

## Perspectives on the punishment of rapists in Papua New Guinea

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### Abstract

The issue of how to treat an offender or to respond to wrongdoing or infractions of the law is one that every society is always grappling with. In the case of rape in Papua New Guinea (PNG), how can we 'adequately' punish rapists? The two daily newspapers, *The National* and the *Post Courier*, carry many suggestions and comments from concerned individuals on the need to adopt stiffer penalties for rapists in PNG. Amongst other things, suggestions often range from castrations, hanging and the death penalty, to longer prison sentences. A very long prison sentence for rapists might seem adequate and compensatory for the victims if only they are completed, but the flip side of the situation is that jail breaks in the country involving rapists are very common. This paper takes a look at the punishment of rapists in PNG from the perspective of jail breaks and notices a worrying trend.

**Key words:** rapists, punishment, jail breaks, death penalty, life sentence, torture, castration, flogging, imprisonment, hanging, amputations

### Introduction

Research shows that rape which is a form of the world-wide problem of sexual violence against women is also a problem in PNG. Some published documents by Bradley<sup>1</sup>, Onyeke<sup>2</sup>, Amnesty International PNG<sup>3</sup>, PNG Institute of Medical Research<sup>4</sup>, AusAID<sup>5</sup>, UNICEF Papua New Guinea<sup>6</sup>, the Catholic Bishops Conference of PNG and Solomon Islands<sup>7</sup>, for example, all document that rape

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<sup>1</sup> Bradley, C. 2001, *Family and Sexual Violence in PNG: An Integrated Long-Term Strategy, Discussion Paper No. 84*, Institute of National Affairs, Port Moresby.

<sup>2</sup> Onyeke, D. 2009, 'The Problem of Rape in Papua New Guinea: An exploration of conflicting understandings', *Contemporary PNG Studies: DWU Research Journal, Volume 11*.

<sup>3</sup> Amnesty International Papua New Guinea. 2006, *Violence against women: Not inevitable, never acceptable*, AI Index: ASA 34/002/2006.

<sup>4</sup> National Sex and Reproduction Research Team and Carol Jenkins, 1994. National study of sexual and reproductive behaviour in Papua New Guinea. Goroka: PNG Institute of Medical Research, Monograph No. 10.

<sup>5</sup> Australian Agency for International Development (AusAID)-Office of Development Effectiveness. 2008, *Violence against women in Melanesia and East Timor-building on global and regional promising approaches*. Canberra ACT.

<sup>6</sup> UNICEF Papua New Guinea, 1996, *Children, women and families in Papua New Guinea: A situation analysis*. Port Moresby: Government of PNG.

<sup>7</sup> The Catholic Bishops Conference of Papua New Guinea and Solomon Islands, 1999, 'Statement on the problem of rape', AGM.

is a disturbing social problem for which the society needs to take drastic action not only to reduce its occurrence, but also to adequately punish the perpetrators. But, the question is, how will that punishment be carried out? Desiring and voicing an appropriate punishment is one thing, but the reality of its applicability and/or effectiveness is another.

In this article, our main source of information will come from the two daily newspapers – *The National* and the *Post Courier* – and we shall begin by looking at a broad range of views and suggestions made by concerned citizens on how rapists can be adequately punished. We shall then contrast those desires and suggestions with the reality of jail breaks involving rapists in PNG.

### **Some perspectives on the punishment of rapists in PNG**

The two national daily newspapers, the *Post Courier* and *The National*, every now and then, carry news stories on rape that portray its acceptance as a worrying social problem. Of particular interest to us in these news stories are the suggestions made by the politicians, the police, the judges, women leaders and concerned citizens including newspaper editorials, etc., on the best way to adequately punish rapists. Though these comments and suggestions are often made in the aftermath of news stories of horrifying rape incidents that tend to awaken public consciousness, nonetheless, they demonstrate the society's angst against the scourge of rape in the society. For a better analysis, we shall look at the suggestions made by the various segments of the society in the two national dailies in 2004, 2005 and 2006.

#### **Newspaper editorial perspective**

In one of its editorials, *The National* unequivocally maintained that for the crime of rape 'the maximum penalty is life imprisonment. Not should be, mind you, but is'.<sup>8</sup> In another editorial following the continued spate of rapes in the country, *The National* again stated that:

The death penalty is inappropriate for rape. That is not a liberal reaction on behalf of the mindless thugs who commit this crime; it is recognition that death is far too easy a penalty for them. The worst possible punishment that could be given to rapists would be to lock them up for life, without the slightest possibility of parole or any other form of release. Lock them up and throw away the key, and apart from ensuring the bare humanitarian minimum necessary for them to survive, forget about them<sup>9</sup>.

So, for *The National* editorial team, life sentence without the possibility of a parole is what they consider adequate enough for the crime of rape in the country.

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<sup>8</sup> *The National*, 17 March 2004, 'The unspeakable horror of rape' (opinion), p.16.

<sup>9</sup> *The National*, 21 March 2006, 'Enough is enough' (opinion), p. 20.

Following the horrifying rape of a mother and the killing of her two-year-old son by a rapist in Vanimo, Sandaun Province, *The National* again reported that a survey was conducted by the Probation Service on the punishment of the rapist in question, where it was discovered that ‘70% of those interviewed wanted the death penalty applied, 20% chose life sentence, while 10% were opposed to the death penalty’<sup>10</sup>.

### **Politicians’ perspectives**

The parliamentarians are also voicing their concern about how to adequately punish rapists. Their suggestions range from death, flogging, life imprisonment, being fed to crocodiles, to castration and torture for rapists.

#### ***Death sentence punishment***

For the Prime Minister, Sir Michael Somare, his suggestion was:

Hang men who perpetrate pack-rapes...I have always voted for hanging...recalling two cases in 1945 (Lae hanging) and 1946 (Koki hanging)...We cannot wait for heaven to make this law; the government must make this law to protect our women and children<sup>11</sup>.

In the same vein, the Governor of Morobe Province, Luther Wenge suggested that:

Murderers and rapists should be put to death if PNG wants to address its crime problem. A government led by Mr Wenge’s People First Party would ensure that if you kill a man, we kill you; if you rob a man, we kill you; if you rape a woman, we kill you<sup>12</sup>.

Likewise, the former Governor of Sandaun Province, Carlos Yuni ‘called for the death penalty for rapists’<sup>13</sup>.

In another report, former Wewak MP, Kimson Kare, ‘wants the death penalty to be mandatory for murder and rape. He called on his fellow MPs to support such a bill if it is brought to parliament. Mr Kare said the current penalties being applied at courts are not effective deterrents’<sup>14</sup>. However in 2006, he readjusted his position and recommended that:

Sex crime perpetrators should be flogged publicly without any consideration of their human rights. We should not even think of

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<sup>10</sup> Peter Miva. 2004, ‘Death penalty for rapist-murderer: Man sentenced over rape, murder of mother and killing of son’, *The National* 29 March, P. 1-2.

<sup>11</sup> Clement Kaupa, 2004, ‘Sir Michael supports call for death penalty’, *Post Courier*, 31 July.

<sup>12</sup> Peter Korugl. 2006, ‘Kill to curb crime: Wenge’, *The National*, 18 December, p. 2.

<sup>13</sup> *The National*, 23 February 2006, ‘Death penalty for Rapists’, p.2.

<sup>14</sup> Julia Daia Bore, 2005, ‘MP wants mandatory death penalty for rape, murder’, *The National*, 24 January’, p. 4.

anything such as violation of human rights or human rights abuse. These perpetrators have no respect for human rights or human beings. They are animals and they should be given back their own medicine<sup>15</sup>.

In reaction to the rape of high school girls in the Enga Province, the governor of Western Province, Bob Danaya, recommended that rapists 'be fed to crocodiles' or 'to have them face a firing squad'<sup>16</sup>; and in the context of the rising rape wave in the country, a fact finding tour was also undertaken by the then Justice Minister Mr Mark Mapakai to ascertain the possibility of introducing the death penalty for rape in the country<sup>17</sup>.

### ***Life sentence punishment***

Some others called for life sentences for rapists. For example, in reaction to rape in Bougainville, the Deputy Speaker of the Bougainville House of Representatives, 'vowed to push for rapists to be put behind bars for life'<sup>18</sup>. In the same vein following increased cases of rapes in the country, another MP 'called on the National Parliament to pass a law to impose life imprisonment for rapists and sex offenders...the law would teach sex offenders to refrain from committing these offences'<sup>19</sup>.

### ***Castration and torture punishment***

Following a report 'that 12 Grade 8 students were abducted from their school dormitory by several armed men and raped'<sup>20</sup>, Paul Tiensten, the former Minister for Trade, on the floor of parliament suggested 'that rapists should be castrated and he called for the laws to be amended to make it mandatory'<sup>21</sup>.

Likewise, in reaction to the gang rape of two Divine Word University students in Kainantu<sup>22</sup>, the former minister for Civil Aviation and Higher Education, Don Poyle:

... proposed looking at Muslim laws to help curb crime in PNG. (He) named castration, cutting off limbs and torture among penalties that could be borrowed from Islamic tradition... I prefer that the offender feel the pain and suffering. The law must be for a tooth for a tooth and an eye for an eye<sup>23</sup>.

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<sup>15</sup> *Post Courier* 15 August 2006, 'Flog sex offenders', p. 6.

<sup>16</sup> *Post Courier*, 15 November 2005, 'Danaya slams rape', p. 6.

<sup>17</sup> *The National*, 4 November 2004, 'Death penalty under scrutiny'.

<sup>18</sup> Romulus Masiu, 2005, 'B'ville leader condemns Tinputz rape', *Post Courier*, 7 November, p. 6.

<sup>19</sup> *The National*, 2 March 2006, 'Ex-MP wants tougher penalty for sex offenders', p. 2

<sup>20</sup> Zachery Per & James Kila, 2005, 'School girls raped: 12 Grade 8 students taken from their dorm by armed men', *The National*, 11-13 November, p. 1.

<sup>21</sup> *The National*, 14 November, 2005, 'MPs want tougher penalties on rape', p. 5.

<sup>22</sup> *The National*, 28 June 2006, 'Campus shut: Rape triggers indefinite closure', p. 1.

<sup>23</sup> Isaac Nicholas. 2006, 'Muslim law bid: Castration, cutting off limbs & torture, good for rapists and murderers', *The National*, 29 June, p. 1.

### Police perspectives

The police are also making their own suggestions. For example, reacting to the rise in rape cases in Lae, the police chief, Simon Kauba, opined that ‘rapists are no better than animals so the community should round them up and beat them before handing them over to police’<sup>24</sup>. With the continued rise in rape and incest cases, he again suggested that ‘the people who commit these acts are not human beings. They deserve to be locked up and the keys thrown away’<sup>25</sup>.

### Judges’ perspectives

Some national high court judges are also adding their voices to the chorus of suggestions. For instance, the national court judge, Justice Mark Sevua:

Believes the sentence for rape must be made more severe due to the escalating incidents of rape throughout the country. Justice Sevua made the statement when sentencing a man to 30 years hard labour for sexually penetrating a 15-year-old girl<sup>26</sup>.

In the same vein, Justice Panuel Mogish said that ‘rapists have no place in society and should be jailed for life... He said this when sentencing a man to 16 years in jail with hard labour for the rape and sexual penetration of a minor’<sup>27</sup>. In another related occasion, he again ‘warned that people found guilty of rape can expect heavier penalties. Rape convicts should be imposed a life sentence term. He made these comments when he sentenced a 23 year old man to 21 years in jail for abduction and rape’<sup>28</sup>.

### Women leaders’ perspectives

As one would expect, being the victims, some women have also been making their own suggestions. For instance, Anna Galang, a woman representative in the Western Highlands Province, ‘strongly called on the National Government to hang rapists and for the courts to issue the death penalty for the offence’<sup>29</sup>. In the same vein, the executives of the Morobe Provincial Council of Women want:

Harsh penalties including castration and the death sentence imposed on people convicted of incest and rape... that severe penalties were needed to act as deterrents against offenders. The women leaders agreed that existing penalties are ‘too soft’ and the seriousness of such crimes was being ‘watered down’ by village courts, who allowed the offenders to

<sup>24</sup> Nikints Tiptip, 2004, ‘Rape cases in Lae increase in Oct: Kauba’, *The National*, 30 November, p. 4.

<sup>25</sup> *Post Courier*, 3 February 2006, ‘Kauba wants tougher penalties’, p. 6.

<sup>26</sup> Romulus Masiu, 2006, ‘30 years for rapist’, *Post Courier*, 31 July, p. 6.

<sup>27</sup> *The National*, July 19, 2006, ‘Jail rapists for life: Judge’, p. 6.

<sup>28</sup> Joshua Arlo, 2006, ‘Heavier penalties for rapists: Judge’, *The National*, 21 September p. 7.

<sup>29</sup> *Post Courier*, 21 October, 2004, ‘Call for Govt to hang rapists’, p. 6.

go free. The only way to deter offenders is to make them pay heavily for their crimes. The council at its meeting formally resolved to call on the courts to impose life imprisonment, the death penalty and or castration for those found guilty of rape and incest<sup>30</sup>.

### Concerned citizens' perspectives

Some concerned citizens through their letters to the editors, add their voices to the growing demand for harsher penalties for rapists. For instance, Yangeu asked:

When will capital punishment and the death penalty be executed in PNG? We are fed up with rapes, murder and sexual violence happening around us against our sisters, daughters and mothers. If capital punishment and the death penalty laws have been approved, use them against these rapists and murderers<sup>31</sup>.

Reacting to the involvement in rape of the former governor of Madang in 2004, another concerned citizen wrote, 'any politician engaged in rape and sex-related crimes should be immediately exterminated by means of imposing the death penalty'<sup>32</sup> Again, just like the politicians, there are also suggestions for castrations and amputations. For example, Bello suggested that:

A law should be passed to castrate rapists and child molesters. The abuse of young women and children by people holding high positions and people held in trust has been going on for too long, and the culprits are getting off too lightly. If a politician rapes an underage high school student, or a parent sexually abuses his daughter, they should pay the ultimate price – that is castration<sup>33</sup>.

Likewise, Milnebayan wrote 'every day we read in the papers about rape and murder – and yet nothing gets done. Is it because nobody knows what to do with these animals? I'll tell you what we can do. Rapists should be castrated'<sup>34</sup>.

Others believe amputations will solve the problem. For example according to Martin Korokan:

Law and order is a huge problem in PNG. Past governments have given little attention to address the problem. The prisons are a holiday camp for hardcore criminals and rapists. There is no rehabilitation in a prisoner's life. After their terms are up or when they escape, they

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<sup>30</sup> "The National, 25 July 2006, 'Hang or castrate sex offenders: MPCW', p. 8.

<sup>31</sup> J.S. Yangeu, 2006, 'Enforce capital punishment' (letters column), *The National*, 7 March, p.27.

<sup>32</sup> S.N. Bosmun-Bogia, 2004, 'Hang rapist 'leader'', *Post Courier*, November 16, 10.

<sup>33</sup> J. Bello, 2005, 'Castrate rapists, molesters'(Letters section), *The National*, 12 January, p. 23.

<sup>34</sup> Milnebayan, 2004, 'Castrate rapists, hang murderers', *Post Courier* 27 October, p. 10.

commit the very same crime again. I would suggest that we amputate the rapist and hardcore criminals<sup>35</sup>.

In a reaction to the rape of a 12-year-old student by a teacher, the president of the Arabeke local level government council in the Middle Ramu district of Madang, called on the Teachers Service Commission 'to ensure teachers who raped their students were not allowed into the classrooms'<sup>36</sup>. So, from the above, the suggestions and comments on how to punish rapists adequately ranged from death, castrations, being fed to crocodiles, life imprisonment, hanging, amputations and torture.

However, with regard to the death penalty, there are also some dissenting voices. For instance, *The National* in its Opinion column on whether the country should introduce the death penalty for serious crimes wrote:

The chorus demanding that criminals should be hanged rises to a crescendo when a particularly outrageous murder or rape occurs. But then it subsides. If PNG starts to put some teeth into its death penalty, and decides to erect gallows, train executioners, and hang the very next rapist or murderer, what is the likely public reaction? As long as we think of execution as a principle, we might well agree with it. But the moment the person to be hung comes from our tribe, our clan, or even our own family; we are likely to find every possible excuse for fighting against the death penalty<sup>37</sup>.

This view was also shared by Pinga Moxy who wrote that 'capital punishment for offences like rape and murder will never solve our law and order problems. In fact it could worsen the situation...One major consequence would be damage to properties by people seeking revenge'<sup>38</sup>. So, from all indications, there are strong cultural factors bordering on payback that stands against imposing the death penalty for rapists. Adding her own voice, the coordinator for Family Violence Action Committee, Ume Wainetti stated that:

The death penalty is not the answer to increased rape incidents in the country... If the society was sick, it definitely should have a remedy – and that is for individuals to change. The laws are not harsh, but killing someone is not the solution<sup>39</sup>.

In further stressing the inapplicability of the death penalty, the then Justice Minister Bire Kimisopa reiterated that:

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<sup>35</sup> Martin Korokan, 2006, 'Amputate rapists' (Viewpoint section), *Post Courier* 28 June, p. 11.

<sup>36</sup> Rosalyn Albaniel, 2006, 'Call to bar rapists from classrooms', *Post Courier* 1 September, p. 14.

<sup>37</sup> *The National*, 5 December 2005, 'Execution: Yes or no', p.16.

<sup>38</sup> Pinga Moxy, 2006, 'Forget capital punishment' (letters), *The National*, 20 March, p. 28.

<sup>39</sup> Francis Gabriel. 2006, 'FSVAC opposes death penalty', *The National*, 24 February, p. 3.

PNG was not yet ready to impose the death penalty. He said PNG was not in a position to impose the death penalty because the police and Justice Departments cannot fully and clearly verify hard facts and evidences to support the death penalty against anyone on death row. The police forensic lab does not have up-to-date equipment to prove a murderer or rape, and finger printing machines and machines to assist police litigations are not that up-to-date to give accurate evidences to clearly and accurately prove someone guilty for a death penalty. He said he was definitely supporting tougher action against serious crimes in the country, but it was just not the right time for PNG to impose the death penalty<sup>40</sup>.

From the above, sentiments aside, we know that legally and constitutionally, at the moment, no rapist has been or will ever be castrated, fed to crocodiles, tortured and beaten or hanged. However, what we do know at the moment is that the laws against rape and sexual assault have been amended to make it not only easier to prosecute rapists, but also to give them appropriate jail sentences<sup>41</sup>. But unfortunately, as facts show, the frequent jail breaks in the country make a complete mockery of the desire to punish rapists as the following section shows.

### **The reality of jail terms versus jail breaks for rapists in PNG – 2005 to 2006**

Every now and then, we are treated to news stories about prisoners or criminals escaping from the prisons and police cells and dashing for freedom. They happen so often sometimes that one begins to wonder whether there is any use in incarcerating them. What benefit is there for a rapist to be given a long term sentence only for him to escape and go and rape again?

In this section, using the news stories about prison escapes from the *Post Courier* and *The National* between 2005 and 2006, we shall tabulate in detail, the number of jail breaks that have occurred in the country within the time frame. Also of interest to us here are the remarks and comments made by the concerned police and Correctional Institutional Service (CIS) (prison) officers on how the prisoners escaped and on the criminal status of the escapees. The results show that there is an alarming disconnect between sentencing a rapist and the actual completion of the prison term.

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<sup>40</sup> Pearson Kolo, 2006, 'Death penalty to be abolished', *Post Courier* 13 April, p. 3.

<sup>41</sup> Christine Bradley, 2008, 'Overview of Sexual Violence', *NDOH GBV Regional Workshops, September – October*. (See also *National Department of Health, 'Rape Leaflet'*).



## **Jail Breaks and Police Cell Breaks – 2005 to 2006 – a total of 392 escapees from the following accounts**

### ***From The National 2005***

Monday January 24, 2005. National Capital District (NCD), Bomana Prison. 1pm Tuesday January 18, 2005. Escapees 65 (30 remandees and 35 convicted). Police/CIS comments: *'...Most of the inmates who broke out are considered dangerous...Three (3) of them were serving life terms for murder and rape...one(1) serving 27 years for rape, and four(4) were serving 22 years for rape and murder. Twenty-five (25) others were serving between 3 months and 20 years for various offences including abduction and rape, robbery and wilful murder, all dangerous crimes'*<sup>42</sup>.

Wednesday February 2, 2005. Southern Highlands, Bui Yebi Jail, near Mendi. 11am January 31, 2005. Escapees 32 (28 convicted and 4 awaiting trial). Police/CIS comments: *'The prison's acting commander described the escapees as high risk...Twenty-eight (28) were serving sentences for murder, rape, armed robberies and other serious offences'*<sup>43</sup>.

Tuesday February 8, 2005. Western Highlands, Baisu Jail outside Mount Hagen. Monday February 7, 2005. Escapees 33. Police/CIS comments: *'Remandees in Baisu jail dashed for freedom after attacking a lone guard. Many of them considered very dangerous...most were awaiting court appearances for wilful murder, armed robbery, rape...The Baisu break out is the third in the country in four weeks, and it raises questions about the security of many jails in the country'*<sup>44</sup>.

Wednesday February 9, 2005. NCD, Boroko Police Cells. April 28, 2004 and June 3, 2004. Escapees 5. Police/CIS comments: *'...the police man pleaded guilty to three counts of allowing prisoners to escape from lawful custody on April 28, 2004 after receiving a K100 bribe from them. The same officer had on June 3, 2004 released 2 prisoners after receiving bribes from them'*<sup>45</sup>.

Wednesday September 28, 2005. Madang, Beon Jail. Saturday night 24 September, 2005. Escapees 15. Police/CIS comments: *'Madang provincial police commander described the escapees as 'hard core and dangerous criminals' ...they are considered very dangerous and pose serious threat to the people of Madang...the escapees are serving jail terms from four to 48 years'*<sup>46</sup>.

<sup>42</sup> *The National*, 24 January 2005, 'Negligence leads to jailbreak: CS', p. 1.

<sup>43</sup> Andrew Alphonse. 2005, '32 escape from Bui Yebi', *The National*, 2 February, p. 3.

<sup>44</sup> *The National*, 8 February 2005, 'Jail Break out! 33 remandees escape from Baisu jail', p. 1.

<sup>45</sup> *The National*, 9 February 2005, 'Cell guard gets 30 months for letting prisoners walk out' p. 3.

<sup>46</sup> Sampson Bonai. 2005, 'Madang public warned on 15 who escaped jail', *The National*, 28 September, p. 5.

Thursday October 6, 2005. Western Highlands, Baisu Jail, Mt. Hagen.  
 Wednesday October 5, 2005. Escapees 33. Police/CIS comments: '*...in the high risk category...Out of the 33, eight (8) are convicted prisoners serving time for serious offences; 25 are remandees*'<sup>47</sup>.

Monday October 24, 2005. Bougainville, Buka Police Cell. 2:30pm Sunday October 23, 2005. Escapees 20 detainees. Police/CIS comments: '*...Escaped using the police boat. Only 4 officers, all female were on duty at the time of the escape*'<sup>48</sup>.

Friday 2 December, 2005. Eastern Highlands, Goroka Police Cell. Tuesday evening November 29, 2005. Escapees 18 remandees. Police/CIS comments: '*Police officers may have assisted...The break out was as a result of complete negligence and foul play by duty police officers...The 18 escapees are very dangerous people held for violent crimes including wilful murder, rape...*'<sup>49</sup>.

Friday December 16, 2005. Madang, Jomba Police Station Cells. Wednesday night December 14, 2005. Escapees 24 remandees. Police/CIS comments: '*...Some of them considered very dangerous...They found the cell door open and simply walked out. It is negligence on the part of those who were on duty*'<sup>50</sup>.

#### ***From the Post Courier 2005***

Thursday January 6, 2005. East Sepik, Boram Jail, Wewak. Escapees 4. Police/CIS comments: '*...hard-core...have been recaptured*'<sup>51</sup>.

Tuesday February 1, 2005. East New Britain, Keravat Jail. Escapee 1. Police/CIS comments: '*...being in possession of live ammunition, explosives and a firearm. He was remanded at the jail for armed robbery when he escaped*'<sup>52</sup>.

Tuesday February 1, 2005. NCD, Boroko police cell. Escapees 2. Police/CIS comments: '*...involved in robbery...captured on Friday and escaped during the weekend*'<sup>53</sup>.

Wednesday February 2, 2005. East Sepik, Boram Jail, Wewak. Escapees 2. Police/CIS comments: *One, 'described as hard-core'(recaptured); The other*

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<sup>47</sup> James Apa Gumuno, 2005, '33 escape', *The National*, 6 October, p.1.

<sup>48</sup> Aloysius Laukai, 2005, 'Police woman lets loose inmates', *The National*, 24 October, p. 1.

<sup>49</sup> Zachery Per, 2005, 'Guards may aid 18 to escape', *The National*, 2 December, p. 3.

<sup>50</sup> *The National*, 16 December, 2005, 'Felons walk free from police cells', p. 5.

<sup>51</sup> *Post Courier*, 6 January, 2005, 'Four criminals recaptured', p. 4.

<sup>52</sup> *Post Courier* 1 February, 2005, 'Keravat escapee captured' (In brief), p. 4.

<sup>53</sup> *Post Courier* 1 February, 2005, 'Two escape on 'snake-bail' (In brief), p. 4.

*'serving a life imprisonment for rape and murder when he escaped. It was his 3<sup>rd</sup> escape from prison...recaptured'<sup>54</sup>.*

Monday February 7, 2005. NCD, Bomana Jail. Escapees 2. Police/CIS comments: *One 'escaped while serving a 50 year jail term for the murder of a school teacher - recaptured. The other escaped a year before – recaptured'<sup>55</sup>.*

Thursday April 14, 2005. Gulf Province, Police Custody. Escapees 3. Police/CIS comments: *'Police in the Gulf Province are searching for three prisoners that escaped from police custody. They were among a group of prisoners that went to the kitchen to have dinner when they slipped behind the kitchen fence and escaped...charged for possession of dangerous drugs, live ammunition and wilful murder'<sup>56</sup>.*

Thursday June 9, 2005. Southern Highlands Province, Police Cell, Tari. 3am. Escapees 8. Police/CIS comments: *'Hard core...escaped after breaking the lock with an iron bar. A lone police officer on duty was over powered and his gun was taken'<sup>57</sup>.* Escapees 10. Police/CIS comments: *'Dashed for freedom after cutting fences in the compound'<sup>58</sup>.*

Wednesday November 16, 2005. Milne Bay Province, Alotau Prisons. Afternoon. Escapees 2. Police/CIS comments: *'Two dangerous criminals...the two men were a threat to the community ...the man and the other prisoners were taken out for work parade in the oil palms when they escaped'<sup>59</sup>.*

### **From the Post Courier 2006**

Tuesday January 3, 2006. NCD, Boroko Police Cells. 11.30pm. Escapees 5. Police/CIS comments: *'At about 11.30PM, the 5 escaped from the cells'<sup>60</sup>.*

Monday January 9, 2006. Gulf Province, Kerema Police Station. Escapees 4. Police/CIS comments: *'Wanted for armed robbery. The four jumped over the fence of the Kerema police station and escaped after they forcefully opened the padlock with a flat piece of iron bar'<sup>61</sup>.*

Wednesday January 11, 2006. Madang Province, Jomba Police Cells. Friday night 6 January. Escapees 13. Police/CIS comments: *'This is the second time in less than a month that remandees have escaped from the station'<sup>62</sup>.*

<sup>54</sup> Nancy Kalimda. 2005, 'Hard core criminal captured by cops', *Post Courier*, 2 February, p. 4.

<sup>55</sup> *Post Courier*, 7 February, 2005, 'Murderer recaptured', p. 4.

<sup>56</sup> *Post courier*, 14 April, 2005, 'Cops search for escapees' (In brief), p. 7.

<sup>57</sup> Nikints Tiptip, 2005, 'Inmate Aids escape', *Post Courier*, 9 June, p. 9.

<sup>58</sup> *Post Courier*, 16 August 2005, 'Escapee shot dead' (In brief), p. 4.

<sup>59</sup> Jessie Lapou, 2005, 'Two escapees on the run', *Post Courier*, 16 November, p. 14.

<sup>60</sup> Sheila Lasibori, 2006, 'Detainees run from cell', *Post Courier*, 3 January, p.4.

<sup>61</sup> *Post Courier*, 9 January 2006, 'Slain man's body dumped near house', p. 4.

<sup>62</sup> *Post Courier*, 11 January 2006, 'Remandees escape' (briefly), p. 3.

Tuesday February 28, 2006. Gulf Province, Kerema Police Cell. Morning. Escapees 21. Police/CIS comments: *'Many were convicts of armed robberies, rape, murder, drug trafficking'*<sup>63</sup>.

Thursday March 30, 2006. East New Britain Province, Kokopo Police Station Cell. Saturday morning March 25, 2006. Escapees 3. Police/CIS comments: *'...hard core...The three men escaped after they were moved back to the cell that had its window's iron bars partly sawed off during an attempt escape by two of the three escapees a few days earlier'*<sup>64</sup>.

Wednesday April 12, 2006. Western Province, Kiunga Cells. Escapee 1 (Recaptured). Police/CIS comments: *'Kiunga police have recaptured a serial rapist and escapee and a dangerous criminal. The man was wanted for more than 10 rape cases...and multiple escapes from police custody'*<sup>65</sup>.

Friday May 19, 2006. Central Province Jail. Escapee 1. Police/CIS comments: *'Police in Central Province have shot dead a wanted criminal. The man was on the run after breaking out of jail for the third time'*<sup>66</sup>.

Tuesday June 27, 2006. Eastern Highlands Province, Bundaira and Bihute Jails. Number of escapees not known. Police/CIS comments: *'...Mostly escapees from two Correctional Service lock-ups in Bundaira and Bihute jails. Their escape was never reported to Police...All hard-core...They went to the nearby college of Allied Health Sciences Campus where they abducted 2 second year female students...where they were raped in a 6 hour ordeal'*<sup>67</sup>.

Monday July 17, 2006. NCD, Boroko Police Station Cell. Early hours of the morning. Escapee 1. Police/CIS comments: *'A thief is on the loose after he nicked the cell key from a sleeping policeman and locked up the policeman before fleeing'*<sup>68</sup>.

Thursday July 20, 2006. East New Britain Province, Police custody. Escapee 1. Police/CIS comments: *'Escaped from police custody after being arrested for several serious crimes'*<sup>69</sup>.

Friday July 21, 2006. NCD, Bomana Jail/Boroko Police Station. 9:30pm  
Wednesday 19 July. Escapees 17. Police/CIS comments: *'The escape happened after some of the inmates had given money to a guard at the cells to buy food at the nearest 'kai-shops'. The officer went outside and did not lock the door'*<sup>70</sup>.

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<sup>63</sup> *Post Courier*, 28 February 2006, '21 escape from cells' (briefly), p. 6.

<sup>64</sup> *Post Courier*, 30 March 2006, 'Trio dash to freedom' (briefly), p.9.

<sup>65</sup> Pearson Kolo, 2006, 'Serial rapist caught', *Post Courier*, 12 April, p. 5.

<sup>66</sup> *Post Courier*, 19 May 2006, 'Escapee killed' (briefly), p. 8.

<sup>67</sup> David Muri, 2006, 'Armed thugs ransack Kainantu, hold town...Under Siege', *Post Courier*, 27 June, p.1.

<sup>68</sup> Alex Rheeney, 2006, 'Locked up thief nicks key from sleeping cop', *Post Courier*, 17 July, p. 3.

<sup>69</sup> Grace Tiden, 2006, 'Criminals warned to surrender', *Post Courier*, 20 July, p. 6.

<sup>70</sup> Sheila Lasibori, 2006, '17 Prisoners escape from Boroko cells', *Post Courier*, 20 July, p. 6.

Wednesday July 26, 2006. Morobe Province, Buimo Jail. Escapees 2 (Recaptured). Police/CIS comments: *One was 'wanted for crimes including murder, armed robbery and car theft and was on the run since escaping from Buimo jail in 2004'*<sup>71</sup>.

Tuesday August 8, 2006. Morobe Province, Buimo Jail. Escapees 4. Police/CIS comments: *'The four juveniles, charged with various crimes including murder and rape, climbed over the fence and escaped'*<sup>72</sup>.

Monday August 14, 2006. Western Highlands Province, Baisu Jail. Escapees 4. Police/CIS comments: *'Lae Police have recaptured four jail escapees including a convicted rapist, who escaped from Baisu jail'*<sup>73</sup>.

Thursday August 17, 2006. Morobe Province, Buimo Jail. Escapee 1. Police/CIS comments: *'An escapee was killed after he stabbed another person in Lae...The escapee had been convicted over rape when he escaped in 2000'*<sup>74</sup>.

Thursday September 7, 2006. Morobe Province, Lae Police Cells. Tuesday night September 5, 2006. Escapees 22. Police/CIS comments: *'The 22, many of them described as dangerous walked out of the two cells that were not locked properly and escaped through the roof of the police station which they had forced open'*<sup>75</sup>.

Thursday September 7, 2006. Morobe Province, Buimo Jail. Escapees 5. Police/CIS comments: *'Described by police as hard-core...cut through the fence and made their dash for freedom during heavy rain'*<sup>76</sup>.

Wednesday September 13, 2006. Northern Province, Biru Prison. Escapees 5 (1 recaptured). Police/CIS comments: *'A notorious criminal who escaped from Biru Prison while serving a life sentence was recaptured...He escaped with 4 other prisoners'*<sup>77</sup>.

Monday December 11, 2006. East New Britain Province, Kokopo Jail. Escapee 1. Police/CIS comments: *'An escaped convict... has joined forces with a wanted criminal along with six of their followers...Police allege that the leader of the group and an escapee from Kokopo prison who was sentenced to 28 years imprisonment an have been involved in numerous armed robberies and*

<sup>71</sup> Ronald Bulum, 2006, 'Two deaths at weekend', *Post Courier*, 26 July, p. 4.

<sup>72</sup> *Post Courier*, 8 August, 2006, 'Juveniles on the run' (briefly), p. 4.

<sup>73</sup> Abby Yadi, 2006, 'Escapees Recaptured', *Post Courier*, 14 August, p. 4.

<sup>74</sup> Franco Nebas, 2006, 'Escapee bashed to death by crowd', *Post Courier*, 17 August, p. 4.

<sup>75</sup> Abby Yadi, 2006, 'Crooks flee', *Post courier*, 7 September, p. 1.

<sup>76</sup> *Post courier*, 7 September 2006, 'Five escape from Buimo prison', p. 4.

<sup>77</sup> Pearson Kolo. 2006, 'Dangerous criminal recaptured', *Post Courier*, 13 September, p. 6.

*thefts...On a later date, the same group of men held up a kai bar...where they took turns raping a woman...'<sup>78</sup>.*

**Analysis:** So, within the period under review, a total of 392 hard-core prisoners were reported to have escaped from some of the prisons and police cells in the country. As we may well know, the real figures are definitely higher as it is only when there is a major break out that it makes the news. In addition, the table shows that jail breaks are very common nationwide and happen at any time – morning, afternoon and night and in circumstances that can be regarded as very pathetic. This scenario has a lot of implications on dealing with the problem of rapes in the country. While it looks as if sending the rapist to jail is adequate enough, the reality is far different.

### **Significance of the study**

This study is very significant because it brings out a number of issues about crime and punishment in PNG. Firstly, the desire often expressed to send rapists to jail flies in the face of the reality of jail breaks. Secondly, it shows how porous and ineffective our prison system in PNG is. Thirdly, it shows the nonchalant attitude of the police in dealing with criminals in custody and the danger it poses to the whole society. Therefore, to deal with the problem of rapes in the country, an effective multi-sectoral approach is needed. One aspect of this approach will be to use the mechanism of ‘naming and shaming’ of rapists publicly.

### **Conclusion**

The mechanism on how to respond to wrongdoing has been an integral part of the evolution of societies. It is difficult to see any area of our lives in which our anger and raw emotions are more strongly played out than in our attitude and reaction towards the person who has infringed the law. From what we have seen so far, it is very clear that the problem of rape in PNG is one that not only makes people unhappy, but also one for which they demand change. However, at the moment, how that change can come about legally seems to elude everyone.

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<sup>78</sup> Aolani Lee. 2006, ‘Criminals gang up in Kimbe’, *Post Courier*, 11 December, p. 8.

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