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## ADDRESSING SORCERY ACCUSATION-RELATED VIOLENCE IN THE VILLAGE COURT SYSTEM OF PAPUA NEW GUINEA

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### Abstract

- Village court magistrates face a number of challenges in dealing with sorcery accusation-related violence (SARV) cases, including risk of assault, ambivalence about the reality of sorcery and its harms, low legal literacy and a need for more community policing.
- Village court magistrates leverage a number of innovative opportunities to manage SARV cases as best as they can, such as their community leadership roles and reminding people of Christian values.
- More support by way of training, community policing, higher level court oversight and more collaboration with state and non-state actors will help to strengthen and empower village courts to address SARV effectively.

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## ADDRESSING SORCERY ACCUSATION-RELATED VIOLENCE IN THE VILLAGE COURT SYSTEM OF PAPUA NEW GUINEA

By **William Kipongi and  
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### Introduction

Sorcery Accusation-Related Violence (SARV) is a significant form of violence across many parts of Papua New Guinea (PNG) today. The extent of the harm caused by SARV is unknown as many cases are not reported to authorities, and even when they are reported, the fragmented nature of data in PNG makes obtaining a reliable account of reported cases difficult. A multi-year study on SARV by our research team has recorded 1,039 cases in which 1,554 people were affected in only four provinces over four years (2016-2020)<sup>1</sup>. A review on the two national newspapers from 1998 to 2022 has so far found 1,024 articles reporting SARV incidents. It is clear that these reports are only the tip of the iceberg of the harm caused by SARV, which commonly includes inter-generational stigmatisation, destruction of property, arson, grievous bodily harm and murder.

SARV presents multiple challenges for the justice system in PNG, much of which has been discussed in other publications (Forsyth et al., 2021). This article concerns the ways SARV cases are addressed at the lowest level of the formal justice system in PNG, namely, the village courts. Village courts have played a vital role in the justice system ever since their inception in 1975 (Scaglione, 1990) and research done by the Melanesian Institute during the 1990s found that most accusations of sorcery were dealt with at the village court level (Constitutional and Law Reform Commission (2011: 20). Today according to statistics shared by the village court secretariat to village court magistrates at a training conducted in the Highlands in 2020, there are a total of 18,480 village court officials (including magistrates, clerks and registrars) working in over 1,800 village court areas around the country.

Village courts are designed to uphold and integrate cultural and customary values with state laws to provide access to justice for a significant portion of the population. The higher state courts are largely inaccessible to many citizens due to the geographical terrain, lack of infrastructure development and funding constraints. A large number of conflicts and problems in the rural areas are resolved through the village courts or through other social and cultural means, such as conflict resolution within families, clans or even through counseling by religious leaders.

Village courts play a preventative role in stopping incidents of SARV and also provide justice to victims following incidents of SARV. In the multi-year study of SARV referred to above, we found that attempts were made to deal with the accusation in non-violent ways in 73 percent of the cases we recorded. It was village court officials who made that attempt in 32 percent of these cases overall, although the exact percentage varied according to the province involved (Enga – 31 percent, Bougainville – 37 percent, National Capital District – 35 percent and Jiwaka – 9 percent). Overall, we found that attempts made by village court magistrates to resolve an accusation in a non-violent way was associated with a non-violent outcome. Of all the recorded cases, 29 percent led to violence. Of the cases where an attempt was made by village court magistrates to deal with the accusation in non-violent ways (with or without other people), only 24 percent led to violence.

From the foregoing, it is clear that village courts play an important role in addressing SARV. This raises several important questions – What techniques have these courts developed to deal with such cases effectively? What challenges do they face? How can they best be supported in doing this work?

<sup>1</sup> Research done on Sorcery Accusation-Related Violence in partnership with academics at Australian National University, Divine Word University and PNG National Research Institute in four provinces of Papua New Guinea over four years (2016-2020), supported by the Australian Government in partnership with the Government of Papua New Guinea as part of the Pacific Women Shaping Pacific Development program.

Before turning to these questions of strategy and challenge, however, we first describe the methodology used to answer and then turn to the jurisdiction that the village courts have in cases of SARV.

## Methodology

This paper draws on a range of sources including newspaper reports, our incident database and most recently, observations and interviews conducted as part of a village court magistrates training on addressing SARV conducted through the Department of Justice and Attorney General in four Highlands provinces in 2020. The methodology for the development of the newspaper and the incident database development are discussed in detail elsewhere (Forsyth et al., 2017; Losoncz et al., 2020).

In relation to the latest qualitative additions, at the workshop, 23 participants volunteered to share their experiences individually. They were asked two main questions:

- *How do you deal with SARV cases in your village court area?*
- *What are the main challenges faced when dealing with SARV cases?*

Their answers were recorded and transcribed. The experiences the 23 participants shared, and the case examples we recorded them describing, were used to demonstrate the challenges they face and the strategies adopted to address SARV.

## Jurisdiction of the village courts to deal with SARV

Village courts have a range of civil and criminal jurisdictions that are used in relation to community level sorcery disputes, or to prevent or deal with SARV. Basically, there are three main types of powers the village courts can call upon: preventative, mediation, and judicial. First, the village courts can act to prevent cases of SARV through their powers to issue preventative orders to keep peace among the people. Second, the village courts have mediation powers that are used in cases of SARV to mediate between parties to preserve peace and harmony. Third, the courts hear cases that involve specific offences such as assault and threatening words and damage to properties. However, there are limits to the severity of the harm that falls within the village courts' jurisdiction. Serious criminal offences falling outside the village courts' jurisdiction (such as grievous bodily harm, rape or murder) cannot be mediated, nor do the village courts have power to make decisions about such matters (see *Village Courts Act*

1989, S36, and Division 3 that sets out the criminal offences that comes within their jurisdiction).

The *Village Courts Act 1989* also has a range of specific sorcery offences. These offences include:

- practising or pretending to practise sorcery;
- threatening any person with sorcery practised by another;
- procuring or attempting to procure a person to practise or pretend to practise, or to assist in sorcery;
- the possession of implements or charms used in practising sorcery, and
- paying or offering to pay a person to perform acts of sorcery.

Similar offences were removed from the higher courts through the repeal of the *Sorcery Act 1971* but retained in the *Village Court Act*, as this was believed to be the most appropriate jurisdiction.

## Challenges faced by the village courts in dealing with SARV

### 1. Pressure to exceed their jurisdiction

We have found that SARV cases involving serious criminal offences falling outside of the village courts' jurisdictions were often dealt with by the village courts, despite the legislated limitation on hearing serious criminal offences. Often the village courts step in due to an absence of availability or accessibility of the higher courts. According to the magistrates, the urgency of the SARV incident forces the village courts to intervene for the safety of those accused. The failures of the higher courts in addressing these cases was recently highlighted by a non-government organisation (NGO) female leader, who stated: "Even magistrates in district courts are not turning up to hear cases of these family courts and serious cases of SARV where women tortured sustained serious injuries are not given priority" ('Court System Weak for SARV Cases', *Post Courier*, 10 May 2023).

### 2. Inadequate community or police support

Most of the village court magistrates reported that it is hard for the village court to intervene in SARV cases when there is no police support or community cooperation. One way the village court magistrates respond to this challenge is to stop dealing with it as a court matter, and instead bring it up as a case mediation, which involves community leaders and church pastors. The presence of such respected community

members is used to encourage the parties to resolve the issue peacefully. In this mode, however, they cannot fully apply their village court powers to make decisions or issue preventive orders.

The community belief system is a particular challenge in the village court areas that are not connected by roads and bridges. Some magistrates are working in isolation from the police posts and town centres. In some cases, the belief in sorcery is so strong that it is very hard to defend the accused. The interviews also affirm that the decisions pertaining to SARV cases seemed less likely to hold perpetrators directly accountable for the violence caused. Many rural areas have no infrastructure such as road links and bridges, some have no police post, others have no government presence at all. SARV is therefore tolerated and perpetrators enjoy impunity for their offences.

### 3. Risk of physical assault

In a few cases, magistrates were assaulted by perpetrators when decisions were handed down in favour of the accused. For example, a village court magistrate from Ialibu Pangia District in the Southern Highlands Province was assaulted during a SARV case mediation. An elderly man had been accused by a family for practising sorcery, intended to stop the entire family from becoming successful in school and business. The issue was brought up when one of the family member of the accusers fell sick and the accused was blamed as the cause of the sickness. At the court, the accusers started reporting incidents dating back to 10 to 20 years without providing concrete evidence. They demanded that the accused be locked up in the jail or migrate to some other places. The magistrates told the accusers that they did not have any evidence to support their claim. The magistrate dismissed the allegations and warned the accusers not to accuse that old man again. The next day, the accusers went and burnt down the magistrate's house and destroyed his properties. The magistrate fled for his life with his family and currently resides in another village. The matter was reported to the police but no action has been taken against those perpetrators since the incident.

In another incident in Bena in the Eastern Highlands Province, a group of perpetrators destroyed the house of a village court magistrate when they learnt that the magistrate had helped a SARV victim to report the matter to the police. A lot of village court magistrates reported experiencing similar incidents which scared them and makes it difficult for them to carry out their duties diligently as they feel their life is under threat and in danger.

### 4. Low legal literacy

Some village court magistrates do not have the competency to explain what the law says about SARV as they themselves do not understand it. Low literacy level and lack of training and workshops are common difficulties amongst the village court magistrates including clerks and registrars. Often, magistrates need to ask someone else to read to them the information about SARV written on the pamphlets issued by the Department of Justice and Attorney General. Sometimes they arrive at the wrong interpretations of the law, which diminishes and sometimes undermines the effectiveness of their work. Many of them told us that when everything is written in English, they do not understand what it really means. Magistrates from Jiwaka and Enga provinces urged the trainers from the DJAG to translate their presentation into Tok Pisin when explaining the village court jurisdictions so they could understand. This has been a major concern expressed by other magistrates as well, during the village court magistrates training in four Highlands provinces in 2020.

### 5. Doubts and confusion as to how SARV can be addressed

Many magistrates strongly believe in sorcery themselves. Consequently, they do not actively engage in dealing with SARV. One magistrate from a remote village in the Southern Highlands Province said: "*Planti saen kamap pinis na ol putim ae long em stap. Nao pikinini dai so ol paitim em*" (a lot of signs were noted earlier, so people just watched her closely. Now the child died, so she is accused and assaulted). There is a great deal of tolerance and affirmation from magistrates that those who have been accused deserved to be punished. Some magistrates reprimanded the survivors of SARV when they are presented at courts. Others refused to get involved in the case as mediations. Another magistrate said: "... *gavman nid long wokim wanpela lo long stopim ol long mekim kain pasin*" (government needs to come up with a law to stop sorcerers practising sorcery). It came out quite consistently during the interviews that the magistrates seemed to see the main problem as being sorcery, rather than SARV. In some instances, these beliefs led to village courts requiring the accused to pay compensation to their accusers. For example, *Post Courier* ('Villages effect citizen arrest', 20 August 2021, p. 8) reported a case where a father and a son were accused of using sorcery to cause the death of a man. Both were arrested and later charged to pay compensation.

In another case in Goroka in 2020, a village court magistrate was the leader of a group who forced a man and a woman

to confess that they had killed a man through sorcery following one and half hour of continuous threats, force and interrogation. The village court magistrate then conducted a mediation with a team that was composed of court officials from village court, police officers from Goroka and village court officers from another village court. After the mediation, the complainant was ordered to pay K2000 as compensation for killing the deceased. The complainant appealed to the District court who ordered the parties to pay K5000 compensation. The District Court put a higher penalty on the magistrate, stating in the case of *Wawae v Auwowe* [2021] PGDC 243, “Being the current chairman of Ufeta Village Court has brought the job he holds into disrepute; hence, he must pay more than the others for the role he plays.”

Similar perspectives were expressed by other active members in the law and justice sector in PNG. For example, in 2020 the Northern-End Assistant Commissioner (ACP) of Police, Peter Guinness, called on the government to “provide a Sorcery Act that gives clear directives on how police and courts can enforce the procedures in investigating sorcery/witchcraft allegation cases” (*The National*, 2 July 2020, p.3). The Northern Provincial Police Commander Superintendent, Michael Welly, said there was no law in place to arrest and charge sorcery-related incidents and as a result, perpetrators will always walk away freely (“No laws to prosecute ...”, *Post Courier*, 18 November 2020, p.15). Most concerningly, in March 2022, the Commissioner of Police stated “there is no law specific to Sorcery Accusation-Related Violence crimes and the police is left to dissect the SARV crimes committed and investigate them in accordance with the Criminal Code” (*Post Courier*, 7 March 2022). Not only does this imply that the crimes committed as part of SARV are somehow different from “ordinary” crimes of murder, assault and arson, which they are not, it also overlooks the special provision inserted into the criminal code to provide an offence of intentionally killing another person on account of an accusation of sorcery (section 299A Criminal Code Act).

In *Asaba v Kalaut* [2021], PGNC 16, the plaintiff was assaulted by the police and detained at Jomba Police lockup from 23 January 2015 to 23 February 2015 on suspicion of committing sorcery. He was never taken to the hospital to receive treatment for his injuries and was never charged. All his contents in his bilum, including K700 for his son’s school fees, were taken by the police and never returned. The court stated “If a police officer considers that sorcery is a criminal offence, then there is little hope for many innocent and helpless Papua New Guineans who can be attacked just

because another person accuses them of causing misfortune or death through the use of sorcery”.

These misconceptions and doubts publicly articulated by law enforcement agencies on public media shows that there is still ambivalence about the enforcement of the laws relating to SARV.

### Strategies developed by the village courts to deal with SARV cases

Village court magistrates use a range of strategies while dealing with SARV cases in their respective court areas. These strategies differ between court areas due to different local beliefs, cultural variations and particular social settings. One important factor affecting choice of strategy is whether the court is in an urban or a rural setting. In a rural setting, the court case often involves family against family or clan against clan and not just individual perpetrator against the victim. There is no record kept, no preventive orders issued (though one may be issued verbally) and no police monitoring the situation of the victims – these are scenarios commonly noted in a rural village court setting. In contrast, while these practices occur also in an urban setting, they are less common. Another difference is that the decisions in urban village court settings tend to take into account the needs and concerns of the individual victim, while decisions of the rural village courts often take into account the welfare and wellbeing of the community. In addition, in a rural setting, every family/clan member of the perpetrator is warned not to cause harm, while in the town setting, only the perpetrator is explicitly warned not to cause harm in the event of sorcery accusations.

#### 1. Mediating between parties

Village court magistrates often treat sorcery cases as threats to the peace and good order of the community. They therefore, apply their customary and traditional ways of restoring peace and maintaining values. This makes village courts an appropriate venue to deal with minor disputes concerning sorcery, and to prevent them from escalating into more serious violent incidents.

For example, a village court magistrate from the Jimi District of Jiwaka Province shared his experience. Two women were suspected of practising sorcery in a village by the community, but they had never talked openly about it. Then a child fell unconscious. The relatives kidnapped the two suspects and started torturing them. A few hours later, the child regained consciousness. People sent word to the perpetrators not to kill the two accused. When the family members of the accused heard, they quickly mobilised and went to fight with

the families of the perpetrators. The case was brought before the village court for peace mediation. The relatives of the accused demanded compensation. But then the perpetrators claimed that the accused's families had to pay compensation to address all the previous deaths in the village, claiming the two suspects were the cause of those deaths too. After several mediation sessions and discussions, the magistrates, together with the community leaders, decided that the perpetrators had to pay compensation to the two victims, and later that the two victims had to pay compensation to the family of the child, but less than what was received by them from the perpetrators. This resolution was seen as a win-win decision that put both parties at ease. Unfortunately, the evident problem with such a resolution is that it supported the suspicion that the women had actually used sorcery.

## 2. Use of preventative orders

The magistrates use preventive orders on both parties, complainant and defendant, to prevent further escalation of violence after SARV, and also to prevent violence occurring after an accusation has been made. Since SARV often occurs within families, the use of the Interim Protection Order (IPO) from the *Family Protection Act* 2013 has been helpful in many cases. One of the survivors who was recovering from SARV in a safe house said that an NGO had helped her to obtain an IPO and the police delivered it to her violent husband who had accused her of sorcery. The husband wanted to marry a second wife, so he accused the first wife of practising sorcery, causing the relatives of the husband to assault and torture her. Luckily, she managed to escape and was able to be accommodated in the safe house run by the local NGO. During the interview, she revealed the whole story and was thankful to the NGO for assisting her to obtain the IPO to keep her violent husband and family away from her. The same NGO had issued IPOs to a few other survivors of SARV perpetrated by family members, ensuring that they are protected. This strategy is particularly effective in the village court settings, where the magistrates work closely with the police and other key partners. However, it is less effective in remote settings, due to remoteness and lack of enforcement authorities.

## 3. Issuing orders for high levels of compensation

Village court magistrates in some areas fine those making accusations for defamation of character, or else find perpetrators guilty of other offences against the accused and require them to pay compensation.

Some village courts use high compensation demands placed on perpetrators as a strategy to stop SARV. In one of the

cases reported in Enga Province, two women were accused of causing the death of a child in September 2017. They were both tortured to death. The case was reported to the police and to the District Court in Wabag. After the first court mention, the clan leaders of the two victims talked with the clan leaders of the perpetrators and both sides of the dispute agreed to settle the case outside of the court system. They invited the police and village court officials to mediate the case. The mediation committee ordered the perpetrators to pay K50,000 cash and 70 pigs to the clan of one victim and for the other victim's clan, agreed upon K30,000 and 50 pigs. The clan members of the perpetrators consisted of about 500 men, excluding women and children. They made several complaints that the compensation amount was too high but in order to appeal the decision, they had to go through the District Court. Since the defendants were afraid the District Court might sentence those involved to imprisonment, they eventually agreed to meet the demand and pay compensation to both clans of the two victims two years later.

When the magistrates involved were interviewed, they revealed that the rationale for the high amount of compensation was to challenge the family or community of the perpetrators to feel the pain of meeting the demand. They hoped this would discourage their youths not to get involved in similar criminal activity in the future. Indeed, some of the community members confirmed that they were now afraid of getting involved in SARV, after experiencing the pain of meeting the high compensation demands. This is certainly one effective way to tell the community that SARV is against the law and that those involve will be heavily penalised.

## 4. Using multiple sources of moral authority to prevent SARV

We found that the village court magistrates often draw creatively upon different sources of authority in dealing with SARV in their respective village court areas. Some village court magistrates are also the community leaders of their respective communities. In this respected role of authority, they are able to keep telling the people not to accuse someone of practising sorcery because there is higher penalty imposed by the courts for making such accusations. Sometimes they also emphasise Christian values to condemn the act of the perpetrators. Other times they use their customary values to condemn the inhuman act of torture and killing of human beings. Thus, it can be seen that these magistrates have adopted a multi-faceted approach and have used counter-narratives when dealing with SARV.

Village court magistrates are equipped with the knowledge

of family ties and clan systems in their respective areas, and many work tirelessly to identify the root causes of the accusations and violence that have led to destruction of properties and sometimes claimed lives of people. In our interviews, many magistrates observed that accusations often erupt from a longstanding, unresolved issue that goes back two to three generations. For instance, in one of the SARV cases in Jiwaka, a family was chased out of the village after a sorcery accusation involving a child. It was reported that a child from the accused family had passed on the sorcery spirit to another child from the accusers' family. The accusers claimed their child was misbehaving in the community, and the family forced him to confess as to where he got such an evil spirit that was controlling him. Finally, he called the name of his friend, saying this friend had passed on the spirit to him in a form of bird while he was sleeping. That story started the accusations, resulting in destruction of properties and cutting the members of the family with bush knives. The accused family fled to live in another village.

Interviews with each of the members of the accused family and some of the accusers showed that the sorcery accusation was used as a pretext to acquire the land that the accusers' grandfather had claimed some years back. The two families had been to court several times over land boundary issues. The issue had never been resolved, and when the sorcery accusation was made, the family that chased the other family out went ahead and claimed the land and properties. The case was brought to the attention of the police and the village court, who then first dealt with the SARV case. Once the SARV case was resolved, the land issue was finally brought back to the village court. The magistrates then called all the community leaders to redraw the land boundaries. In front of both the police and the village court magistrates, the feuding families confirmed the land boundaries, and that attested to its resolution. The victims went back and started rebuilding their homes. This incident reflects many similar situations where the accusation relates to a pre-existing tension or conflict and where the local knowledge of the people was needed to assist in addressing the root cause. In some cases, it involved a marriage difficulty, in others, it concerned tribal fighting and land disputes.

Today, problems related to jealousy, polygamy, employment, education, and so forth continue to cause tensions that can result in a sorcery accusation. In turn, accusations can trigger violence that can then quickly escalate and get out of control. In such circumstances, village court magistrates can play a vital role in trying to address the violence through recalling the historical and contextual factors that might be contributing to the violence and destruction and seeking to

address these underlying factors as well.

## 5. Working collaboratively with coalitions of state and non-state actors

We have observed in previous research that coalitions between state and non-state actors are important strategies in addressing SARV, and village courts are often central in such coalitions (Forsyth and Hukula, 2019). These coalitions manifest in different ways and encompass different actors in different regions across PNG. Here we discuss a few examples from the recent Highlands village courts workshop covering Eastern Highlands, Jiwaka, Southern Highlands and Enga from July to August of 2020.

One example involved two women who were accused of practising sorcery as the cause of a man's death. Subsequently, the whole community mobilised and tortured the two women. The matter was reported to the police. The police quickly went to the scene with some village court magistrates and community leaders to rescue the victims. After the two victims were handed over, the police gave a verbal order that the perpetrators should surrender before the evening of that same day. Nobody turned up at the police station. Early the next morning, at around 3am, the police surrounded the entire community and arrested 18 males. The arrested men were locked behind bars for 24 hours, and finally asked the police if they could be released, so they could go back and pay compensation. The police released the men who went back and paid compensation as promised. This illustrates the kind of situation in some areas where people fail to follow the verbal orders issued by the magistrates and police to prevent further escalation of violence.

A female village court magistrate shared her experience of a SARV case in Goroka town. A woman was accused of causing the death of a young man through sorcery. The relatives of the deceased man kidnapped the accused and repeatedly tortured her. The Family and Sexual Violence Unit (FSVU) from Goroka intervened and took her to a safe house. After she recovered, one of her relatives, along with few officers from Oxfam, assisted her in bringing the matter to the court. The names of the perpetrators were recorded in the police report, but the case was brought to the village court at the request of the victim. The magistrate called out the names of the perpetrators, the offences committed, and the time and date as recorded in the police summary report. After the court proceedings, the magistrates read out the decision that the perpetrators had to pay compensation and say sorry to the victim. In addition, the perpetrators were issued preventive orders not to cause further harm to the victim. The victim's situation was monitored by FSVU, community leaders and



the magistrates. When the perpetrators noticed that she was monitored by those authorities, the perpetrators left the victim free to talk, do things, and move around unhindered. They were afraid of being arrested by the police. Although this represents a particular case, it is a prime example of many similar case scenarios occurring in the urban village court settings where some survivors are given the care and support they needed by monitoring their situation, even after the court decisions.

One village court magistrate from Jiwaka who had served for more than 20 years said: *“Taim mi harim o lukim ol bagarapim wanpela meri hariap mi kolim polis”* (when I see or hear a woman is being accused and tortured, I quickly call the police). This narrative reflects one of our findings that there is a growing number of people, both in positions of influence and from community, who are willing to respond quickly to SARV cases by calling for help from police and other key agencies. Evidence from the research shows that in many SARV cases where violence is avoided or victims are rescued, police and village court magistrates seem to be working cooperatively together (Forsyth et al., 2021). This is an important finding, because when a SARV case is reported to the police and if the police attempt to intervene, it makes the work of the village court magistrates easier and boosts their willingness to do their work effectively.

Village court magistrates often work with church leaders as well. Christian values and customary values are highly talked about during the court sessions and during awareness campaigns. Churches have played an important role as they strategise the Christian values of love and respect towards others. For example, the Catholic Bishop of the Diocese of Wabag, Bishop Arnold Orowae suspended an entire Christian community from church activities after a woman was accused and tortured to death in that community. Such a bold stand taken by the bishop drew fear amongst other Christian communities and led them to avoid participating in SARV. Continued awareness and tough decisions made by church groups and influential leaders help the work of the village courts on SARV in their respective court areas.

## Conclusion

The village court is the only part of the courts system that is widespread and readily available to most of the population throughout PNG. The research concludes that magistrates experience a lot of confusion around SARV cases and are often unsure about how SARV can be dealt with effectively in the village courts. The trainings that have been conducted to date are a step in the right direction, but the challenge of SARV

is complex, and handling it effectively will require repeated training sessions conducted biannually. There is a need for collaboration of efforts from community leaders, church pastors, councillors and political leaders to support village court magistrates on the ground. On that same note, there is also an important role to be played by the higher courts, such as the District Court, in supporting the development of the village courts. Such an initiative and arrangements will surely boost the morale and help strengthen and empower village court officials to effectively deal with SARV in the country.

## Recommendations

Having highlighted the complexity of the issue of SARV, here we present a set of recommendations that we consider will help to improve the village court service for victims of SARV in PNG.

- Create more auxiliary/community police officers to work with the Royal Papua New Guinea Constabulary (RPNGC) to support village court magistrates throughout the country. For this to happen effectively, there is an absolute need for appropriate oversight over the community police.
- Conduct regular training workshops for village court officials to educate them on their roles and responsibilities concerning SARV, ensure they are clear as to the legal framework, and support them with effective strategies to use against SARV.
- Develop training materials that are readily accessible for village court magistrates, such as short videos or other digital materials that can be accessed on a smartphone, or else written in local language or *Tok Pisin*.
- Facilitate the setting up of direct communication links with village courts and police and SARV victims, so that once an incident happens, police officers can be contacted immediately and can attend to it on time and before the incident gets out of control.
- Provide mechanisms for more effective support from the higher courts, such as the District Court, to assist village courts in addressing SARV.
- Encourage the use of preventative orders by village court magistrates. In particular, having them signed by the accusers and the community leaders, and putting in place a regular monitoring program, will help to ensure their effectiveness.
- Develop a procedure whereby village court magistrates

have the discretion to step down in particular cases where they experience a conflict of interest and enable them to request independent magistrates to hear the case. This will help to overcome perceptions of bias and also support magistrates in making decisions without feeling threatened by having their community against them.

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