

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’ – oversimplification
- 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

Coconut

Medicare

Medicare

300

'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

KWASO - AND - MARIJANA
- DRINKS / SMOKE
PLEASE DO NOT - DISTURB OR
COUSE ANY PROBLEM IN OUR
COMMUNITIES
THANK YOU
FROM V/CHIEF / ELDER / CHIEF
OF KAKALANO AND FAKOS - COMMU



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