Criminological issues in post-conflict policing:

A case study of Solomon Islands

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Disclaimer

• This presentation is not part of my work at the Attorney-General’s Department.
• Any views expressed are my own and do not represent the views, policies or opinions of anyone in Government.
• Post-conflict

• Complexity – unknown and potentially hostile environment

• Narrative or ‘stori’ – over-simplification

• Superficial analysis

• Incapacitation

• Case by case break-up of complex series of events

• Political manipulation – attacks on legitimacy
April 2006

- The Honiara riots
- Blockade and riot outside Parliament
- Looting of shops below Parliament
- Moved to Chinatown
- Destruction in Chinatown
- Burning down Pacific Casino Hotel

- A mass demonstration of political dissent?
Political dissent?

- Rumours of a ‘shady deal’
- Violence at Parliament
- Tear-gas and riot squad response
- Spills down into shopping district
- Moves across town
- In Chinatown - buildings saved
- Looting before burning
Reaction

- Declaration of emergency powers

- Exodus of Chinese and rise in bank deposits

- Criminal – pursuit of Dausabea and Ne’e, both Members of Parliament

- Non-criminal – Commission of Inquiry
Results

- Dausabea and Ne’e,
- Protracted series of bail hearings
- Eventual collapse of prosecution case
- Commission of Inquiry – Einfeld
- Terms of reference to avoid prosecution
- AG’s challenge – fails
- Terms of reference amended
- Inquiry
- Report not released
‘Ethnic tensions’

- 1999-2003
- Guadalcanal Premier
- GLF
- MEF
- Special Constables
- Townsville Peace Agreement
- Intervention
‘Ethnic tension’ crimes

- Dispossession of Malaitans
- Killings and assaults
- Militia violence
- Kidnapping
- Extortion
- Indiscriminate reprisals
- Kastom payment demands
- Melanesian brothers
- Assassination (Minister/Former Police Chief)
- Coup
- Arson of entire villages

- Conflict
- Reprisal
- Terror
- Opportunism
- Militia - gangs
- Intra-communal
Locations

• Western Province – Spillover from Bougainville conflict

• Guadalcanal – Assassination of MP

• Malaita – Assassination of former Police Commissioner
Solomon Island map
Justice mechanisms

• Formal

• Informal

• Truth and reconciliation
Criminal justice system

• Disarmament

• Incapacitation

• Imprisonment
Trial issues

- Bail
- Children
- Mandatory life sentence for murder
- Accessories
- Procedural fairness pre-trial and trial
- Amnesty
Justice sector assistance

- Reliance on expatriates
- Expensive model
- Infrastructure demands – courts, prisons
- High maintenance costs – Court Support Unit
- ‘Silent One’
Civil justice system

• Coup legitimised

• Weakness of Attorney-General as protector of public interest

• Review and reversal of corrupt or irregular practices
Informal system

• Compensation ceremonies
  – On Guadalcanal
  – Between Guadalcanal and Malaita

• Village governance

• Local courts
Truth and reconciliation

• Truth and Reconciliation Act 2008
Losses

• Community
• Income producing industries (logging)
• National treasury
• National herd
• National infrastructure
• Schooling
• Health
Information base

- Disarmament
- No crime data
- Reluctance to dwell on tensions
- Focus on individuals
- Sexual violence?
- Big fish?
Legacy issues

- Re-arming police
- Early release of prisoners
- Reconciliation – kastom payments
- Gun compensation
Thank you