

**ACTION PLAN IMPLEMENTATION PROJECTS 2002-2003**

**PAPUA NEW GUINEA**

**PROJECT 1: TRAINING (DIVIDED INTO TWO ACTIVITIES)**

**1. Summary**

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|---|---|
| <b>1. Country:</b>                                      | Papua New Guinea  |
| <b>2. Project title:</b>                                | Training  |
| <b>3. Priority reform area:</b>                         | Pillar II - Effective Prevention, Investigation and Prosecution                                 |
| <b>4. Implementing institutions and contact person:</b> | Police, Ombudsman Commission, Auditor Generals Office, Provincial Affairs, Finance and Treasury |
| <b>5. Duration:</b>                                     | Four (4) training programs spread over 18 months  |
| <b>6. Budget/inputs required:</b>                       | US\$ 60,000.  |

**2. Contextual framework**

Project one is derived from Pillar II: Strengthening Anti-Bribery Actions and Promoting Integrity in Business. The project aims to strengthen investigative and prosecutorial capacities of key law enforcement institutions of PNG with the objective of increasing the rate of convictions. It is expected that this would at the same time act as a deterrence and thus contribute to the prevention of corruption.

**3. Program Details**

**3.1. Project objectives**

To train personnel in relevant State agencies with skills and knowledge that will enable them to effectively and efficiently investigate and prosecute cases of bribery and corruption in PNG.

### 3.2. *Rationale*

The Government's efforts to effectively and efficiently address the problem of bribery and corruption have been hampered by the lack of capacity in key State investigating and prosecuting authorities, in particular the Police, the Ombudsman Commission, the Auditor General's office, the Audit Inspections Division of Treasury, Finance and Provincial Affairs Department, and the prosecutors from Police and the Public Prosecutors office. Furthermore, co-ordination among these agencies is lacking.

For these reasons, it was decided to establish an inter-agency committee called the "Public Sector Anti-Corruption Liaison Committee" which is now working on developing a national body responsible for the fight against corruption. This effort will enhance cross-sector co-operation and foster a co-ordinated, systematic and planned approach against corruption through which positive result are expected to be achieved.

Any effort to improve investigation and prosecution will result in a higher rate of meaningful convictions of persons held on corruption charges. This is expected to serve as deterrence and therefore contribute to preventing bribery and corruption. Given this manifold output, it was decided to prioritise this project.

At the moment, the Police Department benefits from an on-going program aiming at strengthening relevant institutions and building capacity, assisted by the Government of Australian through AusAID. This program can be expanded to cater for specific training of key investigation and prosecution agencies involved in the fight against corruption.

### 3.3. *Program Description*

By providing appropriate training and financial resources, the program will strengthen investigation and prosecutorial capacities of key State agencies, in particular the Ombudsman Commission, the Police Fraud and Anti-Corruption Squad, the Public Prosecutors, General Auditors and Audit Inspectors of the Finance, Treasury and Provincial Affairs Departments.

### 3.4. *Program Components*

This program is divided into two main activities (1: training of investigators; 2: training of prosecutors) which could be implemented concurrently or separately. Note that activity 2 is divided into three phases of which the third is not the concern of this submission.

#### ACTIVITY 1: TRAINING OF INVESTIGATORS

Training of investigators in specifically weak areas such as the examination of bank documents, various bank cards, accounts reconciliation, retrieving computer files, forensic records, reports and audit documents, etc.

### *Objective*

To improve skills and knowledge of investigators in areas identified above in order to increase quality in the presentation of cases, and efficiency and effectiveness of handling cases in courts. This will ensure that credible evidence is brought before courts and consequently increase the conviction rate.

### *Target Groups/Beneficiaries*

Investigators from the Police, the Ombudsman Commission, the Auditor Generals' office and the Provincial Affairs and Finance and Treasury Departments.

### *Implementing Strategy:*

- Training of investigators should begin with a review of the current methods and procedures of investigation, both of criminal investigations by the Police and of financial and accounting investigations by the Auditor Generals' Office and the Audits and Inspections Divisions of the Finance, Treasury and Provincial Affairs Departments.
- Development of tailored training modules focusing on methods and procedures of investigations. Introduction, where required, of new and simplified methods and procedures.
- Hiring of trainers to assist the development of training modules for each agency.

This should be realised by:

- Identifying specific training requirements for each agency in the area of investigation. If two or more agencies have similar training needs, training for these agencies could be held jointly.
- Developing specific technical training modules for areas that require skills and knowledge on operating new and modern equipment (e.g. money laundering). Such training should be held on agency-by-agency basis, consistent with identified specific training need.

## ACTIVITY 2: TRAINING OF PROSECUTORS

### PHASE 1:

Phase 1 of this activity aims to provide training to prosecutors in areas such as court procedures, case management principles, adjudication of court files and legal documentation. This training should be part of or in addition to normal training of the involved organisations.

### *Objective*

To improve the quality of pre-court documentation, the assessment of files and the presentation of cases in court so that timely and speedy decision making is achieved.

### *Target Groups/Beneficiaries*

Personnel from the Police Prosecution Division and Public Prosecutors.

## PHASE 2:

Phase 2 of this activity aims to provide basic legal training to Police prosecutors.

### *Objective*

To train police officers attached to the Investigation and Prosecution Division of the Police Department on the basic legal components of Criminal Law, Constitutional Law and Contract Law.

### *Project Component*

The program should make use of the existing diploma program on prosecution offered by the University of Papua New Guinea by increasing intake from Police.

### *Beneficiaries*

Police investigators and prosecutors.

## PHASE 3:

The Phase 3 of this activity aims to increase and improve consultations between prosecutors, courts and lawyers handling a particular corruption case.

### *Objective*

Greater co-operation between relevant State agencies will improve the prosecution process, speed up the court process and increase the number of convictions.

### *Project Component*

It is proposed to set up a sub-committee of the “Public Sector Anti-Corruption Committee” to discuss pending corruption cases and identify possible problem areas. This is an internal operational problem which Heads of the concerned agencies can deal with through consultation and mutual understanding. Obviously, the issues of capacity constraints and jurisdictional limits of each agency need to be taken into account in any attempt to speed up the prosecution process.

*At this stage, Phase III is deferred until further consultations on specific requirement.*

#### **4. Scope/Duration**

##### For Activity 1

| <b>Period</b>                | <b>Activity</b>  |
|------------------------------|--|
| June 2002 (3 weeks)          | Assessment/analysis of training needs (3 days in each organisation). |
| July 2002 (4 weeks)          | Development of training modules.                                     |
| Sept – Oct 2002<br>(5 weeks) | In-country training for Patch 1.                                     |
| Feb –March 2003<br>(5 weeks) | In-country training for Patch 2.                                     |

##### For Activity 2

| <b>Period</b>            | <b>Activity</b>  |
|--------------------------|--|
| May 2002 (2 weeks)       | Assessment/analysis of training needs (1 week in each organisation). |
| June 2002 (3 weeks)      | Development training modules.  |
| August 2002<br>(4 weeks) | Training for prosecutors.  |

#### **5. Project Location**

Port Moresby where all implementing agencies are headquartered.

#### **6. Implementing Agencies**

- Department of Police
- Ombudsman Commission of Papua New Guinea
- Public Prosecutors Office
- Auditor General's Office
- Treasury and Finance Departments
- Provincial Affairs Departments

#### **7. Consultations with the donor community and key stakeholders**

Donor communities are being consulted. See "Introduction" for information about other consultations.

## 8. *Summary*

Components of Project 1 which are proposed for implementation in the next 18 months are: Activity 1 and Phases I and II of Activity 2.

## 9. *Resources and Funding Requirements*

Government of Papua New Guinea component:

- Use of agency training fluids under current budget to fund in-country training.
- Meet cost for hiring of venue

Required donor assistance:

- Costs related to hiring of trainer/coach working with individual agencies.
- Costs related to the production of training module.
- Additional cost of training programs.

## 10. *Estimated cost:*

Activity 1: US\$ 25,000

Activity 2: US\$ 35,000

**Total: US\$ 60,000**

## 11. *Sustainability of the Program*

- Concerns about recruitment procedures of investigation and prosecution agencies of the State are not frequent. Therefore, a one time training under Activity I and phase 1 of Activity 2 is considered sufficient. Phases II and III of Activity 2 should be long-term programs in order to strengthen the concerned institutions and support capacity building.
- The next phase of this program should focus on training of trainers and provide coach/mentors in those specialised areas.