs serve on an 'as-required' basis and receive a modest monthly allowance, regular training, and a uniform.

An independent review of the BCPP in December 2009 found that the project had progressed well in difficult circumstances; enjoyed strong support from the Autonomous Bougainville Government and local communities; and was bringing social, economic and development gains to Bougainville. Specifically, the review noted that the CAPs had made a positive contribution to on-going reconciliation and peace in a fragile post-conflict environment, and had increased freedom of movement of people, goods, and services.

The review also highlighted the institutional weaknesses of the BPS and noted that if the CAPs were to be sustainably integrated into BPS, the BPS would first need significant improvements in its institutional capacity. The review prompted a minor redesign of the BCPP to increase the emphasis on building the institutional capacity of BPS.

---

<sup>76</sup> Submission to the Minister of Foreign Affairs August 2010

The current MOU between MFAT and NZP is active from the 1 October 2010 - 28 February 2014. Funding covers the period from the 1 October 2010 to 31 December 2013. New Zealand support under the MOU aims to “develop the capacity of the BPS to improve their performance, effectiveness and management”, and to “ensure that the BPS has the capacity to operate sustainably as an effective community policing agency”<sup>77</sup>.

The specific objectives are to:

- a) Strengthen the management and operational capacity of the Bougainville Police Service (BPS); and
- b) Integrate Community Auxiliary Police (CAP) into BPS operations and management processes.

The expected outcomes are:

- a. BPS will have a structured framework and managed process for the development, maintenance, implementation and institutionalisation of all strategic, operational and administrative policies including standard operating procedures and local orders;
- b. BPS able to deliver community policing through intelligence-led, problem-solving policing approach;
- c. BPS able to demonstrate a full range of technical policing skills in order to respond effectively to demands for service;
- d. An effective and managed CAP integrated into the BPS with women CAPS maintained at minimum of 20%; and
- e. BPS/Autonomous Bougainville Government responsible for CAP operational costs.

Recent formal and informal assessments of the BPS’s institutional capacity (by both NZP and MFAT) highlight an on-going lack of capacity and leadership at middle and senior management levels, and the high risk that the BPS will not be in a position to successfully take over the management of the CAP programme by the end of the current MOU period (December 2013).

A contributing factor has been the slow appointment of additional senior positions in the BPS, including a new Superintendent of Community Policing to manage all aspects of CAP within the BPS.

The long term impact of the program is dependent on a sustainable transition of the program to BPS management and financing. Planning for the transition and some implementation is occurring but this is the aspect of the BCPP facing the most challenges.

The risks of not achieving a successful and sustainable transition of the CAP to the BPS include: the breakdown of the CAP system over time; the loss of the positive impacts of the programme; the loss of NZ investment; and quite likely a degradation in the security situation and perception of safety in Bougainville.

Maintaining law and order continues to be a crucial issue for Bougainville given on-going sporadic outbreaks of armed crime in Southern Bougainville and in the lead-up to the referendum on Bougainville’s independence.

At the same time as the CAP programme faces challenges in its transition to BPS responsibility, the BPS itself is facing wider challenges to its development. Budget allocations have not increased significantly. National powers and functions have been transferred more slowly than originally

---

<sup>77</sup> BCPP MOU between MFAT and NZP signed 2010.

anticipated. Sporadic armed violence in various locations within Bougainville has influenced politicians to consider an armed response capability in the police.

The BPS is but one agency amongst many ABG Divisions (the Bougainvillean term for Departments) competing for the attention of politicians and the Chief Administrator. ABG capacity needs have recently been assessed as needing substantial strengthening, especially in its ability to operate in a coordinated way. There has been little coordinated discussion of the role of the BPS in Bougainville going forward. Donors in the sector have not been as well coordinated as they might have been, and the RPNGC has had very little engagement with donors with respect to the BPS.

### **Purpose of the evaluation**

This evaluation is being commissioned primarily to generate potential options for the future of the BCPP and New Zealand's engagement with the BPS and wider Bougainville law and justice sector.

These Terms of Reference (TOR) set out the objectives and approach for conducting an independent evaluation of the BCPP. The MOU states that an independent evaluation will be undertaken in 2013 to determine the impact and cost effectiveness; and to determine any future inputs. Due to the high risk that the BPS will not have the capacity to successfully manage the CAP programme by January 2014, and the associated risks regarding loss of investment and development impact, MFAT and NZP have agreed to bring the evaluation dates forward to the fourth quarter of 2012 to allow adequate time for planning any sustainable exit, future extension, redesign or new activity. The outcomes of this evaluation will ultimately inform any advice to the Minister on our engagement – new or continued – beyond December 2014.

The primary objectives of this evaluation therefore are to:

- Assess the relevance of the BCPP to BPS development and to the broader law and justice needs of Bougainville over the coming three to eight years;
- Determine the impact and effectiveness (including cost effectiveness) of the BCPP;
- Assess progress to date against objectives and outcomes;
- Identify and document the risks to the BCPP
- Comment on any additional or alternative areas of engagement that New Zealand may be well placed to consider in this sector in Bougainville;
- Propose recommendations to mitigate risks, including alternative project models and arrangements for progressing the integration of CAP into the BPS, and an anticipated timeframe for future support.

The results of the evaluation will be reported and disseminated to relevant stakeholders including, but not limited to:

- New Zealand Government, Ministry of Foreign Affairs and Trade
- New Zealand Police
- Autonomous Bougainville Government
- Bougainville Police Service (BPS)
- Papua New Guinea Government
- Royal Papua New Guinea Constabulary (RPNGC)
- AusAID's Law and Justice program

- UNDP

### **Scope of the evaluation**

The time period covered is November 2009 - October 2012.

The geographic focus is Bougainville, PNG.

Key stakeholders include:

- Bougainville Police Service (BPS)
- Community Auxiliary Police (CAP)
- Autonomous Bougainville Government (ABG)
- New Zealand Police (NZP)
- Ministry of Foreign Affairs and Trade (MFAT)
- Royal Papua New Guinea Constabulary (RPNGC)
- National Council of Bougainville Affairs (NCOBA)
- BCPP Team Leader and current and former NZP secondees
- AFP Senior Liaison Officer
- PNG-Australia Law and Justice Partnership (PALJP)
- AusAID Provincial and Local Government Program and Law and Justice Program
- Women, men, youth and children in rural communities, those who have been beneficiaries of CAP

### **Evaluation criteria and objectives**

#### **Criteria being assessed**

The DAC criteria that will be assessed in this evaluation are Relevance, Effectiveness, Efficiency, Sustainability and Impact.

#### **Objectives and evaluation questions**

The objectives of the evaluation are to:

**Objective 1:** Assess relevance. Specific questions could include, but not limited to:

- To what extent is the BCPP providing benefits to different stakeholders?
- To what extent does the BCPP continue to be relevant to beneficiaries, the New Zealand Aid Programme and partner country/regional development priorities?
- How could relevance be improved?
- To what extent is the relevance of the BCPP related to the transfer of national powers and functions from the RPNGC to the BPS?
- Assess the relevance of the BCPP to BPS development and to the broader law and justice needs of Bougainville over the coming three to eight years

**Objective 2:** Assess overall effectiveness. Specific questions could include, but not limited to:

- What progress has been made in achieving intended, outcomes and outputs as set out in the MOU?
- What unintended outcomes are evident as a result of the Activity (positive and negative)?

- To what extent is the effectiveness of the BCPP related to the transfer of national powers and functions from the RPNGC to the BPS?
- To what extent, and how, are crosscutting issues being effectively addressed?
- What changes could be made to the model to enhance effectiveness?

**Objective 3:** Assess efficiency. Specific questions could include, but not limited to:

- Are resources being used in the best possible way in order to provide value for money?
- What could be done differently to improve implementation?
- How could the programme be better coordinated with other agencies in this sector (donors, government etc)?
- Is this still the most appropriate modality for achieving the long term outcomes? Propose recommendations/alternatives.

**Objective 4:** Assess sustainability. Specific questions could include, but not limited to:

- How well prepared is BPS/ABG to fully integrate the CAP programme by 2014?
- Identify the progress, and risks associated with the transition of CAP to the BPS. To what extent are the ABG and BPS prepared to manage the integration of CAP activities? To what extent has the ABG incorporated BCPP activities into their annual planning?
- To what extent are there likely to be continued positive outcomes after New Zealand funding ends? To what extent is the sustainability of the BCPP related to the transfer of national powers and functions from the RPNGC to the BPS?
- What will constrain/enhance the sustainability of the results of the Activity? How might the constraints and risks identified be mitigated?

**Objective 5:** Assess impact. Specific questions could include, but not limited to:

- What impact is the BCPP having for different stakeholders?
- What are the unintended impacts of the activity (positive and negative)?
- Is impact being constrained by wider issues outside the BCPP?

## **Methodology for the evaluation**

### **Principles/approach**

The principles underpinning the evaluation are partnership, participation, consultation, transparency and independence.

In support of consultative and participatory approach, the evaluator is expected to engage MFAT, NZP, BPS, RPNGC and the ABG and other stakeholders as appropriate in the evaluation.

The evaluator is expected to develop their methodology in an evaluation plan.

### **Evaluation Plan**

A detailed draft evaluation plan will be developed by the evaluator after a desk-based literature review, and prior to the commencement of the in-country field work in PNG. The evaluation plan will be finalised by the evaluator after a maximum of one week in country. The evaluation plan should be appended to the main report.

The person who will approve the evaluation plan is Dimitri Geidelberg, Development Counsellor.

The draft plan may need to be redrafted if it does not meet the required standard or is unclear. The evaluation plan must be approved by the Evaluation Steering Group prior to the commencement of any field work or other substantive work.

The intended results of the Activity/programme (i.e. the goal, outcomes and outputs) will be clarified and described in a Results Diagram (program logic, logic model) in the evaluation plan.

The evaluation Plan will describe how cross-cutting issues will be considered throughout the evaluation.

The evaluation may be constrained by availability of key stakeholders and this should be considered in the design described in the evaluation plan.

### **Team composition**

The evaluation will be undertaken by led by a single Lead Evaluator. RPNGC, the BPS and NZP will provide in country logistical support. The evaluator will have assistance from a local translator for the in-country fieldwork aspect of the evaluation. The attributes (knowledge, skills, experience) required of the evaluator are:

- Evaluation for international development experience,
- Research, report writing and presentation;
- Police sector expertise, in particular community policing models and practices and issues in the Pacific context;
- Understanding of Bougainville's unique history and current situation;
- Strategic planning, design and programme management skills; and
- Some knowledge of Tok Pisin desirable.

### **Governance and management**

The evaluation is commissioned by MFAT, supported by NZP. The evaluator will be accountable to MFAT, through the appointed Evaluation Steering Group.

Oversight of the evaluation process will be the responsibility of the Evaluation Steering Group, NZP, MFAT BPS, RPNGC, the ABG and AusAID as key partners will be represented on the Evaluation Steering Group.

The Evaluation Manager (Steve Hamilton) is responsible for day-to-day management and administration of the evaluation. These responsibilities include: contracting; initial briefing the evaluator if they are based in New Zealand; managing feedback from reviews of the draft report; and liaising with the evaluator throughout to ensure the evaluation is being undertaken as agreed.

The Activity Manager at the New Zealand High Commission in PNG (New Zealand Aid Programme Manager, Rebecca Lineham) will be responsible for briefing and liaising with the evaluator in-country.

**Outputs and milestones**

No.	Output/milestone	Description	Inputs	Due date	Indicative payment proportion of fees or fixed price contract
1	Draft Evaluation Plan	Literature review, briefing and draft evaluation plan	5 fee days	2 November 2012	0%
2	Final Evaluation Plan	Finalised evaluation plan following initial consultation with stakeholders		9 November 2012	10%
3	Field Work Completed	Field work completed and results provided to stakeholders during a stakeholder workshop in the form of a brief aide memoire (2-5 pages)	19 days in country field work (Port Moresby and Bougainville); Inclusive of 1 day for stakeholder reporting workshop in Bougainville and two international travel days	22 November 2012	15%
4	Draft report	Preparation of the draft report and submission to MFAT	5 days	30 November 2012	30%
5	Final Report	Acceptance/approval by MFAT after any revisions of the draft are completed, and debriefing	3 days	13 December 2012	45%

**Reporting requirements**

Copies of the report are to be delivered by email to the MFAT PNG Development Manager ([steve.hamilton@mfat.govt.nz](mailto:steve.hamilton@mfat.govt.nz)). The final Evaluation Report (4 bound copies) should be couriered to MFAT, attention: MFAT (International Development Group) PNG Development Manager. The Final Evaluation Report can include a CD or DVD containing relevant data and associated analysis, and photos.

The written Evaluation Report is expected to be around 50 pages long and be guided by the New Zealand Aid Programme *Evaluation Report template*.

The Evaluation Report must contain an abstract suitable for publishing on the New Zealand Aid Programme website. Instructions for the abstract can be found in the *Evaluation Report template*.

The evaluation report must meet quality standards as described in New Zealand Aid Programme Activity Evaluation Operational Policy. These quality standards are based on 2010 DAC Quality Standards for Development Evaluation and New Zealand Aid Programme Activity evaluation operational policy, guideline and templates.

The Draft Evaluation Report will be reviewed by MFAT staff, stakeholders and/or external experts. Further work or revisions of the report may be required if it is considered that the report does not meet the requirements of this TOR, if there are factual errors, if the report is incomplete, or if it is not of an acceptable standard. The Evaluation Steering Group will be responsible for approving the Final Evaluation Report.

It is MFAT policy to make evaluation reports publicly available (e.g. on the New Zealand Aid Programme website) unless there is prior agreement not to do so. Any information that could prevent the release of an evaluation report under the Official Information or Privacy Acts, or would breach evaluation ethical standards should not be included in the report. The Final Evaluation Report will be approved for public release by the Deputy Director or Development Counsellor in the team responsible for the commissioning of the evaluation.

### **Relevant reports and documents**

Relevant documents will be provided to the evaluator prior to the evaluation. These key documents include:

#### **MFAT**

- MFAT/NZP MOU (2010-2013)
- Previous MOUs
- 2009 Review of the BCPP
- RPNGC-BPS-MFAT GFA on funding of CAP allowances
- RPNGC-BPS-MFAT GFA on funding of CAP operational and training costs (draft)
- International Development Group Policy Guidelines
- New Zealand Aid Programme Participatory Evaluation Guideline
- New Zealand Aid Programme Screening Guide for Cross-Cutting issues

#### **NZP**

- NZP Sustainability Plan
- Annual and six monthly progress reports
- CAP transition plans (financial, training and logistics)

**PNG/Bougainville**

- The Bougainville Peace Agreement and the Explanatory booklet
- Constitutional Amendment 23 and Organic Law: Peace Building in Bougainville
- The Bougainville Peace Agreement and the Explanatory booklet
- The Constitution of the Autonomous Region of Bougainville
- The PNG Police Act 1998
- ABG Capacity Development Strategy (draft)
- ABG Medium Term Development Plan

**Approval**

**Approved by:**

Jacque Dean

Deputy Director

9 September 2012

---

**Annex B – Methodology**

# Evaluation Plan for Bougainville Community Policing Program

---

## Contents

---

Introduction	51
Background and context to the Activity	51
Scope of the evaluation	51
Purpose of the evaluation	52
New Zealand Aid Programme evaluation principles underpinning this evaluation	52
Objectives and Evaluation Questions	52
Evaluation Design	55
Intended Results of the Activity	55
Information Collection	55
Detailed Description of Evaluation Methods	55
Data/Information Analysis	56
Cross-Cutting Issues	56
Ethical Considerations	57
Limitations, Risks and Constraints	58
Feedback of Findings	59
Documents to be Used in the Evaluation	59
Timeline	60
Appendices	60
Appendix A: Questions for Interviews or Focus Groups	60
Appendix B: Questionnaires for Distribution	62
Appendix C: Checklists for Participant Observation	62
Appendix D: Workshop Details	62
Appendix E: Preliminary list of stakeholders to be consulted	Hon. Chief John Momis: President 62

<b>Prepared by</b>	Gordon Peake, Sinclair Dinnen
<b>Status</b>	Draft 13/11/2012
<b>Approved by</b>	[Name], [Role]

## **Introduction**

### **Background and context to the Activity**

Following a decade-long conflict, the 2001 Bougainville Peace Agreement (BPA) provided for a comprehensive political settlement, including the creation of an Autonomous Region of Bougainville (ARG), an elected Autonomous Bougainville Government (ABG) and the future conduct of a referendum on independence. The BPA and ARG Constitution provided for the creation of the Bougainville Police Service (BPS) as an autonomous policing agency. Currently the functions and powers of the BPS are being transferred from PNG's national police organisation, the Royal Papua New Guinea Constabulary (RPNGC).

New Zealand has taken the lead in assisting the BPS, primarily through the Bougainville Community Policing Project (BCPP) which commenced in 1998. The BCPP aims to assist the BPS "to operate as an effective community policing agency and to assist the BPS to integrate, and support a strong and sustainable Community Auxiliary Police programme". It is funded by the New Zealand Ministry of Foreign Affairs and Trade (MFAT) and managed and implemented by New Zealand Police (NZP), under a Memorandum of Understanding between the NZP and MFAT.

The role of the Community Auxiliary Police (CAP) is to resolve and mediate local disputes through community structures and village courts, and to refer more serious matters to the BPS. An independent review of the BCPP in December 2009 found that the project had progressed well under difficult circumstances, with strong support from the ABG and local communities. However, it also highlighted significant institutional weaknesses in the BPS and noted that if the CAPs were to be sustainably integrated into BPS, the BPS would first need significant improvements in its institutional capacity.

More recent assessments confirm a continuing lack capacity and leadership at middle and senior management levels and note the high risk that the BPS will not be in a position to assume the management of the CAP programme when the funding under the current MOU expires at the end on 2012. The long-term impact of the program is dependent on a sustainable transition to BPS management and financing. Failure to achieve this could lead to the progressive breakdown of the BCPP and its positive impacts, loss of the NZ investment, and a likely deterioration of the security situation on Bougainville.

In addition to these challenges, budget allocations from the ABG to the BPS have not increased significantly, while the pace of the process of transfer of powers and functions from the RPNGC remains disappointingly slow. The post-conflict environment remains fragile with sporadic armed violence in some areas. This has led some leaders to propose developing an armed capability in the BPS. Set against this context, including the looming referendum, the current evaluation is timely and critical.

### **Scope of the evaluation**

The time period covered is November 2009 - October 2012.

The geographic focus is Bougainville, PNG.

Key stakeholders include:

- Bougainville Police Service (BPS)
- Community Auxiliary Police (CAP)
- Autonomous Bougainville Government (ABG)
- New Zealand Police (NZP)
- Ministry of Foreign Affairs and Trade (MFAT)
- Royal Papua New Guinea Constabulary (RPNGC)
- National Council of Bougainville Affairs (NCOBA)
- BCPP Team Leader and current and former NZP secondees
- AFP Senior Liaison Officer
- PNG-Australia Law and Justice Partnership (PALJP)
- AusAID Provincial and Local Government Program and Law and Justice Program
- Women, men, youth and children in rural communities, those who have been beneficiaries of CAP

### **Purpose of the evaluation**

The purpose of the evaluation is to provide an independent assessment of the Bougainville Community Policing Program, gauging progress against the criteria of relevance, efficiency, effectiveness, impact and sustainability.

### **New Zealand Aid Programme evaluation principles underpinning this evaluation**

#### **Objectives and Evaluation Questions**

The primary aims of this evaluation are to:

- assess the relevance of the BCPP to BPS development and to the broader law and justice needs of Bougainville over the coming three to eight years;
- determine the impact and effectiveness (including cost effectiveness) of the BCPP;
- assess progress to date against objectives and outcomes;
- identify and document the risks to the BCPP;
- comment on any additional or alternative areas of engagement that New Zealand may be well placed to consider in this sector in Bougainville; and
- propose recommendations to mitigate risks, including alternative project models and arrangements for progressing the integration of Community Auxiliary Police (CAP) into the BPS, and an anticipated timeframe for future support.

The evaluation questions will be structured to correspond to the stated evaluation criteria for the ToR. For the purposes of this evaluation plan, these criteria are defined as follows:

- *relevance* is the extent to which the objectives of a development intervention are consistent with beneficiaries' requirement, country needs, global priorities and partners' and donors' policies
- *effectiveness* is the extent to which the desired programmatic outcomes are achieved or expected to be achieved from delivered outputs;
- *efficiency* refers to how resources (funds, expertise, time, etc.) have been used and translated into outputs;

- *sustainability* is the probability that the changes attributable to programmatic activities persist after donor assistance has ended; and
- *impact* refers to the primary and secondary long-term effects produced by a development intervention.

For a detailed list of indicative questions to be asked in the course of the evaluation see Annex E

### **Stakeholder Analysis**

The proposed fieldwork will consist of interviews, data gathering and site visits throughout Bougainville. The purpose of these consultations and visits is to ask the evaluation questions and compile information and evidence to inform the evaluation. Additionally, the evaluation team will spend time in Port Moresby, soliciting the views of a range of national stakeholders as well as international donor representatives.

The principal beneficiary of a community policing initiative - and accordingly a key stakeholder - is the population receiving the public good of safety and security. To evaluate the effect/impact of the initiative on the beneficiaries a division between differing demographic groups – men and boys, women and girls, youth, and village leaders – is required. Village leaders can be further subdivided into traditional, business, and religious leaders. Interviews with this range of beneficiary groups can be one-on-one and focus groups. It is also productive to have a few opportunities to do ‘walk-around’ interviews in marketplaces and in selected towns/villages in order more accurately to ascertain to whom individuals actually go to address their conflicts and disputes. Once those local safety providers have been identified, it is appropriate to conduct interviews with them. This is of importance to help determine risks to the BCPP and CAP, as well as potential additional or alternative areas of engagement. It is to be expected that approximately 25% of the evaluation should concentrate on discussions with the initiative’s principal beneficiary.

Community policing initiatives have three principal stakeholders, above and beyond the populace: (1) district, ABG and national government; (2) the police (including CAP); and (3) international donors. All three stakeholders are equally important and ought to be given appropriate weight in any evaluation of the initiative. While the principal beneficiary has already been addressed above, the other three stakeholders need to be subdivided into their component parts.

The government stakeholder set, as indicated needs to be broken down by level, given that a key indicator of effective community policing is the active involvement in and advocacy for community policing. In Bougainville that implies that separate interviews need to be conducted with Autonomous Bougainville Government (ABG) officials, as well as district-level leaders (District Officials and Councils of Elders), who may be different from the village leaders referred to above. At all levels, this implies a series of meetings and discussions, not only with those officials directly involved with policing as part of their portfolio, but also with those who ought to be involved given their political status and stature. (Discussions with Bougainville and international stakeholders will be useful to identify these officials.) At the national level, in Port Moresby, a series of meetings may also prove beneficial, in order to assess the transition of full policing powers to Bougainville. At the Bougainville and national levels, it must be recognized that among the key interlocutors for interviews are Ministerial officials, given what ought to be their role in establishing policy, instilling accountability, and ensuring discipline. Where appropriate, elected leaders will also be consulted, given their role in policy leadership and the importance of local political ownership. It is expected

that approximately 20% of the evaluation should concentrate on discussions with these stakeholders.

It is expected that approximately 35% of the evaluation's interviews will be conducted with police officials (BPS and CAP) at each and every level – national, provincial, and local, even as it is acknowledged that the BPS is a fully autonomous agency from the national policing authority, the Royal Papua New Guinea Constabulary (RPNGC). Paralleling the structure of interviews with Bougainville's population, these discussions should combine one-on-one conversations with focus group meetings. Of key importance for issues of sustainability will be interviews with those responsible for the management of the BPS – finance, human resources, planning, asset management, and logistics.

The remainder of the evaluation's interviews will be conducted with international representatives in Buka and the national capital. Of prime importance are discussions with the NZ police and other NZ officials. Given the role of Australia in Bougainville and PNG, conversations with the spectrum of Australian involvement is key -- AFP, AusAID, and PALJP. Finally, UNDP representatives will be queried, given their current activities and possible future role(s) in Bougainville. Owing to flight schedules, the bulk of Port Moresby meetings will occur on our return from the field trip to Bougainville. On arrival in Buka, our initial priority will be on meeting with ABG officials, BPS, and international representatives.

## **Evaluation Design**

### **Intended Results of the Activity**

This evaluation will, first, help the stakeholders from the Government of New Zealand and the Bougainville administration assess the relevance, effectiveness, efficiency, sustainability, and impact of the BCPP. Based upon these findings, the evaluation will, second, offer a set of recommendations of potential courses of program improvement that NZ Aid can undertake for the remaining duration of the program. Third, the review will provide evidence to enable decision-makers to make informed judgments about the scope and form of future NZ assistance to Bougainville, with a particular focus on policing.

### **Information Collection**

The proposed fieldwork will consist of interviews, data gathering and site visits throughout Bougainville. The purpose of these consultations and visits is to ask the evaluation questions and compile information and evidence to inform the evaluation.

### **Detailed Description of Evaluation Methods**

In terms of methods to be used, it is also expected that fieldwork consultations will consist of semi-structured interviews and discussions with individuals and small groups of individuals. The team may also include goal attainment scaling, competency testing and other methods appropriate to the effective evaluation of capacity development. It is anticipated that there may also be more structured focus group discussions. At the end of the fieldwork, it is also expected that there will be a debriefing workshop, which will also function as one of the means by which the team will receive feedback from a range of stakeholders, thereby enhancing the participatory nature of the evaluation.

For quantitative law and justice performance data, the team will rely on available information drawn from relevant Bougainville Government systems, as well as those employed by the NZ Aid and NZ Police. Naturally, the strengths and weaknesses of those systems are a risk, but, in themselves, they are also evidence of law and justice development. For qualitative law and justice performance data, the team will rely on available information collected from a variety of sources, including, but not limited to, Bougainville and New Zealand government studies, academic and scholarly accounts, perception surveys, and other related information. In addition, qualitative data will gathered through fieldwork consultations.

These sources of data will be further supplemented by information culled from program design documents, Bougainville government policy statements, BCPP work plans, financial and budget records, progress reports, etc.

Using a mixed-method approach and multiple data sources permits the use of various analytic techniques, including induction (discovery of patterns); deduction (testing of theories); and abduction (uncovering explanations), the combination of which will produce more valid and reliable evaluation findings.

*Document review and desk analysis*

The evaluation team will review an extensive list of key documents related to the planning and performance of the BCPP, including design documents, progress reports and monitoring data.

As already indicated these documents will include, but not be limited to:

- program design and progress reports;
- program work plans and monitoring assessments;
- government policy statements;
- previous independent assessments and reviews;
- financial and budgetary statements; and
- research and scholarly articles and studies.

These documents will be analyzed in order to learn directly about the BCPP; inform the review team of directions of inquiry it may wish to pursue further; establish linkages to other sources of information; and verify and triangulate data. What precise information the team will pull from these sources cannot be determined at this point in time, prior to a thorough reading and comprehensive analysis of the documents.

The names of the interlocutors to be consulted during the evaluation will be determined through an interactive processes of consultation between the Evaluation Team and New Zealand government representatives based in Port Moresby, Buka and Wellington. A preliminary list of interviewees is listed in appendix E

### **Data/Information Analysis**

The methodology for implementing this evaluation plan will be based upon two processes: (a) document review and desk analysis and (b) fieldwork consultations. Within this division, a mixed-method approach will be employed, as it is best suited to meeting the objectives of the ToR. This approach will appropriately verify, double check, and triangulate the evaluation findings through:

- data derived from a variety of sources;
- the use of multiple perspectives to interpret the data;
- the use of a team of evaluators, each of whom comes to law and justice development from a unique standpoint and
- participatory techniques.

### **Cross-Cutting Issues**

In undertaking this work, the evaluation team will be sensitive to the gender dimensions of everyday social relations, disputation and policing in the Bougainvillean context. While there are enormous cultural variations in contemporary Melanesia, including Bougainville, and while cultures are dynamic and continuously changing, men are generally viewed as dominant in Melanesian societies, with women occupying a subservient role. One of the most disturbing aspects of this significant faultline in local power relations, is the high incidence of interpersonal violence experienced by women, often at the hands of intimate partners, and the relatively high level of tolerance of gender-based violence in Melanesian societies. The issue of gender relations and how best to craft interventions aimed at improving the safety, rights and opportunities for women and girls to participate equally in the social, economic and political life of their communities remains a profound development challenge. Throughout our consultations we shall be actively seeking out the views of women (see section on ethical considerations below) about the BCPP in particular, and their experience of policing more generally. We shall be looking at the gender impacts of the BCPP, in terms of how it serves (or could potentially serve) to ameliorate problems faced by women and girls

or, possibly in some cases, in terms of how it can inadvertently accentuate these problems in practice. Particular issues will include the number of women serving as police officers (in BPS & CAPS), their access to policing services, their assessment of the quality of services provided, and their views on how existing problems can be best overcome. While gender relations remains an enormously complex and fraught area, our recommendations will be informed by these sensibilities, as well as being consciously crafted with a view to their gender implications.

The issue of human rights clearly relates to that of gender as discussed above, although also going beyond it. It is also a complex and sensitive topic, not least given the decade-long conflict in Bougainville and the many cases of serious human rights breaches that occurred during that time. This would include serious allegations levelled against the RPNGC. Part of the complexity also relates to the social and cultural environment in Bougainville, including the communal character of local sociality, the patriarchal nature of gender relations, and the continuing role of kastom and traditional leadership structures in power relations at local levels. Awareness of this historical and social context will inform our consultations and the manner in which we conduct our fieldwork. Specifically, we shall be examining how the BCPP promotes awareness of, and respect for, human rights among CAPS and the various groups that comprise their communities. In addition to women and girls, other potentially vulnerable groups include youth, elderly people and those with physical and intellectual disabilities. As in the case of gender, we shall be assessing the extent to which the human rights of these vulnerable groups have been addressed through the BCPP, and our recommendations will be informed by consideration as to how they might be more effectively protected and promoted.

### **Ethical Considerations**

In the case of meetings with officials from PNG, Bougainville and the international donors, we shall commence with an introduction to the team and clear explanation of the evaluation, drawing on the terms of reference, and identify the kind of information that we seeking and how this information will contribute to our report and recommendations regarding the scope and form of future NZ assistance to policing in Bougainville. Wherever possible, we shall provide follow-up briefings to key official stakeholders prior to our final departures from Buka and Port Moresby respectively.

Throughout our consultations, we shall be emphasising that this is an independent evaluation exercise and that we are looking for a frank exchange of views with our various interlocutors. In the case of individual interlocutors, we shall make clear at the outset that we shall not be identifying them by name in the text of the evaluation unless they specifically ask or consent to be identified. Protecting the confidentiality of our interlocutors and participants at groups meetings in this way will be our principal strategy to avoid potential harm to those who agree to talk with the evaluation team.

At the start of interviews and meetings, participants will be asked if they consent to their names being included in an appendix listing evaluation participants. Only the names of those who do consent will appear in the listing.

Attendance at community consultation meetings and focus group discussions will be voluntary and consent will be obtained through verbal permission from chiefs and elders. In depth, one on one interviews will be negotiated with potential participants and verbal consent will be sought after

explaining the purpose of the evaluation. Possible use of the evaluation findings will be clearly explained to respondents as well as clarification of their right to decline to be interviewed or their right to decline answering specific questions.

Local protocols will be followed in the case of community meetings and this will entail obtaining consent from leaders, particularly chiefs and elders. It is important that local leaders and the various groups in the community have a clear understanding of the purpose of the evaluation and meeting, as well as why the work is important, and the benefits to the community in terms of informing government and donor policy.

In light of issues around gender relations (see above), the team will contract a female Bougainvillean facilitator to accompany them on visits to local communities. This person will assume the main (though not the sole) responsibility for undertaking focus group meetings with women and girls. These meetings will be held separately from those with men in order to allow women to speak freely, particularly on matters that have a particular significance for, or impact on, women. We shall similarly conduct separate meetings where possible with youth in the local communities visited, as they may feel intimidated about speaking at larger meetings, particularly where chiefs and elders are present.

The Evaluation Team's approach will be in accordance with the guidelines of the Australasian Society of Evaluators

#### **Limitations, Risks and Constraints**

<b>Risk/limitation/constraint</b>	<b>Likely effect on evaluation</b>	<b>How this will be managed/mitigated</b>
Senior figures within Bougainville Government, Bougainville Police Service and/or Papua New Guinea government are unable to meet with Evaluation Team owing to scheduling issues/other arrangements	Evaluation Team are unable to query senior and influential leaders in order to ascertain their viewpoints, limiting the evidentiary base for the assessment	Liaise with New Zealand government representatives in Buka and Port Moresby in order to ensure meetings are scheduled.
Misunderstandings on the part of evaluation team as to the goals and objectives of the evaluation on the part of New Zealand government.	Evaluation product does not accord with actual goals that New Zealand government want to attain	Clear communication from New Zealand government representatives as to goals throughout process, including detailed briefing in Port Moresby prior to departure and regular communication and interactions with the team when in Bougainville.

Risk/limitation/constraint	Likely effect on evaluation	How this will be managed/mitigated
Certain stakeholders may have a set of goals that is different from that explicitly outlined in the ToR; the evaluation process is regarded as more of a design process for future activities than a retrospective appraisal of past endeavours	Confused evaluators who are unable to deliver a product that suits multiple constituencies	Clear communication and openness between all parties and the evaluation team
Insufficient time to arrange the panoply of meetings, focus group discussions and walk arounds needed in order to be able to conduct a thorough evaluation; insufficient access to requisite data	Evaluation findings are diminished owing to lack of evidence.	Ensure that the schedule is full in order to maximise time on the ground.

### Feedback of Findings

At the end of the fieldwork, it is anticipated that there will be a debriefing workshop, which will also function as one of the means by which the team will receive feedback from a range of stakeholders, thereby enhancing the participatory nature of the evaluation. Before leaving Port Moresby, the Evaluation Team will provide the New Zealand government with an aide-memoire that distils their key findings

The Evaluation Team will remain in close contact with New Zealand government interlocutors following the end of the in-country component of the evaluation. This communication may include a 'telephone debrief' with New Zealand government reps that were not able to attend the stakeholders workshop.

The Evaluation Team anticipates receiving detailed feedback from relevant New Zealand government representatives following the delivery of the first draft, and will incorporate those comments in the final draft

### Documents to be Used in the Evaluation

Documents to be used in the evaluation include:

BCPP Evaluation (2009)

Bougainville Community Policing Strategy

BPS Performance Assessment

CAPs Procedures Manual

Logistics Assessment (2012)

BCPP MOU 2010-2013

BCPP background briefing.

### Timeline

This table shows the timing of key activities and deliverables.

Key activity	Deliverable (output)	Timing
Aide-Memoire & NZ government debrief	Aide-memoire document	November 30, 2012
First draft of evaluation	Draft document	January 15, 2013
Final draft	Draft document	Submitted ten working days after receipt of written comments

## Appendices

### Appendix A: Questions for Interviews or Focus Groups

The following interview questions are enumerated to provide illustrations of the questions that will be posed during discussions and interviews with the interlocutors they will meet. The following questions have been structured in a logical sequence in order to elicit the requisite information that the team believes is required to respond fully to the ToR.

#### *Draft Interview Questions*

##### (i) Counterparts: CAP

Can you provide some examples of how BCPP has improved your knowledge about what it takes to be a police officer?

What new skills have you learned through the BCPP? How have you applied those new skills (if any) on the job and in the office?

How often on a weekly basis do you interact with BCPP advisers? What is the nature of your discussions? How would you characterize these discussions? In what language do you communicate?

How do you use the equipment and infrastructure that has been provided to you under the BCPP? Is the equipment and infrastructure you have been given useful to addressing what you perceive are the major challenges in your station/work area?

How much has (any) training you received from BCPP been attuned to policing realities?

How would you characterize your relationship with the community? In particular, can you tell us about your interactions with a. Councils of Elders & Village Chiefs; b. women and womens associations; and c. youth and youth groups. Can you point to any changes in your approach to the community generally, or any of those groups in particular, following assistance from BCPP?

(ii) Counterparts: BPS Executive & Management

Can you describe the nature of the assistance that you, as an individual, and your functional area, have received from BCPP in the last year? How often, in an average week and month, do you interact with BCPP advisers? How would you characterize that interaction?

How best can your needs be met by BCPP? What are the challenges?

What budgetary and financial assistance do you currently depend on from BCPP? How important is BCPP assistance in sustaining the expanded reach of the BPS?

What further institutional changes do you believe are needed within the BPS in order to accommodate the CAP officers? What plans do you have to advance and realize these institutional changes?

What form of assistance do you believe that you will need after the end of BCPP and in any subsequent program? Is it primarily financial? Is it primarily logistical? Is it primarily 'technical advice'?

What do you believe are the current costs of running the CAP component of the BPS? How much of the BPS budget goes on fixed costs, such as salary? Do you have budget projections for 2013 and beyond?

How has the BCPP program assistance improved the BPS's ability to deliver better services? How do you know?

What kind of support does the BPS receive from the ABG?

What kind of interactions does the BPS have with other law and justice agencies & other donors working in this field (ie PLJP)

(iii) BCPP Personnel

What is your role in BCPP?

What does your part in the project aim to achieve?

How was that aim set?

To what extent did it achieve those aims?

To what extent do you think the outcomes are sustainable?

How do you define capacity development?

What strategies do you use to engage with your BPS counterparts? How effective are those strategies?

What is BCPP doing well and not doing well? What are its strengths and challenges? Does this BCPP have the necessary prerequisites for success?

Has there been lesson learning within the BCPP? What are the lessons? How are lessons

implemented?

What approaches (training, workplace mentoring etc) have worked best in terms of instilling changed behaviour within the BPS/CAP? How do you know what works and what doesn't?

How much does current BCPP programming take into account the cost of policing and issues regarding maintenance and upkeep of equipment?

What are the current challenges/risks of implementation? How are these being addressed?

How is the BCPP working with other parts of the justice sector? How does BCPP work with police prosecutors, for instance?

Is there a coherent and complementary approach between and among BCPP, and other initiatives in the law and justice sector?

How does BCPP report on achievements? How is the program being managed and overseen?

What kinds of interactions does the BCPP have with the ABG?

What kinds of interactions does the BCPP have with NGOs and community-based groups: CoEs, churches, womens associations, youth groups?

(iv) Beneficiaries: citizens, women, churches, service users/non-users of CAP

When you experience a crime, or have a conflict/dispute to whom do you turn for resolution (police, national court system, village elders, churches, NGOs, etc...)?

What do you expect your police to do?

How well do the police meet your expectations? Why do you think that is?

Are your law and justice -- access to justice, gender equality, quality of law and justice delivered -- needs being met better today than yesterday -- give examples. How are you needs being better met? Why are they being better met?

What can be done to meet your law and justice needs in future? What are the law and justice challenges?

#### **Appendix B: Questionnaires for Distribution**

N/A

#### **Appendix C: Checklists for Participant Observation**

N/A

#### **Appendix D: Workshop Details**

#### **Appendix E: Preliminary list of stakeholders to be consulted Hon. Chief John Momis: President**

Chief John Momis: President

Hon. Patrick Nisira: Vice President and Minister of Police and Corrections

Hon. Rose Pihei: Minister woman and Community (until recently)

Assistant Commissioner Thomas Eluh: Police Chief

Senior Inspector Cletus Tsien: Region Commander Northern

Mr. Chris Siriosi: CEO Law and Justice

Mr. Leslie Tseraha: CEO Planning and Aid Coordination

Mr. Herbert Kimai: Acting CEO Local Level Government

Mr. Andrew Dovaro: CEO Lands and Planning

Ms. Mana Kakarouts: Acting CEO Community Development

Mr. Graham Kakarouts: CEO Finance and Treasury

Mr. Lawrence Disin: Chief Administrator ABG

Mrs. Tracey Tann: AUSAid Development Specialist Bougainville

Mrs. Ruth Lund: AUSAid Training Advisor

NZPOL staff

Community Auxiliary Police NCO's

Meet with:

Senior Sergeant Herman Berianka: Acting Region Commander Central

Mr James Koibo: Regional Commissioner for Central Bougainville

Mrs Lucy Travetz: Executive Manager Kieta

Mr Otto Neruka: Executive Manager Panguna

Mrs Evelyn Banas and Community Representatives (Kieta District)

Mr Ishmal Toroama: Arawa

Superintendent Paul Kamuai: Region Commander Southern

Senior Sergeant John Popui: Station Commander Buin

TBA: Regional Commissioner Buin

Community Representatives and chiefs from Buin

Thomas Tare: Ex BRA Commander

Community Auxiliary Police NCO's from Bana, Siwai and Buin

Visit village in which CAP are operating. Speak with CAP and Community

Community groups

**Annex C – Meetings and Consultations**

<b>14 November 2012</b>	<b>Port Moresby</b>
<b>1430 – 1600</b>	NZ Aid Programme and NZHC briefing Meeting with Rebecca Lineham, Manager, New Zealand Aid Programme To be joined by High Commissioner Marion Crawshaw and Dimitri Geidelberg, Counsellor, New Zealand Aid Programme at parts
<b>1630</b>	Meet with Papua New Guinea Australian Policing Partnership Warren Crighton, Team Leader, and Chris Coles Senior Legal Officer, AFP, PNG-Australia Policing Partnership
<b>15 November 2012</b>	<b>Arawa</b>
<b>1300-1430</b>	Acting Inspector Birengka, Central Region Commander
<b>1930-2100</b>	Superintendent Paul Kamuai, Southern Region Commander
<b>16 November 2012</b>	<b>Arawa</b>
<b>0900</b>	James Koibo, Central Region Commissioner
<b>1030</b>	Lucy Travertz, District Executive Officer
<b>1130</b>	Evelyn Banas, Woman’s Federation
<b>1300</b>	Ishmael Toroama
<b>1400</b>	Josephine Harepa, Arawa Woman’s Centre
<b>1500</b>	Otto Nerika, Panguna District Executive Officer
<b>17 November 2012</b>	<b>Arawa</b>
<b>0830</b>	Kevan Verry, NZ Pol Senior Officer in Central Region
<b>0915</b>	NZPOL CAP and BPS Advisor
<b>1000</b>	Central Region CAP NCO’s meeting
<b>18 November 2012</b>	<b>Buin</b>
<b>1300</b>	John Popui, Buin Police Station Commander
<b>19 November 2012</b>	<b>Buin</b>
<b>0900</b>	Buin District Executive Manager
<b>1030</b>	Thomas Tare and members of South Bougainville Veterans Association

<b>1400</b>	Meet with Buin Woman's representative
<b>1500</b>	Focus Group with Community Members
<b>20 November 2012</b>	<b>Buin</b>
<b>0930</b>	Meet with Southern Region CAP NCO's at Buin Police Station
<b>1230</b>	Village visit to Laguai
<b>21 November 2012</b>	<b>Buka</b>
<b>1600</b>	Sr. Lorraine Garasu
<b>1700</b>	ACP Thomas Eluh, Bougainville Police
<b>22 November 2012</b>	<b>Buka</b>
<b>0830</b>	Tracey Tann, AusAID Development Specialist Bougainville
<b>1000</b>	Hon Rose Pehei, Minister Woman & Community (until recently)
<b>1100</b>	Marilyn Havini, Haku Women's Collective Anna Sapur, Vice President Haku Women's Collective also Village Court Magistrate
<b>1300</b>	Graham Kakarouts, CEO Finance and Treasury
<b>1400</b>	Chris Siriosi, CEO Law and Justice
<b>23 November 2012</b>	<b>Buka</b>
<b>0900</b>	Ruth Lund, AUSAid Training Advisor
<b>1000</b>	Herbert Kimai, Acting CEO Local Level Government
<b>1330</b>	Hon Chief John Momis, President ABG
<b>1430</b>	Sergeant Emmart Tsimes, Acting Police Station Commander Buka
<b>1530</b>	Mana Kakarouts, Acting CEO Community Development
<b>24 November 2012</b>	<b>Buka</b>
<b>1000</b>	CAPS NCO's meeting
<b>1300</b>	Visit Tung Village
<b>26 November 2012</b>	<b>Port Moresby</b>
<b>1400</b>	Mona Balram, AusAID

	Lisa Clutterham, DFAT
--	-----------------------