



AUSTRALIAN CRIME PREVENTION COUNCIL

A just society through crime prevention.

- [Home](#)
- [About the Council](#)
- [National Executive](#)
- [Constitution](#)
- [History of ACPC 1960 to 1980](#)
- [History of ACPC 1980 to 2000](#)
- [History & Activities of ACPC Post 2000](#)
- [Newsletters](#)
- [ICPC Colloquium Report](#)
- [Media Enquiries](#)
- [Contact Us](#)
- [Links and Resources](#)
- [Crime Prevention 2011 and Beyond Forum Interim Report](#)

Newsletter of May, 2009

President

Vice President

Admiral Chris Barrie AC Retired Professor Adam Sutton

Chairman and Vice President *Secretary*

Master Peter Norman OAM Mr Andrew Paterson

ACPC News

National Executive Meeting, August 2008



The Council held a National Executive meeting in Adelaide on Saturday 30 August 2008, followed by a dinner in the evening. 6 members of the Executive attended with Judge Andrew Wilson, former National President, as a guest.

At the meeting the Council welcomed the new President, Admiral Barrie, and planned for future activities. The meeting acknowledged the Executive's appreciation of the efforts of Adrienne Isnard, who had retired from ACPC, and particularly her role in the organization of the Townsville Forum, describing her as a "dynamo who will be sorely missed".

It was resolved that the ACPC National organization be set up as a Not for Profit Company limited by Guarantee. This would give the ACPC national status as presently it is an incorporated association registered in South Australia.

It was agreed that ACPC should have a spokesperson to address issues as they arise and that this could well be met by Adam Sutton from time to time. It was also agreed that the website should be updated and suggested that a series of communiqués be prepared, edited, and placed on the site. The updated website is on line at <http://www.acpc.org.au/>

The plans for a further Forum were discussed and various ideas were put forward and resolutions were passed in support of arranging this.

There was also a discussion about the need for crime prevention training.

Andrew Paterson suggested the creation of a Crime Prevention exchange across the Asia/Pacific. Garner agreed, and made the point that we should focus on such outcomes rather than the ACPC's continued existence. He also argued that the upcoming Federal Justice Forum might provide a broad and useful platform.

The following goals for ACPC were suggested:

- Work nationally internationally and locally to promote crime prevention
- Promote new thinking in the area
- Become an independent body with a wide range of contacts across a wide range of professions and disciplines
- Forge prescribed links with the ICPC, drawing up reports and working in the Asia/Pacific promoting ICPC objectives.
- Create and present nationally a wide range of Crime Prevention training modules.
- Source funding Nationally for a part-time Secretariat.
- Continue to engage with the Asia/Pacific region
- Create and maintain a partnership with the Centre for restorative Justice.
- Regularly produce thought provoking statements re Crime Prevention theory and practice
- Encourage information exchange among Crime Prevention professionals.
- Regularly document the diversity of Crime Prevention initiatives.
- Promote the cost of Justice and point out potential savings through crime prevention practices.
- Counter the "law and Order" arguments as they arise.
- Promote good crime prevention practice and effective partnerships.
- Clarify ACPC structure.
- Raise public awareness of crime prevention and influence public opinion on Justice issues.
- Grasp opportunities for action such as ANZOC conference, ICPC visit in 2009, Andrew Paterson's Canada visit
- Develop a policy and strategy document
- Set Adam Sutton a range of tasks to create a series of position papers. Including: Limitations of law and Order approach, Economics of crime Prevention, Crime Prevention and Social Inclusion. Plan to launch such papers co-inciding with ICPC visit next year.
- Forge a relationship with a University.
- Re-circulate the Garrett Asia Pacific Centre proposal for consideration

Further Asia-Pacific Regional Forum

As reported in the August newsletter, ACPC is keen to convene a further Asia Pacific Regional Crime Prevention Forum. The ACPC met the Honourable Bob Debus, Minister for Home Affairs in the Australian Government, and presented a proposal for a further Forum and sought funding was sought from the government to enable this to be facilitated.

China's Ambassador to Australia and the delegation from China's Ministry of Justice have supported the holding of a further Forum and indicated that China would be interested in attending.

ACPC is currently investigating a venue for the Forum and further funding to enable it to proceed.

International Centre for the Prevention of Crime (ICPC)

Andrew Paterson attended as ACPC's representative at the annual meetings and Colloquium of the International Centre for the Prevention of Crime held at Queretaro, Mexico where the theme was "Women's Safety".

Andrew was asked to act as a Rapporteur for the Colloquium. His report appears on the ACPC website at <http://www.acpc.org.au/icpc.html>

The report recently published by the ICPC on "Crime Prevention around the globe-trends and issues" will be followed up by another similar report to be published in 2010. Andrew has been asked to contribute from an Asia/Pacific perspective. ICPC is at present heavily engaged in initiatives in co-operation with many South American, European and African countries and its membership is growing. Andrew has begun discussions with the ICPC's Director General looking at the possibility of increased ICPC engagement in the ACPC Asia/Pacific project.

Branch Reports and News

South Australian Branch Report

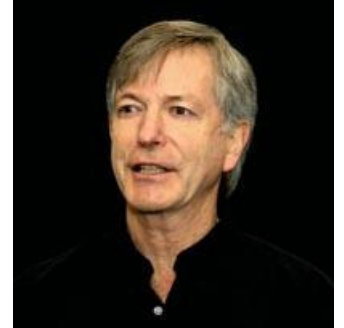
The SA branch is working on the creation of a close relationship with South Australia Police's newly restructured Crime Prevention Branch. Chairman Andrew Paterson keynoted a National Police Crime Prevention Conference held in Melbourne in early October 2008.

The Branch sponsored the visits to Adelaide of Professor Irwin Waller and Judge Mark Farrell of New York.

Visit to Adelaide of Professor Irwin Waller

During the week of 22 September 2008 Professor Irvin Waller visited the Branch. He was key note speaker at the National Victim Support Conference and met with interested politicians, media and the Commissioner for Social Inclusion. He also addressed public meetings and workshops to promote the "Less law-more order" view of Justice.

Professor Waller met Chairman Peter Norman and Secretary Andrew Paterson to discuss crime prevention strategy and promotion. See the detailed report below.



Visit to Adelaide of Judge Mark Farrell of the New York Gambling Court



Judge Mark Farrell of the New York "Gambling Court" also visited Adelaide, in early December. The Gambling and Crime Sub committee of the SA branch had raised significant funds to sponsor his visit. Judge Farrell addressed the National Association of Gambling Studies National Conference in Adelaide, held workshops and public meetings, and met the Premier, Minister Zollo, Judges, Magistrates, and OARS representatives to promote the concept of a diversionary Court for problem gamblers.

Fundamental to the success of the Judge's visit was that the visit was not connected to a specific criminal justice agency and thus each meeting was without any preconceptions of a philosophical base. The subcommittee of the SA branch which organized the visit intends to build on the foundations laid by Judge Farrell's visit over the coming year, with a view to gaining a therapeutic approach in the criminal justice system to addressing offenders who have committed offences strongly associated with gambling.

See <http://www.gamblingcourt.org/farrellBio.php> for more details of Judge Farrell and the court.

Professor Irvin Waller's Visit to South Australia; September 22nd - 26th, 2008

Irvin Waller is Full Professor of Criminology at Ottawa University, Quebec Province, Canada. Professor Waller has been a pioneer in Victimology, Crime Prevention and creative approaches to social problems since the 1970's. He has advised governments around the world on policy in the above areas and has had a distinguished career as a teacher and mentor of young justice practitioners.

His recent book "Less Law more Order- the truth about preventing Crime" was the catalyst for the ACPC SA Branch to invite Irvin to visit South Australia in partnership with Victim Support SA who were organising a national victims conference in September 2008. Irvin's book had been widely distributed to justice professionals, politicians and the media by the ACPC prior to his visit. "Our intention" says ACPC Chair Andrew Paterson "was to encourage Irvin to energetically put an alternative view to the "law and order, tough on crime" approach that is state government policy.

Irvin's presentation at the Victim Support national conference was inspirational and challenging, putting the view that less victimization will follow more imaginative justice policy than that in evidence in many Western democracies. He outlined the cost benefits of programmes that prevent crime by engaging those most at risk of becoming criminals, the "early intervention" approaches whose cost is small when compared with the "rack 'em, stack 'em and pack 'em" approach of particularly the South Australian Government.

In the days that followed the conference, Irvin Waller met with the SA Liberal Party's shadow cabinet, the Office of the Commissioner for Social Inclusion, spoke at a public meeting organized by Independent MP Kris Hanna, was extensively interviewed by ABC radios' mid morning programme and met SA Attorney General Michael Atkinson. The message was forceful and consistent; "tough on crime approaches simply don't work, more imaginative crime prevention certainly does.

Professor Waller's final commitment was a meeting with National ACPC Chair Master Peter Norman and the SA branch chair Andrew Paterson.



Irvin Waller's visit was intended to be a short term "thinker in residence" approach and was effective in clearly putting a different view of "what works" in dealing with crime. His legacy is the challenge to the ACPC to continue to advocate for crime prevention across society, politics, justice structures and the media.

Copies of Irvin Waller's book are available through Andrew Paterson: [apaterson -at- iprimus.com.au](mailto:apaterson-at-iprimus.com.au)

Report from Garner Clancey, New South Wales

Garner Clancy our NSW representative proposes to attend the ICPC conference in Montreal in October

He draws to our attention that new national crime prevention funding has been announced - www.crimeprevention.gov.au

NSW Crime Prevention Framework Overview

In 2008 the NSW Government developed a new, first of its kind, Crime Prevention Framework for NSW. The goal of the framework is to strengthen and coordinate the approach to both state and local level situational crime prevention initiatives that also works towards meeting the crime reduction targets of the state plan.

The key characteristics of the new framework include:

- **Oversight by the Crime Prevention Steering Group** – On a state wide level, the coordination of crime prevention is situated with the Crime Prevention Steering Group. Executive officers from the Attorney General's Department, NSW Police Force and Department of Premier and Cabinet comprise the group.
- **Improved coordination and cooperation between Government and non-Government agencies** – The steering group engages with different stakeholder groups throughout NSW that have a crime prevention objective. These groups can include: Juvenile Justice, Community Services, Local Government and Shires Associations, Clubs NSW, Victims Groups etc. These groups are consulted through either working groups or by being invited to steering group meetings.
- **Crime prevention funding** – The steering group is responsible for overseeing program and grant based crime prevention funding to maximise effectiveness and avoid duplication. It also works with the Government to ensure Commonwealth and State funding is appropriately distributed.
- **Strengthened local crime prevention** – Two separate yet related approaches occur at a local level. In the majority of LGAs, Safer Community Compacts (SCC) are in place and continue being developed by councils. In areas where greater focus is required, newly devised Crime Prevention Partnerships (CPP) are being set up.
 - *Safer Community Compacts* – SCCs are local crime prevention plans approved by the Attorney Generals (AG). Local councils have a statutory responsibility to create them, and if successfully approved as SCCs councils can apply for funding from Attorney General's (AG) to implement the strategies. In areas where CPPs are not established, the development of Safer Community Compacts continues to be the primary form of crime prevention planning at a local level. Revised crime prevention guidelines released by the AGs can be viewed at: <http://www.crimeprevention.nsw.gov.au>.
 - *Crime Prevention Partnerships* – CPPs operate in areas identified as a priority through analysis of BOCSAR data and by the steering group. They are a partnership between local council, local police, relevant state Government agencies and other relevant local groups. CPPs are chaired by the NSW Police Force Local Area Commander with the deputy chair being a local council representative. CPPs are responsible for coordinating crime prevention planning in the area and meet on a monthly basis to develop CPP Action plans which align their crime prevention objectives with the targets set by the steering group. Local councils play a key role in developing these plans. If approved by the steering group, the action plan can be submitted to the AGs to seek endorsement as a SCC.
- **Community Safety Precinct Committees** – Community participation is strongly advocated by the framework.

Community Safety Precinct Committees are being established in all NSW Local Area Commands (regardless of whether a CPP is in place) and are the key forum through which the Police and Government agencies engage with communities and key stakeholders on crime prevention and community safety issues. Where a CPP exists, the Precinct Committee constitutes the main consultative role.

- **Coordinating all other situational crime prevention initiatives throughout NSW** – The steering group is responsible for consulting with relevant agencies on other initiatives operating throughout NSW. Their role is to provide guidance and focus on strategies, link similar initiatives operating in local areas, provide support to agencies through the provision of crime prevention reduction assistance and coordinate funding.

[More information is available from their website](#)

Report from Gary Coventry, Queensland

Crime and Justice in Southeast Asia and Pacific Island States

Dr Garry Coventry
Coordinator of Criminology Programs
James Cook University

In October 2007, an Asia Pacific Crime Prevention Forum, initiated by the Australian Crime Prevention Council, was held at the Townsville campus of James Cook University. Delegates from Australia, Cambodia, Fiji Islands, Indonesia, Lao PDR, New Zealand, Papua New Guinea, Samoa, Solomon Islands and Thailand discussed many issues regarding crime prevention frameworks and their relevance to particular countries. I was an Academic delegate at this forum.

Since, an important development has occurred. James Cook University has just established, with Commonwealth Government and James Cook University funding, the Cairns Institute: an institute devoted to advanced studies of people and societies in the tropics. The Cairns Institute's charter; including central contributions from Law, Social Sciences, Indigenous Studies, Business and Creative Arts, is to create a uniquely relevant research, consultancy, policy development and teaching hub for northern Australia, Asia and the Pacific. Crime, criminal justice, social justice and human rights are at the forefront of the Institute's proposed developments.

As part of the Cairns Institute's development I would like to take matters further from our discussions in October 2007. Crime prevention as a concept is various, in terms of parameters and meanings. Different nation states adopt different stances regarding the construct and meaning of ACPC's parameters of crime prevention in Australian society. For delegates in October 2007, it is like a continuum which has 'key coding points'. To be addressed, for example, is genocide, military coups, situational crime prevention, social development crime prevention, community development, community capacity building and social/political action. Where various nations are located on this continuum requires critical understanding. I believe that ACPC's efforts to further develop the Forum requires such understanding.

Garry Coventry wishes to undertake a study tour through parts of the region around October/November this year. He wishes to concentrate on matters related to crime, criminal justice, social justice and human rights; and the extent to which an ACPC agenda is applicable to the region. Clearly, political, economic and social context parameters shape what crime prevention means and the extent to which certain types of crime prevention programs/public policy/legislation can be implemented in different nation states.

Please contact me with ideas, contact persons etc. Your response will be most appreciated. We need input into the Cairns Institute's programs.

garry.coventry -at- jcu.edu.au

Regional Reports

Messages from Overseas Friends

Greetings from Fuji

From Graham Leung

Good to hear from you!

Thank you for the opportunity to make a contribution.

I attended the Commonwealth Law Conference in Hong Kong between 5 – 9 April 2009. I chaired a session of the Conference, entitled "Enforcement of Human Rights". The panelists were Mr James Dingeman QC and Mark Daly.

Later in the year, as a member of the International Bar Association's Access to Justice Committee, I will be

co-chairing a session of the IBA entitled "Bridge Over Troubled Waters". The IBA session will deal with access to justice and will be part of the larger annual IBA conference, to be held this year in Madrid between 4 and 9 October. Information about the IBA conference can be accessed at www.ibanet.org

LawAsia will be holding a seminar on children and the law in Singapore on 21 – 23 May. Details of this conference can be obtained at www.lawasia.asn.au. In my capacity as Vice President of LawAsia I will be attending this conference. Lawyers and non lawyers alike are welcome to attend.

Fiji had serious floods in the middle of January 2009. As part of its efforts at assisting floodvictims my law firm Howards raised more than F\$3000 to go towards relief efforts for the flood victims and arranged for close to 90 cartons of clothing and utensils to be donated to the Salvation Army to assist national programs for disaster relief. My appreciation goes to all those who donated in cash and kind towards Howards flood appeal.

Greetings from Indonesia

From Mardjono Reksodiputro, Chairman PCPFF, Jakarta.

LEGISLATIVE ELECTION

We just had our legislative election at April 9, 2009. Generally the process has been peaceful and showed that democracy has taken root in Indonesia. It was reported that 171 million people registered to vote in 33 provinces and 471 regencies with 77 major election districts. There are 38 national parties (plus 6 local parties in Aceh). We had an estimated 800,000 candidates who are competing for seats in the National House of Representative (DPR), and +/- 500 Regional House of Representatives (DPRD). We have more than 580,000 polling stations, managed by more than 32,000 District Polling Committees and manned by +/- 4,8 million individuals acting as volunteers and polling staff.

BILLS PENDING WITH THE INCUMBENT PARLIAMENT

Several bills are expected to be finalized before August 2009. Most important is the bill on the Corruption Court (a special Court Chamber in the District Court of Central Jakarta). The Constitutional Court had decided that the establishment of the present Corruption Court (CC) is unconstitutional and order it to be re-established with a law before the end of 2009. Presently there is only one CC for the whole country. It is planned to have more than one and probably at least one for each of the 33 provinces. The new law on the CC will certainly also has an effect on the Anti-Corruption Commission (ACC). As there is now only one ACC to serve the only one CC, if there will be several CCs we will also need to branch out the existing ACC. This will probably mean that the ACC law also need to be amended. The problem will also be with the recruitment of personnel, specially trained judges, investigators and prosecutors.

Another bill which will also attract special attention is the bill on the Judicial Commission (JC). The JC was established with the special mandate to select Supreme Court Justices and to review complaints of improper conduct of Judges of the Supreme Court and the lower courts (the High Courts and the District Courts). Again here the Constitutional Court had decided that certain clauses of the mandate of the JC are in contravention to the Constitution and ordered an amendment. This has already open hot debates and will need also an amendment to the Supreme Court law with respect to the sharing of powers between the Supreme Court and the JC on the supervision of judges and disciplinary measures.

BILLS FOR THE NEW HOUSE OF REPRESENTATIVE.

Several bills are waiting to be discussed at the new Parliament, probably starting in September/October 2009. Three of them need special attention: 1) the Draft of the New Penal Code, 2) the Draft of the New Criminal Procedure Law , and 3) the Draft of the New Law on the Juvenile Court. The existing Penal Code dated back to the Colonial Period and the official document of the Code is in (old) Dutch, however (unofficial) translations in Bahasa Indonesia are used in the judicial system and in the law schools. A draft of the new Penal Code was finalized in 1993 and officially accepted by the late Ministry of Justice Ismail Saleh (after more than 10 years of work by a Team established by the Minister of Justice in 1982; under the chairmanships of Prof. Soedarto (1982-1986), Prof Roeslan Saleh (1986-1987) and Prof. Mardjono Reksodiputro (1987-1993). Changes in the political power in Indonesia has slowed down the process to bring this draft to Parliament. The current draft of the New Criminal Procedural Law will amend the existing Law No 8 of the Year 1981. The chairman of the Drafting Team is Prof. Andi Hamzah. Although the Drafting Team has finalized their latest draft, it has not been officially accepted by the Ministry of Justice. The draft of the new law on the Juvenile Court is not yet finished. Chairperson of the Drafting Team is Prof Harkristuti Harkrisnowo, the Director General for Human Rights Affairs at the Department of Justice.

MICELLANEOUS.

- There are reports of money politics during the legislative election and predictions that there will be an outbreak of mental illness and even suicide among legislative candidates who are unable to accept defeat.
- There are indications that money from the Indonesian Central Bank had been disbursed to lawmakers to stop their probe on the misuse of money in the famous case of Indonesian Central Bank Liquidity Support (BLBI cases) in 1998-1999. Among others on trial is Aulia Pohan, a former Deputy Governor of Bank Indonesia, who is also the father-in-law of President Susilo Bambang Yudhoyono's eldest son.
- The National Law Commission (NLC) of the Republic of Indonesia (established February 2000) will in 2009, among others, conduct a study on the Draft of the New Criminal Procedural Law, especially on the new clause on Habeas Corpus (intervention through the Court in arrest, detention, and confiscation of evidence).

The NLC has been assigned two principal mandates: first, providing advice and opinions to the President on the policies in the legal field that have been adopted or planned by the Government, and on legal issues connected with the public and national interest; and, second, assisting the President by acting as a steering committee for the design of a general plan for law reform in Indonesia. Members of NLC are; J.E.Sahetapy (Chairman); Mardjono Reksodiputro (Secretary); Frans Hendra Winarta; and Mohammad Fajrul Falaakh.

Greetings from New Zealand

From Carol Dickson

I am very pleased to be able to report that NZ has made significant contributions to Australia during their recent horrific bush fires. I understand that the Government has donated over ½ million dollars in cash as well as sending support fire fighters for your fire service. The people of NZ have dipped into their pockets to the tune of over ½ million dollars in donations as well. So for all that, 'over the ditch' rivalry, we really do care about our neighbours.

NZ also supported Fiji last year in their state of emergency caused by the flooding with the Salvation Army accepting donations on their behalf.

It is sad to watch the news and see our neighbours suffering in what seems like uncontrollable situations caused by national disasters, knowing there is little we can do to help until it comes time to rebuild.

As for me here I have just completed a second workshop on 'what a 21st century volunteer program needs to look like and how it needs to function'. This is an extremely interesting subject as I recruit volunteers continuously with the Community Patrols organisation I co-ordinate. Council is considering providing free volunteer workshops for all organisations in the Papakura district that rely on unpaid assistance to run their groups and of course I will have to facilitate these.

Community Patrols is running along very smoothly at present. Our volunteer patrol numbers are up to 80 now. The annual conference is coming around again and it is nice this time to be a participant and on the receiving side instead of being involved in organising as I was last year. CPTED has readily been accepted by Council and its officers here now so I find I am often brought into areas that I wouldn't ordinarily be included. It is quite good to see how the building and works departments gel their separate roles to make it all work well.

Hope all is good with you and the other delegates, Take Care, Carol

Greetings from Lao PDR

From Judge Somsack Taybounlack

I was at a training course in China for 5 months. I will complete this on 2 August 2009. It was related to crime prevention issues. In my country now we try to enact the new laws, for example narcotic law, intellectual property law, and amend some laws that seem not suitable. Our organization has to hold training courses for judges to acknowledge the new laws. Some times we go to go to the countryside to disseminate to the people. Anyway we are quite difficult to do this because we have not enough budget, but we have to do, because it is an important issue. We try to do step by step.

Greetings from Samoa

From Afamasaga Toleafoa

Afamasaga is the instigator and founder of the Pacific Future Law and Religion Symposium and the men Against

Violence Advocacy Group and reports on activities of those groups.

Pacific Future Law and Religion Symposium:

The Samoa leg of the Pacific Future Law and Religion Symposium was held in Apia in December 2008 following the Vanuatu leg earlier in the same month. The symposium is part of series of public meetings on the subjects of human rights and religious freedom in the Pacific with the first symposium held in Salt Lake City every year and then followed by a number in the Pacific.

The series is sponsored by the Church of Latter Day Saints in collaboration with governments, universities and other local civic organizations. The symposium in Samoa was the first of its kind but is expected to be held again this year. Key note speakers included Samoa's head of state, His Highness Tupua Tamasese Efi, the Chief Justice Patu F Sapolu, and human rights advocates from overseas and Samoa.

Religious freedom has significance in Samoa because of the often blurred lines between exercise by traditional of leaders of their authority in village communities, and the right of individuals to worship for instance. Justice Wilson is familiar with the issue having presided as CJ over a number of disputes involving the practice of religion in Samoa.

My own part in the Symposium was to advise on the organization and to moderate proceedings. The participants included no less than Samoa's Had of State, the Chief Justice, President of the Lands and Titles Court, Chairman of the National Council of Churches, the Deputy Prime Minister, the Ombudsman, Supreme Court Judges, church leaders, traditional leaders, academics and members of the public. Again, Justice Wilson will be familiar with many of these individuals from his time on the bench in Samoa.

Strong support for the event has also led to the formation of the Foundation for Peace, Democracy and Good Governance in Samoa to among other things cosponsor the next symposium. The Foundation's program of activities includes promoting public dialogue on issues of good governance and democracy through the organization of public forums, through research and by way of public information and education.

Men Against Violence Advocacy Group:

Our last newsletter carried an item on the formation of Men Against Violence Advocacy Group in Samoa as a contribution to the fight against domestic violence especially involving women and children as victims. The group has started work mainly with traditional leaders at present and with government representatives in village governments to first raise awareness of the problem and secondly to use their authority as village and family leaders to address it.

As Chairman of the group, I was invited to be part of the Pacific and Timor l'Est delegation to the recent Global Symposium on Engaging Men and Boys on Gender Equality held in Rio de Janeiro in April. Unfortunately, I was not able to go due to commitments at home but Men Against Violence hopes to benefit from follow-up activities to the symposium and from the networking that flows on from the event.

Greetings from Thailand

Judge Suntariya Muanpawong recently visited Australia where she attended a Conference in Sydney "A specialised Environment Court and Natural Resources Damages : Sharing International Experience and Best Practices" (15-19 March 2009)

Suntariya lectured at the session "Judicial capacity building for environmental adjudication involving "Judicial capacity building program for Thai Judiciary" and "Workshop and training in Thailand in June"

Greetings from Papua New Guinea

Justice Mogish sends his greetings and advises that a new Deputy Chief Justice was recently appointed in PNG, He is DCJ Gibbs Salika, one of the second longest serving members of the PNG Judiciary. He has been a judge for the past 18 years.

Further Newsletter

A further newsletter will be distributed later in the year. Contributions from any members of our network, or ideas for the Newsletter, will be very welcome.

Peter Norman
ACPC Chairman

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