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**The Applicability of 'Voice of the Customer' Tools
To an Indigenous Organisation in a Developing Country**

**A Thesis submitted to Massey University in partial fulfilment of the requirements for the
degree of
Masters in Philosophy (Quality Systems)**

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**Janice Ann Lewis
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Abstract

The value and applicability of western management theories and practices to the developing world is rarely discussed within the current rush to globalise the world economies, capture untapped wealth and seek to establish businesses within indigenous societies. This is especially relevant to the use of Voice of the Customer (VOC) methods and tools when applied to indigenous peoples and service organisations, where customer information is used to design or improve services. There has been limited concentration and much debate as to whether VOC tools are as effective as anticipated, and can solve the unique problems that appear when used in unfamiliar diverse cultures in developing countries.

A risk when using a particular method or management technique is the desire and expectation that it will be transferable for use in similar businesses in other countries. Service quality is reliant on what the customer feels and often cannot be measured easily. This can be compounded in a developing nation scenario, by the fact that methods are usually developed, implemented, interpreted and validated through a western 'lens'.

Armstrong and Pont et al (2011, page 6 -7) describe these issues succinctly when they state... *'a survey of the leading academic journals suggest that well over 90% of the articles published are concerned with establishing basic causality behind certain phenomena. Very few studies investigate whether a certain method used by management is effective or not as practitioners we are more interested in what works than the intricacies of causality'*.

This research specifically explored the use of VOC tools in the Bougainville Village Court (VC) to identify service elements customers considered important to the functioning of the VC in their village communities. Tools that were used included quantitative measurement tools - a combined Garvin–SERVQUAL tool, the RATER model, and Quality Function Deployment (QFD) principles, and the more qualitative New Zealand Business Excellence Criteria (NZBEC).

The research demonstrated that the quantitative VOC methods used did not fully fit, or account for some service elements important to the customer in this particular context, where societal trust and continuous contact are important service elements. The methods used were thus, unable to completely capture the full humanistic elements and contributing causal factors.

In this research study cultural context in the form of history, environment, tradition, community relationships and structures, played a vital role in determining what the customer considered were important service elements. It was found that these elements were more easily captured through use of the more qualitative NZBEC as it enabled collection of more diverse perspectives through its open question structure.

Generic VOC 'western developed' quantitative tools did gather VOC information. However, they were only effective after adaptation to each VC location and after cultural input. Cultural analysis from indigenous people to interpret the data is recommended as a prerequisite and standard part of VOC methodology in a developing country scenario.

This research suggests assessment and analysis based solely on 'western' VOC methods and statistics will not capture the VOC fully and could lead to misinterpretation or fail to acknowledge the real voice of the customer and the causal and contextual factors contributing to customer responses.

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LIST OF ACRONYMS

ABG	Autonomous Bougainville Government
AROB	Autonomous Region Of Bougainville
AGDISP	Attorney General Department of Institutional Strengthening Project
BPS	Bougainville Police Service (Regular Police Officers)
CAP	Community Auxiliary Police officer (Volunteer part time Police officers)
CEDAW	Convention on the Elimination of All Forms of Discrimination Against Women
CEO	Chief Executive Officer
CID	Criminal Investigation Division
COC	Council of Chiefs
COE	Council of Elders
Crisis	Civil war in Bougainville locally called the Crisis or the Conflict (1989 – 1999)
Kastom	Custom – Indigenous customary practices
LLG	Local Level Government, Bougainville
MID	Mid-distance in proximity to state court services on mainland Bougainville
NZBE	New Zealand Business Excellence
PMV	People Moving Vehicle – any vehicle that carries passengers.
PNG	Papua New Guinea
POM	Port Moresby (Capital of PNG)
QFD	Quality Functional Deployment
VC	Village Court
VCC	Village Court Clerk
VCM	Village Court Magistrate
VCO	Village Court officials
VCP	Village Court Peace Officer
VOC	Voice of the Customer

Glossary

Adversarial - Overt conflict relating to the system of common law in which representatives of the prosecution and defence, or victim and offender, argue the case in opposition to each other (Howley, 2002).

Belief system - Is a way of thinking, understanding and perceiving relationships and dealings with others in the village community and within society.

Bureaucracy - A system based on hierarchy, different levels of labour and rules and procedures (Branine, 2011) and (Macquarie Dictionary, 1998).

Collectivism - Is a societal cultural dimension where people from birth onwards are integrated into strong cohesive in- groups and they protect this by unquestioning loyalty (Branine, 2011), (Chambers, 2008) and (Hofstede, 2000).

Cross culture communication – the way people communicate across work, business, village community, social, society and political situations (Branine, 2011).

Context - The political, social, economic, historical, state, interrelationship and institutional landscape within which the Village Court, Village Court Officials and allied organisations must work.

Culture - Shared norms, values, belief systems, traditions, rituals, crafts and art; history; tradition and heritage. (Branine, 2011)

Cultural identity - Is the common norms and values including language and relationships by which a group identify each other as belonging. (Wantok is the local name for belonging to a group with similar values, beliefs, language and customs).

Custom - Locally known as ‘Kastom’ - Rules; activities and practices peculiar to a particular location and is the norm for that community.

Developing Country - A country perceived as under-developed, less developed, third world or poor in comparison to western values and beliefs and economies. Countries seen as at the opposite end of the spectrum are those which are industrialised, developed, rich and wealthy and are usually called “the west”. (Branine, 2011)

Diversity - Recognising and respecting and understanding individual differences in a country, region or in an organisation with the realisation that individual groups have unique needs, abilities and potentials.

Ethno-centric - A belief in the superiority of ones own ethnic group or country over others. In managing across cultures it is where managers from home rather than the host country apply their own countries culture, values and beliefs, organisational culture and management practices into similar foreign organisations. They do this with a belief they are assisting in developing the country or organisation to improve. Often this is delivered in the context of their own personal experiences, beliefs and culture with a view that establishing systems and processes or managing an organisation is superior and or they are superior (Branine, 2011).

Expatriate - Someone who has left their own country to work and or live in another.

Formal structure – A structure or format explicitly known, described and written with a formally designed pattern of relationships, authority, with patterns of decision making evidenced by coordination of policies and procedures, the organisational systems and processes explaining how the VC is expected to function for every action under the Village Court Act (1989).

Globalisation - A concept used to describe the causes of international transformations in society, economies and geography (Branine, et al., 2011, p592).

Indigenous people - The native people of a land, territory or country that was later populated by people of foreign nationalities and countries.

Individualism - Where a single individual is expected to look after themselves or their immediate family. Ties to each other are loose and are more about individual needs or desires for oneself and less consideration of others (Branine, 2011).

Melanesia – A region in the western south pacific comprising of islands north east of Australia and south of the equator including Bismarck, Archipelago, the Solomon Islands, New Caledonia, Papua New Guinea and Fiji (Webster’s New Geographical Dictionary, et al., 1988, p748).

Reciprocity - The relationship and dealings with in which mutually corresponding advantages and privileges are given shared and or received. This can be active across and within generations of people (Branine, 2011).

Values - Respect to worth; excellence; usefulness; or importance; to highly regard or esteem highly certain attributes such as skills, knowledge, age or characteristics.

Village Court – In PNG and Bougainville it is not a building, but a system of processes that are generally unwritten. It encompasses (in no particular order) extensive mediation, negotiation, conflict resolution, counselling, restorative justice practices, rehabilitation, reconciliation and compensation.

Village Court sitting - An informal court held at any location suitable to complainants and alleged perpetrators. It may be held anywhere including under a tree or by the sea and is the serious end part of the village court justice process. A village court sitting occurs when all attempts at mediation, negotiation, resolution and reconciliation have failed.

Westernisation - A process of adopting and adapting indigenous societal organisational practices, value and belief systems and processes to those similar to western cultures such as individualism, singular ownership, separation and isolation of organisations from village communities and free market economic capitalism.

Introduction

Over the years as the world has rapidly become more global there has been a gradual expansion and transfer of western technology, management theory and practices into developing countries and indigenous organisations. This transfer of western management practices, particularly to developing countries and diverse cultures has accelerated due to the emergence of international businesses, trade free areas, world economic development frameworks, improved transport, logistics, communication and technology. Concurrent with this expansion has been the establishment of shared international standards with western management training and practices being promoted into organisations that eventually establish within developing countries (Hafsi, Taieb, Farashahi, Mehdi, 2005).

Compounding globalisation issues is the fact there has been limited concentration on transformation activity with indigenous people to develop their skills and knowledge to enable local people to select, control and determine the way management analyse, solve problems and implement change into organisations that operate in their country (Armstrong & Pont, 2011).

Armstrong and Pont, et al., 2011, p4) describe: - *'Political and administrative theorists (as have some quality theorists) are discovering purely rational models tend to ignore the capacities of human devotion and human efforts to overcome insurmountable barriers to achieve not only the improbable but the impossible'*.

These factors severely limit the opportunities for external organisations to effectively understand a foreign business environment and the real internal and external issues the majority of their customers are knowledgeable about and must work within to meet western developed management theory, practices, quality strategies and goals (Brohman, 1995).

Historically researchers have been debating the appropriateness of different management – development and cross cultural theories from as far back as the 1960's to the present rush toward globalisation (Branine, et al., 2011, p52). Because of accelerated globalisation the issue of choosing what theory or practice best fits the needs of developing country organisations and indigenous peoples is accentuated yet not always afforded the consideration it deserves by western organisations. Low priority is given to how effective the methods used are in assessing and capturing information from a local context to design systems and processes that will be sustainable to meet indigenous customer requirements.

One example is the lack of a continuous supply of electricity, banking facilities or internet connectivity severely limiting local capacity to manage office administration to meet western requirements effectively. Another example could occur when external management lack respect to indigenous societal leadership structures by not including them in decisions potentially contributing to a poor understanding of community and customer needs leading to lack of ownership and sustainability.

It is therefore important and perhaps timely to stop and consider the value and applicability of using western developed management models, practices and tools that are being generically introduced into developing countries as part of western expansionism. In particular the relevance of methods, tools or techniques used to assess the 'voice of the customer' (VOC), from the perspective of a service organisation.

Management of services in any organisation is very difficult to describe, as is the measurement of quality for those services because some of the characteristics that are important to the customer are intangible (Haywood, Farmer, 1990). Equally they are even more difficult to measure because service delivery may be variable across an organisation. Some customers will have different perceptions of what is service and of value and importance.

Service design aspects such as input, output and delivery are more tangible and easily measured. For example quantitative data would measure the number of court cases or monitor a register of court fines. The intangible is more difficult to measure yet is equally as important.

An example of the intangible would be seeking to identify customer requirements and expectations of the court with regard to service characteristics they consider important. Service is dependent on what the customer feels, thinks, expects and requires – which reflects the needs of the customer – the VOC.

Immediately as the reader delves below the surface of this study they will begin to discover there are other significant aspects that must be considered when assessing and investigating the VOC in a service organisation in a developing country especially where the indigenous community operates as a collective society and where local individual organisational perspectives are created due to diversity of kastom and culture.

In relation to culture, kastom, systems and processes it is expected this research will expose within the VC innate quality elements that could be considered ‘cutting edge’, modern and in some instances ‘excellent’ by western management standards. In fact the VC may provide an example of what many western organisations aspire to achieve but find difficult to deliver because they unconsciously have minimised the value of the VOC, the importance of knowledgeable leadership that recognises customer relationships and customer- organisational interrelatedness within society and society values (Gottschalk, 2011).

Many of the western developed quality tools; techniques; methods and strategies used to explore the performance of service organisations working in diverse and unfamiliar environments are primarily designed with a focus on the technical aspects of pre-set questions, monitoring and evaluating measurement for effectiveness and efficiency primarily of tangible features, ensuring accountability and improvement of practice which often occurs with a strong financial dimension. Most methods are based on western expectations, western outcomes, western beliefs and value systems.

Within these methods there is an underlying assumption that what is being assessed, analysed and evaluated is genuinely superior, good for the people, the organisation, and good for individual workers and customers (Beckford, 2002).

Contributing to this is a potential problem because many of the internal social structures, systems and processes, culture and kastomary practices, values and belief systems that are used by indigenous people and are an integral part of the functioning of their society will be unfamiliar and in some instances totally unrecognisable to western managers.

VOC methods have been primarily developed in the western world and this potentially brings an 'outside in' approach. As a result the applicability of the tools used in seeking to identify the VOC, along with limited insight to indigenous culture and context may lead to insult, poor assessments, gathering of inaccurate information and lead to false assumptions and strategic errors (Inkson, Kolb, 2002).

For example: - In the south pacific regions and in many developing countries customers identify as belonging to a group as they live with in collective societies. However in western countries customers are identified as individuals.

Sometimes this 'ethnocentric' (refer glossary) 'western paradigm' approach with it's choice of method, formality, documentation requirements, narrowness and rigidity, combined with restrictive time frames can lose the opportunity to engage with customers and apply participatory study and organisational learning (Branine, 2011, Inkson, Kolb, 2002). It is very possible characteristics of services important to the customer goes unacknowledged and is not given the required value leading to data being gathered without the depth of cultural insight.

VOC information requires customer participation. This is a process by which people, including the disadvantaged people are involved and in a position to influence decisions that affect them. This is opposed to having decisions imposed on them from an external organisation or from outside the country, (Brett, et al., 2003, p5).

Without understanding of service elements customers deem important and of value or 'normal to the way they do things' critical information relevant to an organisation achieving success could remain unknown or fail to be translated or transferred effectively.

The issue of how organisations choose methods and tools to assess their business is accentuated when a survey of the leading academic journals suggest over 90% of the articles published are concerned with establishing basic causality behind certain phenomena and very few studies observe or investigate whether a certain method used by organisations was effective or not. This is because organisational management appear more interested in what works than the intricacies of causality and context (Armstrong, Pont, et al., 2011, p6 -7).

This thesis proposes the principles of contemporary quality management theories and practices, (particularly customer centred services, committed leadership and connection with society) are already deeply embedded in collective communities and have been used successfully by many indigenous groups ('organisations') for hundreds to thousands of years.

The problem is information western management seek is probably lying under the surface, hidden by layers of culture and tradition but not presented or expressed in a context or format that is easily recognisable or able to be interpreted accurately through the 'lens' of western management theory, practices and methods. Primarily this is because methods are based through western paradigms, western societal systems, western based management theory and western values and belief systems.

To identify the VOC this research specifically explores the appropriateness and applicability of methods from a small selection of western developed quality management VOC assessment tools used by western service organisations.

The Papua New Guinea (PNG) the Village Court (VC) is unique as a hybrid justice system with a blend of indigenous kastomary and introduced colonial Westminster justice laws documented into formal state legislation called the VC Act (1974) and latterly (1989).

The VC is a legal entity and currently acts as a conduit court system trapped between the Westminster and indigenous customary justice systems. It has been operating in PNG since 1974 and recently reintroduced to Bougainville after 2001.

In the situation of the VC additional factors that form part of the intangible and tangible must include context, culture and what the entire community perceives as essential elements required of their VC to return their village to peace and harmony. This relates specifically to custom (*kastom*), location, cultural aspects and the difference between the 'voice of the customers as a group' in a collective societal context and the 'voice of the customer as one' as in an individualistic western society.

Lack of intimate knowledge of the VC, the environment, behaviours and cultural paradigms will fail to provide information to VOC methods particularly as many actions may be blended with other practices within communities (Clemens, Cook, 1999).

This could lead to inappropriate analysis and in turn unnecessary and unwanted delivery of an ineffectual service and long term unsustainable changes. For managers this is a major problem that requires significant consideration by many western business organisations, government and non- government agencies working with and for indigenous people in developing countries. It affects operational and strategic management and quality management particularly in regard to measurement of efficiency, effectiveness, causality issues, performance, outcomes and planning changes. This means the choice of method or combination of tools and methods used to assess, analyse and evaluate the VOC is vital important to the organisation as much as it is to its customers.

This research specifically explores the VOC in the Autonomous Region of Bougainville (AROB) VC using a combined Garvin – SERVQUAL tool, RATER model, Quality Function Deployment (QFD) principles and New Zealand Business Excellence (NZBE) assessment criteria to identify service elements customers consider important and of value to the functioning of the VC in their village communities.

Bougainville is a semi autonomous region of PNG. It is a post conflict region recovering from ten years of civil war (1989 – 1999). Benefits over many years have often been intermittent and limited with people having varied experiences and relationships with state imposed laws; services and bureaucracy (Nelson, 2006).

People's customary values; traditions; practices; language and economies are diverse within various areas of the AROB (including PNG) resulting in little to no national identity. This weakness means there has been limited acknowledgement and concern with indigenous customary systems; leadership functions and local societal structures that have continued to operate in remote rural areas where state support has failed to reach or be sustainable.

Validation of the purpose and need to undertake the research was sought and for all information, analysis and evaluation pertaining to this study cultural consultation, input and control of assumptions, inferences and conclusions was drawn from a Bougainvillean perspective. According to (Branine, et al., 2011, p59) this relates to understanding cultural differences in 'reasoning, communicating, explaining, perceiving and thinking' particularly with approaches to justice and kastom and research being undertaken from an external perspective. It was considered necessary to be inclusive of cultural guidance and analysis directly with people who use and understand the VC to increase accuracy and rigor to truly interpret what was being said by respondents.

This research studied nine VC areas in AROB in three distinct locations - remote, mid distance and close to government services.

Within each VC location two VC officials, males, females and youth were randomly selected as representative of customer groups from each village community.

Seventy two respondents were interviewed through a survey questionnaire based on Garvin – SERVQUAL and RATER models (as two quantitative methods) to obtain the VOC and customer opinion about VC service elements they valued as important. A value was placed on the worth respondents gave when answering questions associated with service dimensions. Each answer provided by respondents gave a rating between 'strongly disagree' at 1 and 'strongly agree' at 5.

Calculations comparing the difference in the total of these ratings for each dimension identified gaps between values of importance for the Garvin – SERVQUAL model by location and customer groups.

Priority ratings were taken from the RATER model where respondents were required to place a worth on five service elements to make up a total of ten. Comparisons were made between customer groups and locations.

Quality Function Deployment (QFD) principles were used in an endeavour to translate VOC results into VC systems and processes.

At grass root levels the unwritten VC systems and processes and diversity of custom (kastom) often derived an answer from the customer (after a thoughtful pause) stating “it depends.”

There was limited distinction from where the organisation began and finished. VC official’s roles frequently merged with personal life and people external to the VC carried powerful influences circulating around, to and within the VC systems and processes reflecting contextual issues affecting the effectiveness of the tools to capture service element data.

Results indicated QFD was too formal because the VC was so diverse. This tool could not be used effectively to construct a technical design for the Bougainville VC. This resulted in the QFD not being an effective tool although the principles for its use could be appropriate if applied to each village community not as the ‘umbrella’ organisation.

New Zealand Business Excellence (NZBE) criteria and a small prompt questioning tool were used to expand information from the quantitative results to obtain qualitative aspects of customer services and the VC. The NZBE assessment criteria was the most effective tool providing an enabling approach by creating co- learning for both the research from ‘outside in’ and ‘inside out’ for indigenous people and communities.

The research results concluded when quantitative and qualitative methods are combined and adjusted to fit, they will complement information by providing both objective and subjective information. The VOC methods used enabled research to be backed up statistically. Qualitative methods and cultural analysis provided depth of information to causal and contextual factors contributing to the customer's responses.

A key finding from this research is the VOC assessment methods piloted (in their original format) could not be generically transferred directly to assess the indigenous VOC in an indigenous organisation similar to the Bougainville VC. This reflects divergence theorist's beliefs that it is important organisations working in developing countries acknowledge, absorb and integrate local characteristics into their management practices and suggests failure to appreciate the importance of culture can have an impact on the success or failure of an organisation (Branine, 2011).

The main reasons contributing to this finding about imported methodologies included issues of cross cultural communication and societal interpretation affected by: -

- Terminology / phraseology,
- the format of questions,
- sequence of questions,
- the number of questions,
- failure of pre- set questions to capture context as they come from a different paradigm (Chambers, 2008),
- Service dimensions in introduced methods are difficult to separate in this cultural environment when the VC organisation is embedded into and within other village community systems and processes.

When these potential problems are combined with language, history, culture, and collective inter- relationships, Chieftain's influence and societal aspects there arises differing values, beliefs, and perspectives when compared to western belief and value systems. This could equally be applied to western management theory, practices, and methods seeking voice of the customer requirements.

All factors contribute to the risk for western developed assessment tools to miss vital information, not understand and to not capture context or diagnose causal factors effectively (Armstrong & Pont, 2011).

This suggests many western assessment tools particularly those using fixed pre-set questionnaires will find they are unable to capture the full picture to enable an organisation to make an informed 'diagnosis' of issues or problems. Essentially some methods have the potential to merely skim the surface and affirm preconceived assumptions. Indigenous organisations do not fit neatly into a western management theories or western societal frame works. The nine VC locations in this research identified extreme diversity, synergies and variable VC practices. This alone indicates the dynamics and complexity of making inferences and assumptions for the operational and work of one VC location and believing other VC within Bougainville have the same attributes and problems. Unfortunately the answers are non linear and extremely complex.

The research discusses the transfer of information about 'the what' and 'the why' of the VC systems and processes is further complicated by the inability of the introduced methods used to capture data effectively. The problem is further compounded by an 'outside in' lens and this contributes to incomprehension of the complexities of cultural difference and therefore the methods may seek understanding and answers of causal factors from an 'outside' paradigm of culture and experience, not an inside perspective of the real issues (Branine, 2011).

(Inkson & Kolb, et al 2002, p65) specifically cite: -*"One problem with management thinking is the desire to establish the right answer to any problem and to believe the right answer in one situation is the right answer in any situation"*.

This means western practices may not 'fit' the real needs from a Bougainvillean VOC perspective.

There was a difference in perspectives for what was valued as important criteria with questions required to be expanded to recognise the connections with village communities and society.

Some categories required different point's allocation determined by criteria considered by local people as more important to the VC due to the synergy of VC systems and processes externally connected yet valued and regarded as important by the voice of the customer.

The results provide a wealth of information about the VC and the complexities of it as an 'organisation' embedded in the community and society. Importantly findings indicated some service attributes such as responsiveness, communication and reliability are innate within the VC and were considered by village communities as a normal part of life therefore were not considered 'special' or important elements when capturing the VOC. These service elements were 'a given' and could not easily be separated from the norms of village community living indicating the level of integration of VC systems and processes within society.

'Serviceability' encompassing responsiveness, accessibility, courtesy, reliability, communication and understanding was held in the higher regard by all male, female and youth when compared to VC official's responses. VC official's considered 'Aesthetics' important and this covered service attributes of communication, tangible, courtesy and credibility. These two service elements were highlighted as the main difference between internal and external customer groups when all VC locations were combined.

There were differences between each customer group responses about what service elements were important and between village court communities especially those in remote areas. Through cultural analysis this was determined as reflective of VC in remote areas receiving limited government services.

The common mantra from all VC and indigenous customers was the core guiding purpose of the VC systems and processes 'to ensure each village community was returned to peace and harmony by amicable means'. It was not specified how this was to occur other than through kastomary practice relevant to each VC.

Accordingly as reflected in reports and this research the Bougainville VC and most PNG VC are highly valued and there is a strong sense of ownership by customers.

Customers preferred its informality, kastomary approach, tok ples / tok pidgin (local language) accessibility and responsiveness (PNG VC Secretariat, 2010, AusAID Bougainville VC Review Report, 2011, Tulaha, 2009). With almost 97% of the population living in remote and rural areas the VC is the main form of justice and management of law and order available due to limited access to the regular fulltime police service and their inability to routinely investigate and secure convictions in the formal courts.

Significant issues were identified in this research, validating written and verbal information from several sources (Toliken, 2011, Papua New Guinea Village Court Secretariat, 2010) such as poor resourcing and training for the VC, over work and in many instances VC officials receiving no pay for over a year yet adjudicating over 85 – 90% of all crimes. This is a major concern for the future of maintenance of peace and harmony in remote village communities.

Indigenous justice needs for urban customer populations were identified in this research as of a potential 'new' recognised disadvantaged group. These were predominantly males who married and as kastomary moved to reside in their wife's village. They said it was difficult to adjust as they were unfamiliar with local kastom, language, norms and rules of daily living in a new community. Some considered the VC lacked fairness to them but in keeping with many answers adhered to the need of the village community as a whole.

The VC is by the people for the people. In this context the customer and the VOC is the central focus to everything the VC does. According to Paramount Chief Joseph Wanep from Selau - Suir district in Bougainville; and the Divisions of the ABG, each VC is not viewed by the people as a totally separate organisation and is firmly embedded within the local indigenous systems and processes of the village community it serves.

Similar questions and challenges have faced organisations from a historical perspective about the indigenous approaches and the validity of introduced management practices. Management and development were being discussed in the 18th century (despite a colonialist approach).

This is evidenced by the quote shown in a power point presentation to the Law and Justice Sector in Papua New Guinea (Mooney, et al., 2009, slide 17): -

Thomas Munro Governor of Madras to the Directors of the East India Company
(1786)

“You are not here to turn India into England or Scotland. Work through, not in spite of native systems and native ways, with a prejudice in their favour rather than against them; and when in the fullness of time your subjects can frame and maintain a worthy government for themselves, get out take the glory of the achievement and the sense of having done your duty as the chief rewards for your exertions.”

Chapter One

Background – Papua New Guinea and the Autonomous Region of Bougainville (AROB)

PNG is considered poor by western standards and in the early stages of developing an industrial based economy as it gradually moves away from informal subsistence agricultural living. PNG is situated in the south pacific and its diversity is evident by over 800 different dialects and differing customs within areas close to each other and across the country. At PNG independence in 1975, nearly one third of the population had no more than a generation of contact with representatives of government, missionaries or outsiders. By 2006 there were still areas of the country where just one or two services from the national government were received. Most people in 2011 still live in rural areas without access to basic government support and infrastructure. Over twenty five percent of primary school age children receive little to no education (Nelson, 2006).

Refer to maps.

Appendix One page 207: -Map of Papua New Guinea

Appendix Two page 208: - Map of Autonomous Region of Bougainville

A brief history of the AROB is relevant to provide background and context to this study. Bougainville is the easternmost province of PNG and consists of one large island called mainland Bougainville, Buka Island with many smaller islands and atolls surrounding it.

The first European contact was with French Explorer Captain Louis de Bougainville in 1768 (where the name Bougainville originates). During the 18th century the Dutch, Great Britain and Germany as part of colonisation claimed areas of PNG and the Solomon Islands as their own.

In 1899 Germany and Great Britain through diplomatic notes between London and Berlin divided the North Solomon Islands between themselves and as a result Bougainville became part of Germany - 'Niu Guinea'.

The islands south of Bougainville became part of the British rule and it was during this period many Bougainvilleans were 'black-birded' for slave trading to work in the sugar cane plantations in Australia. When Germany was defeated in World War One, Bougainville came under Australia as a "Trust Territory" under the League of Nations.

Later during World War Two Japan occupied Bougainville and some Bougainvilleans gave their allegiance to the Japanese as their new liberators (Havini, 2001). In 1946 after the defeat of the Japanese, Bougainville became a 'Mandated Territory' under the United Nations and during 1949 the United Nations approved Australia to continue the administration of the 'Trust Territory' of New Guinea including Bougainville.

Since 1954 Bougainville leaders have endeavoured to have Bougainville recognised as an independent nation. A call for a referendum was made in 1968 with three questions:-

1. Bougainville should be an independent nation,
2. Leave PNG and unite to form one nation with the Solomon Islands to the south of Bougainville or
3. Remain with PNG.

The referendum request was rejected as too expensive, possibly with overriding hopes of PNG independence based on funds provided by the Panguna Copper mine in Bougainville. Bougainvilleans claimed independence a few weeks prior to PNG gaining independence in 1975 but this was not recognised.

More recently the region of Bougainville was devastated by civil war (known locally as "the Crisis"). The Crisis embroiled local groups, villages, Conzinc Riotinto of Australia (CRA) and the national government of PNG and this raged for almost ten years between 1989 and 1999 resulting in an estimated twenty thousand people killed. The Crisis was the result of unresolved grievances by landowners to the environmental damage and exploitation of local people by the Australian owned CRA who owned the Panguna Copper mine in Bougainville. During this time there was complete loss of infrastructure and security across the entire region of Bougainville.

A significant contributing factor to the outbreak of this violence was the PNG Government and Panguna mining company's failure to understand or acknowledge processes about 'kastomary' law and recognise the significance of traditional land that were important and traditionally valuable to the indigenous people and their society (perhaps a major failure to listen to the customer).

Since 1989 Bougainville communities have been reluctant and wary to hand over power to any external organisation or government institution and lose control or ownership again. This also relates to law and justice practices, the re-establishment of national government institutions and development agency influence (Howley, 2002).

An important fact to remember in the context of this research is despite a history of attempts to separate and isolate itself, Bougainville as part of the Bougainville Peace Agreement (2001) currently remains an autonomous region within PNG, pending an independence referendum in 2015 (Denoon, 2000) and (Ministry of Bougainville Affairs, 2001).

Post conflict there has been slow rebuilding of infrastructure, some unresolved tension affecting individuals, communities, issues between the Autonomous Bougainville Government (ABG) and PNG government, social problems and limited economic development. The difficulties of rebuilding infrastructure due to isolation, location, resourcing, logistical and capacity issues has according to ABG Divisions and non government organisations, inhibited efforts to support and deliver basic government services including the necessary support to the Bougainville VC organisations that provide kastomary law and justice services to the majority of people.

The Bougainville VC (as with other VC in PNG) is a local level judicial organisation of significant magnitude. Its strengths as described in the Village Courts Policy 2001 are its endorsement by its customers at all levels in society which provides a strong foundation for its systems and processes to work effectively for the customer (AusAID, 2001 and AusAID, 2007).

In the context of the VC systems and processes it is important to understand Bougainvilleans are ethnically, socially and culturally related to the Solomon Islands, yet the VC as an institution belongs to and is managed from the PNG capital Port Moresby. It is also relevant for the reader to understand in early traditional Bougainville 'the government' did not exist. The people and society identified within small villages, fragmented groups and clans and in terms of justice, social control was maintained through kinship, common ancestry, social security and stability (Greenwell, 2011).

Indigenous kastomary values; traditions; practices; language and economies were then and continue now to be widely diverse and at times, completely different within village communities even within short distances of each other, between villages close and remote from government services resulting in little to no cohesiveness in regional, provincial or national identity and conformance to the VC Act (AusAID, 2001).

For all the contextual reasons mentioned previously (as a developing country with imposed external influences) Bougainville provides a valuable time capsule because in the absence of any formal judicial system during the Crisis, the region reverted to traditional kastom using indigenous societal structures through Village Chiefs to manage law, justice and maintenance of peace and harmony. This form of justice is known as 'Wanbel Kot' and 'Chiefs Kot' – the indigenous kastomary court inside the village. According to Chiefs Wanes, Timpa and Havini (2011) there has only been a recent gradual re-introduction of government services including the legal VC post – Crisis with 'Wanbel kot' and 'Chief Kot' still functioning outside of legal parameters.

Bougainville was chosen for research because it is an autonomous region in PNG. As a region it is considered part of the developing world. It is being re-influenced post conflict by the re-introduction of organisations primarily developed through colonial rule and through western management theory and practices and expatriate assistance.

The recent reintroduction of management of the VC to Bougainville Local Level Government (LLG) (within the past nine years) and very recent introduction of the State judicial system with Provincial Magistrates presiding in the District Court in Bougainville

(within the last 5 years) and the National Court Judge visiting to adjudicate in a formal court (within the last year) are indicators justice and VC justice practices will be fresh in the minds of the Bougainvillean customers to provide current VOC perspectives for this research.

The VC community is expected to be able to differentiate more easily and voice their opinion about what are the important elements of VC services to them, kastom, VC kastomary justice system processes and its relationship to the western introduced Westminster court processes. According to statements from Community Auxiliary Police (CAP) and Village Court Officials (VC officials) the research methods may expose incongruence between western and Melanesian thinking about what service elements of the VC are considered important to individual customers and with the community as the collective customer. Service elements important to westerners may be different and incongruent with those elements valued by indigenous customers.

This research may illuminate cross cultural communication issues including value and belief implications of what constitutes 'justice' and service with respect to culture, tradition, collective society and reciprocity relationships which are integral to Melanesian society.

The term 'voice of the customer' (VOC) is used by organisations when they seek to assess and understand the specific characteristics and features in their organisations that are important and valued by the customer. The customers apply personal opinions about what is important to them. Customers may indicate this through answers to questions or through stories indicating service aspects such as empathy, kastomary practices; a rapid response to a VC dispute or the way in which a VC official engages with the customer. There may be different customer perceptions and opinions about what are important elements within the VC and delivered by it as an organisation.

Some elements will be tangible and intangible and perhaps different between each group of respondents, dependent on their location and experiences (Beckford, 2002).

This relates specifically to 'Kastomary law' (customary law). This is the unwritten customary rules and traditions that the people in each village community are accustomed to using to mediate, solve disputes and manage peace and harmony in their society. This practice is replicated and supported through traditional practices into VC systems and daily life.

Daniel Timpa (Chief and a Bougainville VC District Inspector) said *"kastom is passed on through the wisdom of chiefs, parents and grandparents or respected elders and may be very different between villages"*.

The variance of kastomary practices in PNG is recognised by the fact the VC Act from its inception in 1974 until the current VC Act 1989 continues to support and assert kastomary law is to be used should be relevant to each VC location so that it is reflective of the local customer needs, the kastomary norms, rules and culture of the area.

'Culture' is best described by Branine as consisting "of patterned ways of thinking, feeling and reacting, acquired and transmitted mainly by symbols constituting the distinctive achievements of human groups, including their embodiments of artefacts, the essential core of culture consists of traditional (i.e. historically derived and selected) ideas and especially their attached value"(Branine, et al., 2011 p51).

Appendix four (page 214) provides a reference of offences the VC officials may preside over. More often than not the VC adjudicates outside these parameters. This occurs for various reasons including culture, kastom, chieftain leadership, customer requirements, the incongruence between Melanesian and western justice systems, issues of compensation and need to return peace and harmony to the village community. Accessibility and consistently effective government police services, prosecution and justice systems are also raised as a concern. It is believed by customers that it is not uncommon for elite members of the community to influence other levels of judicial court services and for magistrates and judges to deliver justice outside designated boundaries (VC magistrates, Chief Timpa and Havini, Sister Garasu).

Chapter Two

Theoretical Basis of the Research

Quality over the past fifty years has been promoted as important to organisational management to understand business, make future strategies and identify ways to improve. More recently seeking the VOC has become a more dominant element in the design of service organisations systems and processes. Through active communication and VOC methods contemporary organisations strive to understand how to measure performance to continuously improve service, to meet customer needs and still meet shareholder demands (Beckford, 2002, Ramaswamy, 1996, Tenner, 2008).

In relation to culture, kastom, systems and processes it is expected this research will expose within the VC innate quality elements that could be considered 'cutting edge', modern and in some instances 'excellent' by western management standards. In fact the VC may provide an example of what many western organisations aspire to achieve but find difficult to deliver because they unconsciously have minimised the value of the VOC, the importance of knowledgeable leadership that recognises customer relationships and customer-organisational interrelatedness within society (Gottschalk, 2011).

Most western organisational paradigms are focused on individual cultures, input, output, conformance and finance with the customer relegated to a work unit or receiver of product or service. The Bougainville Mekamui slogan 'Save na Mekim' alludes to people learning, participating and doing, not standing to the side and observing (Masono, 2006) suggesting the VOC in Bougainville will actively seek to participate, want to see visibility of actions and outcomes as valuable and important services provided by each VC.

In contrast generally because of an inward individualistic approach westerners have a reliance on external organisations to 'fix things' and seek 'the government to help'.

The methods and tools used to assess the VOC in this research may not adequately relate to what an organisation such as the VC can do toward holistically influencing and supporting the long term 'good of the whole of society' without government support,

however it may be able to influence the village community where it is situated (Gottschalk, 2011).

A customer focus enables management and employees in organisations to learn about what the customer perceives of services provided by them. This assists an organisation by enabling them to improve and develop quality strategies that meet customer requirements and expectations. By maintaining the customer as central to all aspects of the systems and processes of an organisation and by providing support, resources, training and keeping a constant rapport with customers an organisation can directly improve overall operational performance and ensure service viability (Ramaswamy, 1996).

The customer is part of society so is an organisation. It is therefore it is important to analyse the VOC in the context of society and the organisation by identifying customer values, beliefs, relationships and culture. Management has a responsibility to routinely challenge organisational thinking, to gain accurate customer information to in turn create the opportunities and conditions for organisational improvement and success. They can enhance this by designing systems and processes that enable the internal customer (employees) time to be innovative to create seamless customer services with quality not separated out from activities but the essential element within everything the organisation does (Beckford, 2002).

(Dale, van der Wiele and Williams, 2001) state that despite knowledge, research and publicity about quality there are still a number of organisations and managers who are immune to quality development. Many still have no appreciation of the importance of the external customer in the equation of quality, the importance of meeting customer needs and satisfying them and the connection with service performance of an organisation.

The question posed for this research is: - how applicable and effective are western developed quality assessment tools in accurately capturing the indigenous VOC in a diverse culture in a developing country where values, beliefs and society structures are often foreign to western management theory, practices and methods?

To seek answers it was considered essential to this research to provide holistic analysis considering positivist and phenomenological schools of thought within the VOC methods selected (Lundy, 1994). The reason for this is the positivist approach adopts a scientific method best described as based on how things should be delivered. (Conformance as in meeting specifications and legal requirements is one example of adherence to expectations and requirements). This is considered as being applied when using *quantitative methods* via predetermined and prescribed survey questions similar to that used in the first part of this research (Garvin – SERVQUAL and RATER models). Similar methods are also used by the PNG VC Secretariat and other international organisations as a form of measuring performance.

The phenomenological approach adopts a *qualitative research method* and is more dynamic yet extremely complex and time consuming for research. It seeks to find out about the 'what; how; when; why; and where' aspects of an organisation and its operations. Through stories examples of context and understanding from a cultural, *kastom* and societal justice VOC perspectives can be obtained to clarify the quantitative data gathered through the positivist approach. (The QFD and NZBE assessment criteria models were used in this part of the research).

However it is debated that generic management methods, tools and techniques are applicable universally and by applying generic standards is the way forward for organisations working in developing countries (Branine, 2011). According to the convergence theorists it is important for globalisation and international business integration that there are generic practices and standardisation placed directly into organisations across the world inclusive of developing countries.

The *convergence* theorists also suggest it is not cultural aspects that hinder organisations in developing countries but limited technology infrastructure and economic difficulties that impact on and inhibit a country's progress (Branine, 2011).

The opposing view belonging to *divergence* theorists suggests that it is equally as important for organisations working in developing countries to absorb and to integrate

local practices and characteristics into their business to ensure ownership, performance and improve the chance of sustainability into the future. The divergence theorists believe that failure to appreciate the importance of culture is the major reason organisations operating under western management and practices are less successful in developing countries. They suggest and recommend management practice should be culture specific and taking this a step further this would relate to VOC methodology and other assessment tools.

This is validated when Branine says: - *“Understanding cultural difference is important to management because it suggest ways of reasoning, communicating, explaining, perceiving and thinking in different cultural settings”* (Branine, et al., 2011, p50).

It was not until the 1960's with more impetus in the 1980's through Hofstede and other researchers was there published information about the impact of culture to an organisation and management. Research identified culture was likely to be interrelated and important determinants that were significant to the ultimate success of an organisation.

Examples of some of the dimensions are identified through Kluckhohn and Strodtbeck (1961) reflecting on cultural value orientations and in particular Geert Hofstede (1970's – 2001) who explore cultural dimensions of society, individualism versus collectivism, large versus small power distance, gender roles, time orientation and high versus low uncertainty avoidance (Branine 2011).

The VC as a hybrid 'court system' partially reflects the divergence theory in practice as the VC forms a conduit between a western introduced institution (the Westminster legal system) and traditional indigenous kastom practices and beliefs value system through a series of introduced systems and processes that are expected to recognise and incorporate kastomary justice.

The researcher suggests the VC as an entity legally endeavours to embrace both western and local justice concepts (but not without difficulty) due to the ebb and flow of external

western influences and push back from indigenous people who through kastom endeavour to control and determine the direction of their VC practices to enable VC officials to meet VOC requirements and customer (community) requirements effectively.

The VC is possibly another example that provides evidence that culture cannot be put to one side because the people, village community and wider society structures are inextricably bound with the VC systems and processes and VC official's actions and interaction with the customer. As an organisation the VC is culturally meshed at a micro level to contextual and societal influences of relationships, kastom, community norms, rules and chieftain leadership. This customer aspect could be equally applied to many indigenous organisations in other countries.

The question that needs to be considered then is whether it is possible to consistently and effectively capture the indigenous VOC, context and culture when applying western developed VOC methods and tools?

The research has used a combined Garvin and SERVQUAL tool. This tool is designed to expose any service gap between what each group of customers considers of value and important. It may or may not illuminate differences between VC officials and external customers. Similarly it may illuminate differences between VC officials and their needs between the 'modern' imposed Westminster system and 'traditional' kastomary justice systems. Each group surveyed in this study already interacts at different levels through family, work, and society and with each other. Most people's village and life experiences contribute to differing value and belief systems originating from both organisational and societal structures that at times could be alien to each other. Being a post conflict region may also influence customer perspectives.

Local people who are urban professionals and been exposed to the influence of external higher education, travel, westerners and western economies may have a different perspective and interpretation in determining the important elements of VC services particularly in regard to matters of kastom, justice and customer outcomes.

They may be more individualistic in their outlook or in the reverse embrace culture to the extreme (Chambers, 2008).

For example people who are educated, have experienced working and living in a western country and return to the village may demand more western responses to justice issues that are alien to a person who has resided in a remote village all their life as stated by a Tinputz respondent. Unfortunately for external reviews these 'elite' people are often the most vocal and sought out by external consultants.

Via the VC Act there has been a strong attempt to integrate some local indigenous practices into VC procedures as a 'low level' court system. The VC is managed at Local Level Government (LLG), yet many of its practices are reflective of a largely western developed legal court institution. The differences between 'perspectives' of western and Melanesian justice systems and practices is presented more fully later in this thesis on chapter three to assist the reader in interpreting the rationale and context to respondents answers.

The VC in Bougainville is no different than any other organisation in the world requiring information about its performance and the services it provides to its customers.

For example: - Herbert Kimai, CEO LLG said *"Bougainville LLG representatives and VC officials are inquisitive and want to know about the opinion of VC customers, to find out what is important, whilst expecting the well known mantra to be emphasised that the VC's primary goal is to return each village to peace and harmony by amicable kastomary means"*.

The VC as a legal service entity appears caught in the middle of two extreme cultural justice perspectives where in the first instance it must identify and respect the expectations, needs, desires and wishes of the village customer and adjudicate using local kastom. On the other hand the VC officials are also expected to ensure adherence to the national VC systems, processes and customer services to meet the legal aspects of VC Act legislation that interrelate with the more rigid Westminster legal system. For example the restrictions to manage only minor crimes and use rigid compensation penalties.

The core value of the VC is it is legally recognised in PNG legislation as a valid justice system. It is respected and held in high regard by the majority of local people who use it extensively. The VC forms a conduit between an informal traditional justice system and a formal western developed justice system.

The VC officials are not legally qualified as lawyers and are selected by the village Chief as representatives of the community because they are considered good role models in the village community and are knowledgeable and skilled about mediation, kastomary law and community rules and norms. They are obligated through legislation under the VC Act, international Human Rights legislation, the PNG Constitution and AROB Constitution and Bougainville Peace Agreement; international commitments and through village customary laws and justice practices to return the villages they serve to peace and harmony to maintain stability.

All of this information confirms that for the VC officials it is a major task navigating a mine field of legislation, legal and international commitments at various levels with the continuous provisos to meet customer requirements and respond to the directions of chieftain leadership that informally operates parallel to the VC and VC magistrates.

For this research the VC officials represents the internal VOC of the VC and the men, women and youth represent the external VOC (as the community).

This study has attempted to understand the VC from different perspectives to obtain the VOC: -

1. an indigenous customer perspective - Capturing the Voice of the indigenous customer using western developed VOC assessment tools and criteria;
2. the context of the customer and reliance on the VC in a fragile post conflict post - development stage in Bougainville;
3. the context of a collective society as the customer from a developing country perspective;

4. the context of core differences between Western justice and Melanesian justice perspectives that may affect customers values and beliefs and research interpretation;
5. Relate western developed management VOC theory, practices and methods to understand leadership, governance, human resources and service in the VC.
6. Understand advantages and disadvantages when applying western VOC methods in an indigenous organisation and in a developing country.

Validation and endorsement of this research from a cultural – kastom, law and justice perspective has been received from CEO of the Bougainville Law and Justice Sector Mr Chris Siriosi, CEO Community Development Mana Kakarouts, CEO Local level Government Mr Herbert Kimai, Provincial Village Court Officer Chief Daniel Timpa, Village Court Officer Ishmael Korake, Paramount Chief Joseph Waness, Chief Moses Havini, and various village chiefs and village community members around Bougainville. See Appendix 3 pages 209 – 213. There has also been an attempt to put the researcher's feet in the slippers of the indigenous customer and view the world from a customer perspective using VOC assessment tools and visits to VC locations in all areas (Carey, et al., 2006, p1).

A question asked through qualitative discussions with respondents explores some principles of Total Quality Management (TQM) such as leadership, community participation (the customer), continuous improvement and ownership. In a TQM environment quality service is not delivered until the customer is satisfied indicating for the Bougainville VC it is the community as the VOC that must be satisfied (Rao, Carr, Dambolena, Kopp, Martin, Rafii, Schlesinger, 1996).

As mentioned earlier the VOC is best described as a business quality method to assess and understand the specific characteristics and features in their organisations that are important and valued by the customer. The customers in turn apply personal subjective analysis and measurement as to what is important to them to provide their voice. The main purpose is to capture what the customer is saying to improve quality of services to the customer and achieve success.

The 'customers' represented in this study provides a cross section of the community as internal and external customers of the VC. The internal customers work within the VC and are integral to the organisation providing services and generally would be employees known as VC officials. (Village Magistrates, Village Clerks and Village Court Peace Officers and informally some chiefs are involved in the day to day operation of the VC).

The external customers are those customers with whom the internal customer (VC official) has direct contact with. The external customer receives direct services from the VC which impact on them as the customer (village community).

Service in this study is simply defined as a transaction or action that takes place between the service provider (the VC) and the receivers, (the customers as in the village community) to produce an outcome that is satisfactory to the customer (the village community). With 'service' the quality of the interaction between the VC systems and processes and the customer is usually evaluated by attributes that can be difficult to objectively measure as they relate to not only an individuals perception but the collective group perception of the village returned to peace and harmony. (The intangible characteristics discussed earlier).

Generally because processes and performance criteria covering service and the customer are more difficult to define and measure this indicates the measure of service quality is reliant on what the customer expects and perceives to be important for a quality service to be received by them (thus reflecting the VOC), (Ramaswamy, 1996).

In recent times the role of service has become a critical differentiator between an organisation that is ordinary and those that are exceptional and excellent. For a service organisation the quality of the design influences the overall quality of service experienced by the customer. In reality the features, facilities, buildings, policy and procedures required to operate are given higher priority than customer or society needs because they are more visible, tangible and measureable.

Beckford suggests when service organisations use procedures that are frozen in time and are rigidly adhered to they create a barrier affecting the organisations ability to adapt and

be flexible to change to meet customer needs. They can also restrict human interaction to meet particular customer demands in a meaningful way. Compounding this any performance measurement systems in place generally attempt to quantify what is happening to prove efficiency and effectiveness. Often they use workforce perceptions of what is important to improve service quality. None of these necessarily identify or value what is important to meet customer or community needs or the achievement of outcomes required to be successful (Beckford, 2002).

(Beckford, et al., 2002, p174) cites *“The technical aspects of quality pay little attention to the human side and presume ‘hard approaches’ in pursuit of quality will lead to improvement”*.

This reinforces the fact technical aspects generally focus on rules, policies and procedures and measurement and fails to address customer needs or fulfilment of expectations. It routinely requires managers of service delivery to look at ensuring there are policy and procedure manuals available for staff to make reference to them (the rules or legislation), ensure provision of training ‘based on the manuals’, conformance to ‘tasks and time frames’, and budgets, finances, logistics such as resourcing for equipment, human resources and operational issues. The human side of managing an organisation is missed. Unfortunately the word ‘customer’ and importance of ‘customer service’ and customer relation’ aspects of the design of the internal systems and processes that go toward providing immediate impact and service to the customer and society are often ignored and relegated to the periphery of ‘business’. This results in continuation of ineffectual service delivery, barriers to quality improvement and a deteriorating reputation for the organisation which the customers won’t use (Beckford, et al., 2002, p24).

Organisations as part of ‘quality’ measure ‘efficiency’ (within the process), ‘effectiveness’ (quantifying the output) and to close the quality circle should also measure the ‘outcome’ of the outputs to validate customer satisfaction. Too frequently management fail to complete this circle or appreciate the value and role of the internal, external and extended customer relationships and service to their reputation and organisational success (Garvin, 1988).

Management do not measure the 'outcome' of the output once the service has been received by the customer. When there is an inability to recognise the relationship and interconnectedness between process, output and outcome measurement this indicates a symptomatic failure to understand process (Tenner, De Toro, et al., 2008, p79).

The true quality of service is thus about the customer, dependent not just on the individual service elements but on the synergy of the interactions and interrelatedness of each of those service elements. These should if effective make up more than the sum of the total service provided. Another important consideration is 'how' the service is delivered to the customer and in what way does it satisfy customer requirements. This is difficult to measure and improve as each individual customer may consider one element more important than another. This is because generally it is reflective of personal expectations and experiences. However it is still important to measure the VOC.

For example: - If VC officials were the most technical, professional and competent people available yet they failed to implement their training in a respectful, impartial and personable way that met the service needs that the customer (the community) required there would be reduced customer satisfaction.

In other words it is not just what VC officials do, but the manner in which they behave their attitude and response to the customer (every time) combined with the way they deliver services that is vitally important and contributes to overall quality of service.

Therefore the quality link between the customer, what is important to the customer and organisation performance and viability is significant and should never be underestimated. Despite this knowledge many western managers undertake a significant amount of quality effort investigating internal systems, focus on key result areas, focus on objectives and percentage ratings, budgets and finances. As a result the VOC, assessment and measurement of the VOC fails to receive the priority it deserves (Dale, van de Wiele, Williams 2001, Tenner, De Toro 2008).

Appendix Fifteen provides a summary of this study's research strategy to identify the effectiveness of VOC assessment methods (page 261).

To gain insight and to understand VOC perspectives for the customer and the VC, Chapter three endeavours to explain the main differences between a western and Melanesian justice perspective and a customer view point. This is critical to understand if the VOC methods are capturing information accurately.

A summary of generic comparisons between the Bougainville Village Court and the PNG State Court is shown in Table one (page 58).

Chapter Three

A comparison between Melanesian indigenous kastomary justice and western justice practices.

The VC is considered to be a hybrid blend of both kastomary justice and Westminster justice systems – and this is validated by Paramount Chief Joseph Wanen from Selau – Suir, Bougainville with his statement *“the VC is a ‘conduit’ that sits between two perspectives of what constitutes law, order and justice for the customer”*.

A critical factor for this research is recognising the core values underlying western, VC and indigenous customary justice structures are very different and have implications for VOC methods, planning, analysis and evaluation due to cross cultural communication, cultural belief and value systems. It is therefore imperative the reader understands the difference between western and Melanesian justice practices and the difficulties the VC must manage between these dual justice systems and incongruent perspectives.

In Melanesia, law is not viewed by the majority of the local population as a specialist and separate discipline, but as an integral part of society and the way in which people interrelate with each other and carry out daily living. In the community the emphasis is not on laws and rules or how normal society **should** operate but is more about the process toward **how** conflict is settled to maintain peace and harmony in the community for the good of the community and society as a whole (Forsyth, et al., 2009, p34).

Each individual VC area has defined beliefs and values of roles and responsibilities, of what the Chiefs, VC and VC officials do; are expected to deliver; what kastomary justice means to their community and the support the formal state court system will provide to their VC location. The indigenous people living within those defined VC areas know their individual responsibilities to the community and collective responsibilities with and to each other. (This makes it difficult to define or be explicit and generalise about VC systems and processes).

Melanesian restorative justice has been used for thousands of years. There are similarities between recently introduced western models of restorative justice and Melanesian customary justice. However at the heart of Melanesian kastomary justice is a holistic approach that incorporates context, mediation, fairness, rehabilitation, reconciliation and problem solving to meet village community and society interests and needs.

According to Bougainville Chiefs and VC officials because law and justice is not viewed as a specialist and separate discipline, but as an integral part of society, traditional kastomary law, disputes or offences and minor issues are not always “just” matters between families involved as they affect the whole community. The individual plays a minor role because local justice emphasises the return to peace and harmony for the whole village community, not just for individuals. (This ‘whole village community’ approach affects both the victim and offender and their respective families and Clans).

For kastomary law there is no distinction between criminal offences, torts and civil wrongs therefore to the community the VC and its interpretation of kastom enables flexibility, and adaptability consisting of local kastomary principles that directly integrate into society structures and the daily operation of the village community (United States Institute of Peace and The Fletcher School of Law and Diplomacy, 2004). Kastomary law and justice criteria (rules and norms of each community and village society) are unwritten but are generally well known and respected by the majority in the local community.

The focus of traditional indigenous law in PNG is about safety and security and the strengthening of the community structures of relationships and obligations with each other and those around them. Melanesian justice and VC justice is focused on managing mediation; apology; forgiveness; restitution, rehabilitation and reconciliation through mutually agreed solutions. The ultimate aim is the return to peace and harmony in the community. This reflects collective village community needs and desires. These have the added benefit identified through kastom of the strength of coercive powers supported by the interdependence of relationships and links with other actions in the village.

The group or village community have shared goals where an individual's action shares a common fate with the group. Within this community there is greater need to cooperate and work together leading to more social influence and coercion in group relationships to ensure the outcome of disputes and their resolution through amicable means via the VC returns the community to peace and harmony.

This information is relevant to this research as a significant proportion of the population in Bougainville (97%) live in remote rural areas where there is less influence from the west and where government services are limited or do not reach. In many instances the VC is the only 'government' service rural communities receive albeit with limited support and resources (Nelson, 2006).

Examples of kastomary justice as stated by Chief Daniel Timpa include: -

1) "A child climbs a tall tree and falls down hurting himself. The parents of the child are held accountable for the accident by family members and must pay compensation to extended family members for failing to take due care of the child. The child is not only a child of the parents; the child is a member of the community. This was described by another Chief as a way of ensuring parents takes responsibility and good care of their children and reduces the risk of child abuse".

2) "A male seriously assaults a member of the community. The action of the male reflects badly on his entire family and clan and all are held accountable for the actions of the individual by the community. Mediation, conflict resolution, reconciliation and compensation all come into play in an effort to settle the dispute amicably and return the community to peace and harmony. There is often a formal public reconciliation process after mediation processes have occurred and the matter is resolved".

3) In reconciliation ceremony witnessed by the researcher the Chief facilitated the reconciliation process confirming community respect for his status and power. The presence of VC Magistrates, Community Auxiliary Police (CAP) and other senior village community members indicated the importance of the ceremony. Symbolism with both parties paying different amounts of compensation recognised the scale of contribution to the dispute from each party. Compensation indicated remorse and reconciliation action. Verbalisation of apologies in front of the community ensured transparency and openness.

Physical contact with holding hands between disputing parties, their representatives and extended family and Clans ensured communication was face to face as the final stage of conflict resolution. At the end of the ceremony the chief pronounced “it is finished now” indicating the matter was resolved and the reconciliation process complete. All of the community contributed and shared in a feast symbolising trust, sharing confirming a return to peace and harmony. All attendees appeared to take the situation very seriously and interpretation of events as described was confirmed by VC Magistrate Anna Sapur from Hanpan.

Pressure to conform and ‘behave’ to society norms would be considered to be an integral part of the psychological contract in the village community, inclusive of influence from the family, Clan, community. For all the greater need of the whole community is considered paramount.

(Branine, et al., 2011, p587) confirms these observations when he cites: - *‘... in collectivist societies, people from birth onwards are integrated into strong cohesive in-groups, which they protect in exchange for unquestioning loyalty throughout their life time’.*

The societal structure of the community and VC as a group could be likened to a team. Everyone has a common purpose; defined roles and responsibilities and all actively participates and works co-operatively and collaboratively together. The synergy created delivers more when compared to each individual and group contribution and because each works so closely with each other it provides an integrated seamless umbrella service that coordinates with other community systems and processes.

Chieftain leadership and governance supports a vision of peace and harmony; encourages local and generational ownership by active participation from all involved through common language (Tok ples), history, rituals and links to tradition and culture (Wanes, Havini, Kimai, VC and cultural advisors 2011). The VC as an organisation (with VC officials) sits within this community team supported and guided by their Chief.

Through an informal non articulated imbedded cultural psychological contract, members of the village community are continuously drawn into following the group in respect to relationship, kastom, traditions and norms of the community and the need to belong and be supported. According to members of the village communities surveyed any failure to contribute to meet the needs of the group leads to shame or being ostracised from those closely associated to them (Chiefs Wanes, Havini and VC Magistrate Anna Sapur, 2012).

In the Melanesian belief and value systems, the law is defined, not so much by the act of what the individual person does, but by the social context under which the act was committed. Murder of an enemy is different from murder in a condition of stress. It also accepts that not all people are equal in the community. So an insult against a person in authority is different from an insult to a person of less importance. This belief reinforces the traditional cultural norms and laws of society that emphasise the authority of the Chief as the leader and the strength and security of the community over the rights of the individual (Bougainville Peace Foundation, 2001).

According to (Howley, et al., 2005, p2): - *“Custom begins with the notion that the first duty of justice is to mend the broken community relationships damaged by the wrong doing. To that end the extended family of the offender would meet with the family of the victim and the community. They would talk of the damage caused by the wrongdoer. This leads the offender to be shamed in the eyes of the community. The shame is greater because it is inflicted not only on the individual but on the offender’s whole family. The extended families of both the victim and the offender are involved in the exchange and the family offer an apology and restitution. When this is settled the offender is forgiven, there is reconciliation and now the relationship is repaired the community can restore the offender and get on with life. The advantages of the process is the victim is able to scale down the trauma by confronting the offender ; the offender is able to purge his or her guilt; the offender is able to begin on the road to reform by paying restitution and receiving forgiveness and the community are able to draw clear lines on what is acceptable behaviour by discussion and speaking out in the meeting”.*

In the instance of murder or a similarly serious offence according to Chief Daniel Timpa the immediate response by recognising a problem and taking action is vitally important however the process of mediation is taken in non linear path and may take several years before final reconciliation and resolution is obtained.

The western judicial system focuses on the western ideal of individual human rights and the individual. Goods; property and the person are distinguished as separate and different. Western law seeks the individual to blame; find fault; liability and to punish usually through incarceration. The object of punishment is deterrence or retribution (Greenwell, 2011).

Rules and legislation are written and enforced by the State and changes can be only made by the State (usually after long drawn out debates and discussion). Many of these laws are based on English law, are often technical; fixed and the accompanying procedures are frequently mystifying, and not completely understood by lay people in the community. When an offence occurs, the offender (suspect) is arrested and charged by the police and is accused by them through the government or state to have committed an offence. The ingredients (elements as they are called in PNG) for the offence are stipulated with specific criteria for evidence, by rules and written laws (CID, BPS officer and New Zealand Police CID Advisor, 2011).

A representative of the government or state in the form of a police prosecutor; lawyer or Crown Solicitor then accuses the offender of committing an offence. They act on behalf of the victim and the community. The victim has a limited role other than as a witness and can only answer specific questions put to them by the prosecutor, (who represents the victim). The defence represents the offender. Neither the victim nor the offender has the opportunity to fully explain their perspective in court because they generally may only answer questions put to them by the defence and prosecutor. This also applies to witnesses because some of the witnesses and evidence is screened to determine if it is admissible or inadmissible.

When offenders are found guilty they are removed from their community and incarcerated in prison and later the convicted offender returns to the community after serving his or her sentence yet they still have to face the victim, the victim's family, their own family and Clan and the village community to make amends and reconcile. Arrested offenders found not guilty whether it be technical reasons such as lack of witnesses; poor forensic evidence; or failure to follow the rules and processes according to the law; they return from court and still must face the victim and community.

There is no restitution or compensation when an offender is found innocent for the time held on remand in prison or for other social costs affecting the offender or the offender's family and clan. To a westerner, justice 'Westminster style' is still considered to have been delivered. When the offender is convicted the prison sentence is considered as penance paid and finished with on their release.

In Melanesia (the indigenous customer - the community) perceives a matter such as this as being far from resolved. Although they will have commenced mediation processes to maintain a semblance of peace and harmony in the village there is a significant amount of communication, mediation and reconciliation work to be undertaken continuously by Chiefs, VC officials, senior members of the community and the family and clans of both parties to return the village community to peace and harmony. This occurs outside the formal PNG District, National and Supreme Court processes and is not formally recognised easily by westerners or people unfamiliar with Melanesian justice according to cultural analysis by Chief Havini and Paramount Chief Wanepuni, 2012.

The complexity and the tangled web of influence stretching back into pre-colonial times is considered by many to have contributed to legal pluralism (this researcher suggests legal multiplicity). This is because of the mismatch between the imposed modes of formal justice (the Westminster justice system), the VC justice systems and informal indigenous justice practices such as Wanbel Kot. The Wanbel Kot as a kastomary court system directly links to the Chief as sole arbitrator and is an informal process kept inside the village working within societal structures, values and belief systems and at times parallel with the VC (Rivers and Amankwah, 2003).

(Howley, et al., 2002, p189) describes it succinctly when he says: - *'The western court may be excellent in discovering guilt or innocence but it often fails to provide justice. In any court case the victim is usually the loser. Not only has the thief stolen his property and left him hurt and violated, but worse is to come. The court places him to one side while some person he doesn't know represents him. He does not get the opportunity to speak for himself or express his feelings of hurt and violation. It may even be that he is publicly derided and shamed; his privacy invaded and his character besmirched by the practised innuendo and invasive questions allowed in the court process. The victim becomes a non person who never gets to know or meet his offender. The situation is no better for the offender. He also is not allowed to speak for himself or in any way explain his behaviours. This must be done through a third person whose interest is in winning a case rather than healing a human being.'*

Throughout the western judicial process there is limited acknowledgement of the victim and limited chance of rehabilitation for the offender, so the question asked is how does this form of justice serve each customer?

Refer to Table one page 58 which will assist the reader to interpret contextual and environmental factors that may influence customer expectations to survey questions.

It is of interest and worth noting that there is a recent resurgence particularly in the south pacific region of review and activity surrounding restorative justice practices. The majority of activities have an emphasis on mediation; with restorative justice features of conflict resolution; involving both the offender and victim and family to restore all involved back to stability and normality.

This resurgence of restorative justice ideology may be indicative of customer's, stakeholders and the community in the western world now influencing and determining the 'quality' strategy of judicial services toward more customer centred justice and customer outcome focuses and away from the strict rigidity of rules of law (Parks, 2011).

This new overall direction appears to be an attempt to include rehabilitation through diversion and second chance strategies with the requirements for convicted offenders to attend counselling and rehabilitative opportunities and restorative justice arrangements through victim and offender meetings. However the expectations and outcomes of restorative justice are slightly different when considered in the context of western laws and western society because they are not interwoven into the fabric of society as in Melanesia.

For western society quality in the context of 'restorative justice' does not appear to be as effective as there is no strong connection to reinforce the rules and norms back out to the wider community and society. The resurgence in the western world of restorative justice practices, acknowledging the rights of victims, a focus on the rehabilitation of offenders and observing the implications of managing disputes and offences within the context of VOC issues and societal problems indicates the pendulum of change may be gradually swinging away from the western paradigm of blame and punishment.

There are many restorative justice models as cited by (Parks, et al., 2010, p1): *-'The original western based concept centred on treatment of the offender and restoring him to society. More contemporary models seek to enable offenders to make amends to their victims and community, enable the offender to return to the community as a productive and repaired fully participating citizen and protect the public throughout the process... restorative justice emphasises the importance of elevating the role of crime victims and community members, holding offenders directly accountable to the people they violate, restoring the losses of the victims and providing a range of opportunities for negotiation and problem solving.....it assumes those most affected by the crime should have the opportunity to become actively involved in resolving the conflict.'*

The core difference in Bougainville society is restorative justice for the people relates directly to how life can be better for everyone in society. Restorative justice is not necessarily about "win - win for each side" as commonly portrayed by westerners because in Bougainville it affects **everyone** in their endeavours to return the village to peace and harmony for the good of the whole village community, not just individuals or a small

family or 'a side'. According to Chief Daniel Timpa individuals, families and clans will frequently submerge their feelings and via mediation outcomes will give full support for the greater good of the entire community. This holistic concept was consciously acknowledged when seeking the VOC in the VC.

Restorative justice was practiced in pre colonial times by the New Zealand Maori and in Tonga and other Polynesian and aborigine societies. It is still practiced in various forms in Vanuatu, the Solomon Islands, Fiji, Hawaii, Timor Leste, Canada, China and Africa to name just a few countries. For PNG the restorative justice process is unique. This is shown in a flow diagram in Appendix Twelve on page 258 provides an overview of the VC recognising its value and importance to the local people. It is enshrined in the PNG Constitution, the Bougainville Constitution and in the VC Act legislation. The fact that it survives and is used so extensively is a testament to the significant influence of local indigenous practices based on largely autonomous societal structures such as chieftaincy supported by culture and traditional 'kastom'.

Only in recently times has the developed western world seriously acknowledged and recognised quality elements of a 'restorative' approach to justice that brings value to the customer and society. According to restorative justice papers and many books there is argument to using alternatives methods of dispute resolution that are more cost effective and efficient than litigation (PNG National Institute of Justice, et al., 2010, p2).

New Zealand researchers have undertaken a large amount of study and review of restorative justice particularly for youth and most conclude a reduction in offending and positive life outcomes when restorative justice is used. Many suggest restorative practices that include empowerment, the repair of harm and re-integrative outcomes do make a positive difference. Evidence confirms a stigmatic shaming and negative effect when youth connect with the western criminal justice system contributed by its severe and retributive outcomes (Maxwell, et al., 2011, p1-3).

Recent research indicates most Bougainville indigenous leaders are wise and recognise and understand what is required to meet community needs (Campbell-Allen and Lewis, 2011). For instance it was evident in this research the full time regular Bougainville Police Service showed poor response times to respond, investigate and prosecute serious offences.

A lack of professionalism and responsiveness to customer needs significantly affected police service credibility with customers and impacted in terms of law and order being visible, the customer seeing action and justice being seen to be delivered by the community.

The Council of Elders (COE) in Bougainville and VC officials attributed these problems as the main reason village communities had retrenched to wanbel kot and the VC for justice as peace and harmony could not be restored to the community effectively. When Westminster – legal processes and police ‘enforcement’ practices were followed there were no tangible timely results for the betterment of the customer or society.

For example serious offences, (not described in the VC Act and outside the VC jurisdiction) were being presided over by VC officials through mediation and restorative justice practices because the customer demanded it (Campbell – Allen, Lewis (2010)).

According to the (PNG Post Courier, 2011, Bougainville Chiefs and VC officials) people viewed police services and the state formal court system as sluggish to respond, adversarial, generally unreliable and unable to provide justice in a form they required. In several examples government services either did not exist or were difficult for people to access leading to justice not being carried out to meet customer or community - societal needs.

Nationally over 8,000 criminal cases were outstanding, with over 6,000 bench warrants awaiting action, (PNG Post Courier, et al., 18 March 2011, p12). If serious offences are not investigated within a three month period after an offender is arrested and charged when presented to the Bougainville formal court system the offender is freed with the

expectation the police will expedite the investigation and prosecution case. Recent anecdotal information and research confirms this rarely occurs with justice not being seen by the customer and community (Campbell- Allen, Lewis, 2010). When a VC did refer a serious offence case to the formal court system, many informal VC and village kastomary systems and processes were still occurring. This included communication and mediation to retain a controlled semblance of peace and harmony in the community whilst the more formal western processes were followed. The reconciliation process between families was commenced in preparation for when the offender returns to the village. This takes as long as necessary (Timpa, 2011).

This indicates a person external and outside the processes may fail to understand kastom and culture or how deeply embedded it is within society. They may not understand how it works to meet the expectations and requirements of the village community, collective society obligations and responsibility, or the empathy aspects with regard to language and communication. In particular they may not recognise the importance of mediation and responsiveness using every endeavour to return the whole village community to peace and harmony.

When the VC is viewed from a legal perspective it is in fact a western introduced court system but with simplified rules and boundaries yet it appears over time that many VC officials and Chiefs have adapted some VC policy and practices to ensure that the VOC and village society needs are met effectively (Howley, 2005).

The failure of the VC to conform to the VC Act has been observed in reports as caused by a decline in emphasis on supervision; training and inspections. There is recognition of funding restrictions and a reduction in the overall standard of administration. There is acknowledgement that these problems increase the risk of each VC exceeding legal jurisdiction (Attorney Generals Department, 2003).

Of interest many VC documents acknowledge a number of VC strengths, yet many fail to mention the customer or customer satisfaction as of value and importance. It does however confirm that senior people at government levels accept and respect kastomary

law as a means to settle disputes and verifies the VC does provide a valuable service to communities where the formal court system cannot reach. If as suggested previously there is inaccessible, ineffective and insufficient government services that fail to support law enforcement complicated by the provision of justice services the customer does not respect or want then it is highly probable customers will continue to support and use their version of the VC as the main avenue to fulfil peace and harmony to each village community.

The author suggests the intricacies of Melanesian justice with the customer, community and society may not be easily fulfilled using western justice systems because the western system focuses more on rules of law, adherence to rituals and technical systems and processes to meet evidential and organisation requirements.

With this inflexible focus on technical aspects how can there be a connection between justice, the customer and meeting customer satisfaction for the greater good of society? Part of this research explores the customer, and how the VC systems and processes interacts with the customer and the community and draws on the comparisons of customer service and drivers of change between the Bougainville VC and the PNG influenced State Court system. This is shown in Table one with a generic comparison made between the Bougainville VC and the PNG State Court (page 58) It specifically notes the difference with Melanesian justice focused on restorative rehabilitative justice and reconciliation for the greater good of all versus the individualistic adversarial punishment approach of western systems.

The VC Act (1989) and Community Auxiliary Police (CAP) are required to refer serious offences to the state justice system. These are basically all offences that are not listed within the criteria stipulated in the VC Act (1989) refer to Appendix Four: - Offences the Village Court Officials may preside over.

It is possible for the strengths of formal law to cover the weaknesses of kastomary law and vice versa. Each should reinforce the other to enable positive development of the other.

There is a serious risk for the more formal Westminster law to crush the benefits and values of kastom through outside influence. There is the risk for kastom to crush the benefits and values of formal law. Each should support the other as both have strengths and weaknesses (Forsyth, Braithwaite, et al., 2009, p xiv).

In between the two separate justice systems is where the VC sits as a hybrid of both forms of justice. By being a mutually supportive system, “a conduit pipe” (as described by Paramount Chief Wanes) it can underpin both the Westminster and Kastomary justice system. Currently the VC is used extensively by over 85-90% of the Bougainville community (from Toliken, 2011, Wanes, 2011). The formal state justice court is unable provide responsive accessible justice services due to limited resources; skills and capability issues with police services to investigate and successfully prosecute offences. In part this is because the police cannot routinely meet the standards or rules of evidence required of the formal court system and the justice and police systems work in silos. These findings suggest law, order and justice for urban people is limited.

Table One: - Generic comparison between the Bougainville Village Court and PNG State Court.

Village Court	State Court
<p>Belongs to the people, works for the people. (Howley, 2002)</p> <p>Focus is on possible contributing causal factors, context and takes a broad perspective when adjudicating over offences.</p> <p>Kastom, norms community needs are driver of strategic change.</p> <p>Measured by respect for Chiefs, VC Officials and the people particularly the outcome of the effectiveness of kastom systems and processes to the return of peace and harmony to the village.</p> <p>Deals with social, crime and community problems</p> <p>Requires community support and cooperation to work together.</p> <p>Requires quick response by local people, followed by ongoing mediation and is integrated and close to community</p> <p>Emphasis on customer needs, accountable to the rules and norms of community with ongoing mediation, communication and contact with leadership (Chiefs and VC officials).</p> <p>Focus on amicable settlement through mediation, empathy, restorative justice is a method through shaming, confession, honesty, sincerity, reform - rehabilitation, forgiveness, reconciliation, compensation and reintegration for all in the community. (Howley, et al., 2002 p137-138)</p> <p>Focus on returning the Village community to peace and harmony.</p> <p>People know their social, community responsibilities and norms and rules of their village. VC close to the people, easily accessible and understood.</p> <p>Cheap to run with minimal overheads, accessible, reliable, A fast response to commencing mediation and justice action.</p> <p>Supports community norms and rules of village community (Community model)</p> <p>85 – 90% people use the Bougainville Village Court in rural areas.</p> <p>97% of population live in rural areas have access to VC.</p> <p>Managed + led by chiefs/COE who live in community and select VC official's, they manage fines, provide advice on kastom.</p> <p>Frequently used by all customers indicating success.</p> <p>Focus on community and societal needs – peace and harmony</p>	<p>A government agency, works for the government.</p> <p>Focus on the crime, ingredients of crime and rules of evidence</p> <p>Legislation and government driver of change</p> <p>Measured by number of court cases, offenders and interpretation of rules and evidence and legislation and success of the prosecution presented by lawyers and police</p> <p>Deals with crime and criminals under legislation</p> <p>Requires the rule of law and effective and efficient Policing. Adversarial approach</p> <p>Requires response by police later followed by Court processes and Correctional services support</p> <p>Emphasis on government and rules, legislation and accountable to the laws of the land. Left in the hands of government and representatives of state</p> <p>Focus on evidence presented and prosecution case to make decisions about criminal and complainant</p> <p>Focus on the individual needs</p> <p>Focus on evidence, blame, conviction, punishment, imprisonment for crime</p> <p>Usually distant from the people, people unaware of rules & it uses a different language plus legalistic professional language and processes that may mystify lay people.</p> <p>Expensive to run, sluggish response to justice, isolated from the people.</p> <p>Supports the rule of the land to keep law and order (Enforcement model).</p> <p>Located in urban area accessible to urban dwellings</p> <p>Use of Lawyers and Judges government officials – elite professionals in society.</p> <p>Many people don't get to use court successfully due to time delays and regular police issues, no compensation.</p> <p>Focus on individual needs and requirements – rule of law</p>

Chapter Four

Quality Management Practices: - the impact of western influence in a developing country.

Today, more so than ever, lessons can be learned from the past to develop organisational success and sustainability for the future. As western organisations establish in culturally diverse locations whether it is within developing countries or part of the emerging global economy, management of those organisations should take time to stop, listen, learn and think before making judgements or taking action. Western management practices; quality tools and their practical effectiveness and applicability to developing countries do require critical analysis.

The practice of introducing a foreign culture's differing belief and value systems; societal structures; religions along with imposing western traditional business practices into organisations systems and processes was more prevalent in the nineteenth and twentieth centuries and was part of expansionist thinking during the colonialist and imperialist eras.

Stanford Encyclopaedia, et al., (2006, p1) describes *“colonialism as the practice of domination which involves the subjugation of one people over another. Like colonialism, imperialism also involves political and economic control over a dependent territory.”*

Historically during the colonial period the impact on the local people in PNG was devastating in relation to law and justice. Because there was no evidence of formal buildings; written laws; paper documents or judicial practices familiar to the colonists entering the country there was a conclusion there was no law and justice in Melanesia (Wesibrot, Piliwala and Sawyer, et al., 1982, p21). As a result systems and processes were introduced reflecting western values dominating and subjugating the local people's societal structures, traditions, and cultural belief and value systems. This researcher suggests the advancement of a modified form of colonialism still occurs and is more recently overlaid with continuous change influenced by external 'contemporary' western management practice; political strategies and 'globalist cultural strategies' affecting the people of developing countries such as PNG.

An oft missing factor in this advancement is the indigenous 'voice of the customer' in management practice and in the final decision making process for project and organisational design despite consultation and participatory strategies being promoted (Branine, 2011, Clegg, 2003, Sachs, 2005).

It is unclear whether the VOC is effectively captured by organisations seeking information and expanding western world management practices, tools and techniques into developing countries. Often the more complex and variable the phenomena and relationships, the more inclusive and comprehensive the questionnaires should be. However this creates a problem as large questionnaires are liable to be preset, top-down, imposing fixed categories on realities belonging to a paradigm of things, professional view points rather than a paradigm of the people as the customer (Chambers, et al., 2008, p19).

A major problem is there is insufficient explanation as to why some organisations perform better than others within a similar environment, structure, staffing numbers and using similar systems and processes and why they chose specific methods and tools to analyse their business. The answer may be as simple as some customers may have different requirements or the leadership style or behaviour is not suitable for the organisation for that time and place.

This situation could equally be applied to each individual VC because each is managed under identical legislation yet each is dependent on chieftain leadership skills, community and customer needs, kastom, culture, location and the context of societal needs and experiences.

There are many Quality 'gurus', with many varying ideas, tools, approaches and methods and philosophy's reflecting their expertise and experience, however there is no 'one guru' who can provide a total model of quality management that is complete and integrated to assist in understanding why or how an organisation can operate to ensure standardisation services. Each 'guru' promotes a slightly differing approach and the reason for this is it is very difficult to define what the achievement of quality means.

Quality can be described as meaning different things to different people. It is also dependent on how organisations, managers and employees implement and then view the effectiveness of their quality management model.

The integration and completeness of what quality elements are, is dependent on each individual, group or organisational perspective and what the customer perceives as important. As this thesis suggest some answers may be dependent on the choice of VOC tools used, the context as in culture, society, cross cultural communication issues and management practices in the developing country. But how does an organisation determine which 'guru model' or VOC 'method' to use? Will it achieve the organisations objectives for the present and into the future? Does the method chosen have to be perfect?

Most guru models can be interpreted as linking classical and human relations, with many stressing the importance of the customer in different ways. International agencies and organisations place emphasis on tools and techniques which sit comfortably with the more traditional approaches because they are considered 'tried and true' and superior. These practices retain dominance because they appear on the surface to have considerable value and offer simple, fast solutions to management problems. They also service support and funding to the currently powerful groups in organisations. Many western training organisations do not teach more contemporary and radical ideas, favouring traditional approaches therefore the same mistakes are potentially repeated over and over in a contemporary context (Beckford, 2005).

The common traditional approach toward seeking answers to customer satisfaction is asking the customer whether the specifications and standards for the task were provided to the customer. It is about 'what the organisation **provided** to the customer'.

The more contemporary approach recommended today is to ask the customer what their requirements or expectations are to find out the how and what the organisation can do that **will satisfy the customer and meet customer needs**.

For this approach to work it would be expected there is continuous adjustment or adaptations to the design of an organisations systems and processes and review of methods, assessments, analysis and strategies with recommendations to ensure the VOC is accurately captured and the organisation can continue to meets customer requirements (Carey, 2006).

This research is specifically about finding out the service elements the customers value in their VC so the organisation can focus toward what it can do to maintain services, improve services and identify how to make changes without losing other integral parts of service vital and valued by the customer who uses the services. This is a more modern approach encouraging organisations to find out the VOC, the service elements they prefer and respond providing action and service outcomes the customer values.

According to Inkson and Kolb a problem with management thinking and strategies there is a desire to establish the right answer to a problem and believe that the right answer in one situation can be the right answer to any situation and transfer these to other countries (Inkson, Kolb, et al., 2002, p65).

This same problem applies with the belief that one 'guru' theory with its exclusive set of tools will provide an all encompassing model of quality management that will integrate and fit every situation, in every type of organisation or business in every part of the world.

Is management practice coming to a point in time where the pendulum swings back reversing this trend of transfer of western developed theories, knowledge and management expertise to begin seriously engaging with indigenous people and developing country perspectives?

This could mean the formation of strong psychological and emotional bonds, creative, holistic responsive leadership without the ties of strict conformance and beginning to consider alternative quality management, VOC methods and management theory paradigms.

It may suggest new directions toward the development of alternative options for quality theories, methods, tools and management practices for organisations to use when establishing themselves within collective societies in developing countries.

Some quality theorists and other researchers suggest many political and administrative theorists are discovering purely rational models tend to ignore the capacities of human devotion and human efforts, the value of collective society belief systems and values of commitment that can overcome insurmountable barriers to achieve not only the improbable but the impossible' (Armstrong, Pont, et al., 2011, p4).

Overleaf on page 64 table two provides an overview based on quality guru approaches to customer service, (Beckford, 2005). Some of the language and style reflects societal thinking at the time each model was introduced. There is a smorgasbord of approaches and methods for a manager or organisation to consider using with more recent models describing the customer as important.

Table Two: - Quality Guru approaches to customer service (Beckford, et al., 2005, p65 135)

Quality Guru Analysis re customer	Model includes	Tools
<p>Juran User based view Limited use for Service organisations</p>	<p>A <u>fitness for use</u> mechanistic view One part of organisation improves the whole improves</p>	<p>Quality Trilogy Road Map 10 Steps to Quality</p>
<p>Crosby Mechanistic conformance view</p>	<p>A belief in quantification Prevention rather than cure Management led</p>	<p>Management processes Leadership by Management 14 Step quality programme</p>
<p>Taguchi Mechanistic - conformance view Limited use for Service organisations</p>	<p><u>Values creative input of people /</u> Quality managed by experts Focus on statistical quantitative methods</p>	<p>3 stage prototype method 8 steps of parameter design Quadratic loss function</p>
<p>Oakland Total Quality Management Useful for service organisations but more relevant to developed economies</p>	<p>Quality - <u>meeting customer requirements</u> Systematic and systemic approach Advocates participation and ideas through team work / Leadership commitment / Right the first time</p>	<p>7 Characteristics of TQM 10 points for senior management Quality Functional Deployment Activities</p>
<p>Deming Mechanistic view Limited use for Service organisations</p>	<p><u>Looks at socio cultural contexts</u> Needs of the customer Measurement / Focus on leadership Philosophy - is profound knowledge</p>	<p>Plan Do Act Check cycle tool 14 Principles for transformation Statistical processes 7 point action plan</p>
<p>Ishikawa User based view Useful for Service organisations but fails to address context</p>	<p><u>Active worker participation</u> Workers recognising problems + solutions interrelatedness of systems and processes Holistic view of systems <u>Effective communication</u> Continuous improvement</p>	<p>Quality Control Circles Pareto Charts Fishbone diagrams Check sheets - Histograms Scatter graphs + Control charts</p>
<p>Feigenbaum Customer use</p>	<p>Total systemic approach <u>Interrelationships + human relations</u> <u>Basic issue for quality achievement.</u> <u>Participation of staff</u> Importance of management Philosophy – ethic for workers</p>	<p>4 step approach</p>

The researcher suggests there is a strong correlation between the history of development practice and business, private enterprise and government management practices. For instance theorists could compare colonial practices to Taylor-ism 'mechanistic' practices and business globalisation and development with generic standardisation and Total Quality Management (TQM). The debate within the convergence and divergence theories also has parallels and interconnectedness with quality management theories and development theorists each based on the dominant thinking of the time in the western world.

For example there is a similar dilemma in development organisations with culture and generic standards discussed with suggestions new modern institutions fail to find their roots in the indigenous social and cultural tradition. They remain tenuous because the internalisation of western ideas and values has become an obstacle. Western concepts internalised by developing country elite have been used to defend privileged positions in indigenous society and have created barriers to development and alternative ideas arising from indigenous sources of popular knowledge, (Brohman, et al., 1995, p130).

When looking through a western lens as happened recently in Bougainville there has been discussion that because there was no evidence of familiar structures of a formal court building (to a western standard) it was construed justice and workable law systems could not function properly (AusAID, 2010). The example described is the formal court at Buin made from bush material. In colonial PNG there was a similar attitude where expatriates sought to reconcile western and indigenous differences via a necessary tutelage period in order for un-civilised societies to advance themselves to the point where they were capable of sustaining liberal institutions of self government (Stanford Encyclopaedia, 2006) which suggest change and improvement could only be recognised by the use of western institutions, practices; standards and value systems. From a management perspective this could be seen as 'modernisation' using colonialist thinking to introduce industrialisation and western dominated practices.

Bernard Narokobi a PNG national and lawyer said: - *“Law may be the cornerstone of many mighty civilisations in history but it has often been used as a sharp sword by the powerful to conquer untold numbers of powerless peoples. Laws have been used to destroy cultures, civilisations, religions and the entire moral fabric of the people. In Melanesia and elsewhere, the Anglo Australian law was used, and is still being used to do precisely that. When they, (the colonial power), could not find any brick built courts, or armed and uniformed constables, or any paper codes of law, they concluded that there is neither law nor justice in Melanesia”* (Weisbrot and Paliwala, et al., 1982, p21).

As a result of this ‘judgement’ by the colonialists of not seeing a judicial system they could recognise or understand from their paradigm or lens, they introduced and imposed their own legal and judicial systems and processes, almost totally dominating and subjugating the local indigenous people’s societal structures; belief and value systems.

This is not too dissimilar to the risk that could occur when western organisations assess and analyse through their own ‘lens’ using western developed management tools and practices developed by western theorists and western managers and wonder why there is no ‘buy in’ and traction or local ownership with organisational activities they seek to establish (Armstrong, Pont, 2011). Introduced laws could be likened to the introduced western management theories, practices systems and processes and quality methodology. This would indicate some serious quality risks to the performance of ‘global organisations’.

When western organisations override indigenous culture and fail to register customer needs through either ignorance or attitudes of superiority it is highly probable it will ultimately impact on the effective functioning of an organisation and potentially lead to diminished local compliance; poor recognition of the VOC partially due to this incongruence with societal structures, values and beliefs. Even though we are now in a totally different century than colonial times situations as described above still occur.

An example of this is most recently in Timor Leste' where upon independence the United Nations Transitional Administration to East Timor (UNTAET) (in their wisdom) placed an official western judicial model directly over the 'top of an entirely different indigenous system of justice used at grassroots level (Hohe, et al., 2003,p1).

This indicates continued limited appreciation by external organisations to understand a developing country perspective, of the need to develop rapport; establish community relationships; to truly value the customer and recognise the advantages of customer participation by finding out what they require and to use local societal structures and acknowledge local values. In the case of Timor Leste the community justice system was not considered to be of any value to what the international community considered they themselves could deliver and as a result the Timorese people now have two justice systems. One system being an under-resourced official state system with limited connectivity to the community's perception of law and justice and the other an ad hoc damaged indigenous system (Hohe, et al., 2003, p1-3).

As PNG developed toward independence in 1975 it began to vigorously reject colonial rule and foreign common law traditions. As a country it had always challenged, questioned and contested the imposed sovereignty of the state since its establishment in the colonial era (Rivers, 2003). This historical context of rejection of colonial practices is important to keep in mind in the context of 'ownership' and 'leadership' and 'VOC' perspectives because just prior to PNG independence the innovative idea of introducing the VC as a hybrid of Westminster laws and customary law and justice practices was explored as a legal entity.

"An important feature of this movement was the attempt to customise the existing legal system so that the underlying law, made up of both custom and common law became the dominant law rather than the introduced statutes" (Australian Law Reform Commission, et al,1986; updated 2010,p1).

PNG was more fortunate than other countries (some examples are East Timor, Vanuatu, Tonga) as this movement to form the VC legitimised and valued (in the mind of the local people) their local kastom and traditions by having them placed into law - alongside and parallel with the PNG state justice system (Chiefs Wanen and Havini).

A frequent reoccurring problem for many organisations operating in developed countries is their management practice is continually influenced, re-influenced and dominated by the culture the organisation originated from. Organisations are not always alert or sensitive to the subtleties; underlying strengths; resistance and potential resurgence or force of indigenous leaders, custom; culture and tradition. Many undervalue the importance of relationships, the customer and over value technical expertise.

Culture does not change as fast as technological and economic or other components of a society therefore establishing continuous relationships, built on trust and rapport, and supporting control of the direction of assessment and recommendations with indigenous people is an enabling strategy for capacity building of partnerships with customers, employees for a business organisation (Branine, et al., 2011 p56). Even though it is often intangible and difficult to measure, the active acknowledgement and action of the attempt to embrace employees and integrate cultural and societal relationships does work toward establishing rapport and forming a solid foundation from which the local people can identify as valued customers. This recognition and integration of local leaders, culture and values may have been the critical element that has contributed toward the development; establishment and overall success and sustainability of the VC throughout Papua New Guinea since 1974 (Rivers, Amankwah, 2011).

It is common when western organisations implement operational and strategic activities to develop and improve services; systems and processes; and promote sustainability it is the utilisation of a total approach by management of western quality models, methods, tools and techniques that is considered extremely important and used (Ramaswamy, 1996). The appropriateness and use of western management assessment tools and practices seeking the VOC within collective societies in a developing country scenario is very unclear. As stated previously western management approaches have the potential to be fraught with difficulty because of the complexity of the environment they are working in and their own contrasting value and belief systems. A true understanding of the impact on an organisation of western practices; quality assessment models and western developed criteria is inhibited by the fact there is limited research of the VOC in service based organisations operating long term within developing countries.

Research analysis of the rationale to choose to use a specific assessment tools, methods, management strategies, organisation design, quality measurement and effectiveness which focus on customer satisfaction and customer outcomes from an indigenous perspective are rare.

According to Tsui and Gomez-Mejia *“there has been a rapid expansion into developing countries making it difficult for theory and research to keep pace and this is compounded with the fact that 90% or more of management research is based on American and Western European companies,”* (Carey, et al., 2006, p3).

It is only in recent times attention has been given to cross cultural management problems as organisations have become more sensitised to the issues as they become more global. From a quality management perspective for many western organisations establishing in diverse societies; the design of management systems and processes; quality measurement and management strategies are known to generally reflect the culture of the country where the organisation originated from. Several studies suggest many western management theories reflect the economic development of the country of their inventors (Hofstede, 1980b; Srinivas, 1995, Branine, et al 2011, p25). For this reason it could be construed that the structures; interrelated functions; policies and procedures; systems and processes along with expected relationships with stakeholders will also reflect a developed world’s economic growth and the expected organisational characteristics and relationships with customers and the ‘beneficial outcomes’ for a western based organisation. It is therefore highly probable western management strategies will deem certain quality elements and characteristics as appropriate and essential to meet customer needs. These will be based on a complete western influenced paradigm, possibly bearing limited relativity to the real indigenous customer needs.

VOC findings will produce information however it is still possible incorrect assumptions will be made about what is important and valued by the indigenous customer because of limited cultural analysis into context. A major barrier possibly unrecognised by organisations is the information systems and the tools they choose to capture that information (Beckford, 2005).

This suggests despite the best intentions of many organisations, international agencies, and governments in the modern global business world there is the potential to gather inaccurate data and to continue to overlook the positive contributions the VOC information can contribute to enhance success. When the VOC is not recognised and utilised it is highly likely there will be a direct affect on the viability, vitality, performance and quality improvement opportunities for the services delivered to customers and for the organisation. A learning organisation is vital therefore effective listening and communication is essential and the VOC should be part of an organisations survival package and quality planning strategies.

Both management theory and cross cultural aspects have major implications for managers working in or alongside indigenous organisations because culture is imbedded deep into society structures, relationships and is part of the identity of the people. For new organisations and agencies managing in diverse cultures and in developing countries impatience using western timeframes, complex technical assistance without consideration of the need for continuous co-partnership relationships will impact on sustainability, capacity and ownership.

The problem is organisations providing support or establishing services into developing countries are known to predominantly source their expert consultants from within their own business sector, professions and country. Consultants are often sent in to assess; provide advice; to introduce and establish a foundation that provides information and criteria necessary for capacity development and to develop or ensure the introduction of the specific design of systems and processes for an organisation. They will frequently shape assessment and change by using methods, tools and traditional technical skills they are familiar with. There oft is limited consideration as to the applicability of those tools or methods or processes they choose to use because they tend to base everything on their own perception of a situation. It is also not uncommon for these 'experts' along the way to fail to recognise culture and the associated culture and subcultures. Sometimes there is no effort to find out what indigenous customers believe they need (Armstrong, Pont, et al., 2011, p27).

Others may even have a tendency to set standards; systems and procedures significantly above the economy; resources and capacity of an organisation. The expatriate's reality is often very different to the real living, working and social environment within which the staff they are supporting must work.

A recent suggestion at the AusAID Arawa VC Review workshop forum (2011) has been to provide legalistic training for the purposes of understanding the law for 'questioning witnesses and undertaking investigations' in the VC area. This could mean some VC officials or the review team are considering promoting formality and a common law approach to exert authority and conformance rather than continued use of local kastom in the VC. (This reflects differences in concepts of service and value systems and a summary of these differences is provided in table three on page 77).

Reasons for this suggestion are not known and perhaps are a response to VC internal needs to compensate because they are managing serious offences outside their legal jurisdiction (AusAID, Law and Justice VC Review, 2011).

To introduce any change particularly in a service organisation requires a process approach undertaking the customer's point of view. Reacting to problems without careful analysis will not engender support or sustainable change and could be counterproductive (Tenner and De Toro, 2008). At a minimum change for the example described above requires increased resources, training, procedural and system changes and immediately alerts the reader a small adjustment could alter customer services significantly.

Change may also affect VC official team dynamics, Chief and community relationships and whether intentional or not may introduce an adversarial approach to VC processes which is not part of Melanesian kastomary norms. Often when there is an attempt to quickly alter existing traditional indigenous mechanisms alongside introduced systems and processes there is a possibility achievements will fall well short of western management expectations.

Any western quality practices particularly those seeking VOC assessment or measurement systems toward planning strategies will need to at least include and or incorporate

indigenous values, beliefs and morals into processes to cultivate local support, ownership and in turn sustainability (Branine, 2011).

This suggests the Bougainville customer (the community) and indigenous society structures along with culture and chieftain leadership will ultimately determine and control any change process for the VC including the pace of change (just as they have in the past).

In developing countries according to Inkson and Kolb: - *'there are unmistakable signs of a powerful countertrend: a backlash against uniformity, a desire to assert uniqueness of ones own culture and language, a repudiation of foreign influence....people are fighting to preserve their language, religions and local and national cultures in many places around the world from Maori in Aotearoa / New Zealand, to Wales and Northern Ireland, ... to the many tribes of Africa, Asia and the Americas,'* (Inkson and Kolb, et al., 2002, p391).

Sometimes quality managers will reproduce and replicate systems and processes into an organisation design because they consider these to have worked successfully in similar situations in other developing countries or are still relevant. This is with the misguided assumption that what they reproduce must meet western quality standards; measurement and functions with limited recognition of the VOC or local context.

Concerns about external management practices in organisations in developing countries suggests in the transfer of 'know-how' to control operations and to develop expertise many expatriates have found it difficult to complete their assignments and have created financial and operational problems for many. This has affected quality for customers; stakeholders and business organisations they were expected to deliver and improve services to.

Failures have originated in the expatriates inability to understand the complexities of cultural differences and their consequent inability to successfully manage across culture and chose appropriate methods suitable to the culture and organisation (Branine, et al., 2011, p12 -13).

Moreover concerns are raised that some expatriate managers working in developing countries think, behave and manage in a benign paternalistic way considering the indigenous people and local organisations to be 'less developed' than themselves, further binding and burdening the organisation they have been sent into help with poorly designed and inappropriate frameworks that do not reflect essential characteristics considered important to the customer (Carey, 2006).

Because of this approach some western organisations will be unable to effectively capture through their quality programmes and methodology important information to assist them to learn from mistakes and to realise they must operate differently in the developing country. This may find they require the introduction of new innovative and ingenious VOC assessment methods, perhaps adaptation to existing methods. Change in management practices more relevant to the work environment in relation to economic; legal; societal; history, political and cultural contexts may be required.

In Total Quality Management (TQM) key basic essential elements considered important by western organisations to function effectively include respect for leadership and structures; seeking permission; enabling ownership; partnership and active participation by the people, (the customer) to deliver continuous improvement. Contemporary management suggest customers require "a value - added ethic" with cooperation from other stakeholders and an external focus from the organisation of listening to the customer to ensure that the customer is satisfied with the services delivered – the outcome (Rao, Carr, Dambolena, Kopp, Martin, Rafii and Schlesinger, 1996, pxiii). Unfortunately as mentioned earlier many organisations do not necessarily make the customer *central* to organisational operational activity nor recognise collective society arrangements. Organisations can be 'lost' in the maze of cultural issues and hold onto what they know as 'tried and true' practices using strategies, techniques and methods familiar to them.

A complex problem affecting an organisations success or failure relates to international management being ineffectual. This could be attributed to globalisation and the perceived need to standardise policies and practices and to set quality management standards

worldwide to ensure an organisation operates in a particular way globally. If this is combined with the use of generic systems and processes and quality measurement that do not effectively integrate and include the 'voice of the indigenous customer' in the design it is probable there will be serious operational and service problems (Rao, Carr, Dambolena, Kopp, Martin, Rafii, Schlesinger, 1996).

Problems with indigenous acceptance can never be underestimated because an organisation cannot be regarded as isolated from the influence of its environment, local customers, economics, culture, society and political environment according to modern researchers (Branine, 2011, Beckford, 2002).

It is debated that generic practices applicable to all countries is the way forward for developing countries yet deemed important for globalisation and international business integration (convergence theory). The opposing view of divergence suggests that it is equally as important for organisations working in developing countries to absorb and integrate local practices and characteristics into business. Harnessing VOC information to understand service gaps and potential issues does reduce risks particularly if organisational governance and leadership encourages learning to be reciprocal and ongoing toward enhancing successful outcomes for all involved (Inkson, Kolb, 2002).

It is also imperative for management (not just in talk but in visible practice) to integrate into its quality tools cultural safety strategies, to determine what is actual fact and considered ethical; moral; religious; traditional; customary; or political as defined by the relationship indigenous people have with each other and within local society, and not from external perspectives. This is reinforced when Johnson discusses "micro social" contracts that govern the relationships between members of specific groups and reveal the norm for the group indicating social-cultural aspects need to be recognised as relevant to VOC tools and of value to research (Johnson, et al., 2012, p397). These informal micro social contracts have an added benefit if inserted into to VOC assessment criteria because they can later be utilised to improve service, enhance organisation reputation, support and loyalty.

Failure to take the necessary time to research and understand these as part of the contextual experiences influencing customer responses will ultimately impact on the ability of an organisation to plan effectively, develop and become successfully established. As stated earlier contextual matters such as historical information, culture, tradition, education, economic and political stability and effectiveness of institutional systems all play a role in influencing customer responses to research questions and later the accuracy of analysis and evaluation.

Consideration and acknowledgment of national, regional and local villager's general cultural values and belief systems and processes and how they can interconnect and interrelate with each other is both very significant and immensely complex to decipher because they can be powerful to and for each group of customers.

This suggests a totally western management practice, associated with a global 'convergence' theory approach introduced into a developing country such as PNG has the potential risk of significantly reducing customer satisfaction and limiting organisational success and potentially insulting the people.

One example of the difficulties international companies have when establishing themselves in a different culture is occurring with the PNG mining, oil and gas exploration activity. The ruggedness of the terrain, climate and environmental issues compounded by the complexity and diversity of relationships, culture, development and recent political instability is currently stretching western management initiatives. As reported in one media document PNG is demanding management to be ingenious, having to learn to integrate ingenuity, show integrity, and be innovative and reliable with an unwavering commitment to deliver on promises to the people (Graham, et al., 2010, p1).

Another example directly related to law and order is in western society there has been development of criminal procedures and evidentiary rules introduced predominantly to protect individual's rights and needs. Westminster legal approaches reflect the values and goals of a western legal system and do not focus on maintenance of order in society (Greenwell, 2011). This is the opposite of what is an integral part of Melanesian society and indicates certain legally binding rules in place in PNG continue to conflict with

Melanesian society practices and the VC focus of using kastom as the main method to achieve the maintenance of peace, harmony and order in each village community.

Western societies are prepared to sacrifice some of the maintenance of peace, harmony and order to give effect to the goals and values of criminal procedures and evidentiary rules to meet the needs of the individual (Greenwell, 2011). A totally western justice, law and order approach will be in direct conflict and incongruent with indigenous societal structures; values and belief systems and could cause major and disastrous problems.

Again the author refers the reader to table three on page 77 which displays a summary comparing concept of Melanesian VC service values and western service values to accentuate differences in approach to customer service.

Table Three: - Comparison of Concepts of Service and Values – Melanesian and Western

Village Court Concepts – Services	Western Concepts – Services
<p>Service is work performed for greater good of the community as the customer To meet customer needs of returning village to peace and harmony (VC Act 1989). <i>Functional tangible quality visible to all customers in all aspects of every day life.</i> Perception of service standard and quality is created by community and society. <i>Focus on customer and society needs through Kastom (External influence)</i></p> <p>Timeliness, reliability, responsiveness, use of kastom with customer central to processes. VC is holistic and outcome focused to return village to peace and harmony. <i>Selected by Village Chief as ‘volunteer’ representatives attained through proven trustworthiness, attitude, customary knowledge, commitment and loyalty to village community values, morals norms and needs.</i></p> <p>Knowledge and skills of group exceed sum of parts of team <i>Psychological Contract very important (more than a job – a commitment)</i> Courtesy, politeness, respectful, humble, impartial, knowledgeable.</p>	<p>Service is work performed for the individual customer to meet and satisfy individual customer needs. <i>Functional tangible quality visible to individual customer.</i> Perception of service quality created by individual or the state. <i>Focus on technical, professional capability and competence of service provider. (Internal influence)</i></p> <p>Reliability, financial and economical focus, input and output linear focus for service provision, in response to customer needs. <i>Apply for job vacancy and selected via interview.</i> <i>Expectation qualifications will bring skills and expertise.</i></p> <p>Individual skills make up the team <i>Psychological Contract not as important (its a job- task)</i> Respect, politeness, knowledgeable.</p>
<p><i>Quality improvement via performance culture determined by customer ,operational interop reflection and context by community VC officials and Chiefs - interwoven in response to society and environment needs.</i></p> <p>Effective loop of insight with customer integrated into local organisation practices</p>	<p><i>Quality improvement assessment tools , western methods of Measurement, analysis, standards and criteria.</i></p> <p>Loop of insight not high priority in design of organisation -capturing customer perspectives reliant on quality method – tool used.</p>
<p><i>Responsiveness – immediate to dispute and offences. One goal to return Village community to peace and harmony –</i> Learning organisation constantly adapting and adjusting, creative step by step process.</p>	<p><i>Quality improvement planning, strategy, action plan.</i></p> <p>Formal review with documented and written as proof.</p>
<p><i>Legislation (written) -Technical processes through standards (written) but not always followed</i></p> <p>Nil measurement of technical skills. Village Court reliant on Chief performance – community peace and harmony is measurement. <i>Informal customary practices and traditions at community level are norm. (unwritten)</i> Inspection reports by brief visit to VC location and completion of form <i>Customer is priority, nil formal audit to assess external customer satisfaction (VOC)</i></p>	<p><i>Legislation (written)- Technical standards (written)</i></p> <p>Measurement of technical skills (proficiency) <i>Formal Policies and procedures, systems and processes (written)</i> All of above audited as per western theory –methods – practices <i>Nil extensive formal assessment of customer satisfaction (VOC)</i></p>
<p>Continuous participation with internal, external and extended customers and adaption in small steps (informal)</p>	<p>Participation via VOC internal, external and extended customer surveys and assessment (formal)</p>
<p><i>Unique to each VC area, not standardised, evolves in small steps as required by customer Driven outside in through customer (community needs).</i> <i>Limited conformance to VC Act due to limited support and resources and poor delivery of expected supportive allied state services such as Regular Police and timely access to formal court services.</i></p>	<p><i>Competitive, bound by western practices, mix of innovation / following of standards such as ISO, Business Excellence, Contracts Certification, etc</i> <i>Driven outside in through legislation, standards, International commitments, external influences.</i></p>

The goal of managers and management has been to develop organisations that are viable, robust, work efficiently and are cost effective. The expectation is they will have within

their design effective operational systems and processes to achieve sustainability and competitiveness to eventually expand to become part of a wider global economy.

An organisation with a total focus on systems, policies and procedures with the perspective they can template these directly into a similar organisation in an developing country is unlikely to be effective and sustainable into the future and according to Charles Leadbeater it is relationships and personal interaction that is now considered the more contemporary way of the future for organisations (Leadbeater, 2011). (Not unlike the VC and kastomary wanbel kot practices).

Some western organisations may need to look at themselves from an organic, value laden perspective and investigate internal assumptions about how they do business with customers and how they identify with the needs of their customers. The researcher suggests there opportunity to learn that outside the sphere of western expertise there could be many alternative and positive attributes within indigenous ideas; indigenous structures and societies that are not recognised or valued by western organisations. These can be crucial to their overall organisations performance and achievements (Carey, 2006). The core problem to achieving this understanding is many businesses and organisations are influenced and dominated by the culture in which they became established. They use methods and practices that are not sensitised to the customer, the subtleties of culture, tradition nor is there understanding of the structure of relationships. This is in regard to indigenous societies and impact they have upon the operating environment of an organisation (Carey, 2006, Greenwell, 2011).

Quantification of effectiveness or service delivery and outcomes is reliant on understanding customer requirements (Tenner, De Toro, 2008).

Management need to think about what they are need to achieve in the interests of customer requirements and plan how best they will assess and analyse customer requirements before taking the next step into planning to introduce change.

Failure to prepare by not selecting VOC tools and methods that will gather the necessary information and limiting cultural translation, contextual factors or analysing and evaluating them fully is a recipe for disaster (Armstrong, Du Pont, 2011).

Organisations are complex and management of them can be seen as operating in different ways dependent on consultant, organisational or customer perspectives and the internal culture of the organisation. The important factor management must realise is that whether it be from an international, indigenous, technical, professional, scientific or social perspective, all VOC perspectives are relevant and complementary. This is because when they involve people as customers all offer insight from a multitude of views so that often what may seem a straight forward issue from a technical perspective for an organisation may in fact have wider implications than first realised (Inkson, Kolb, 2004).

Understanding customer requirements and the service elements valued as important to them is then verified as a critical element to gain a perspective of what a service organisation needs to do. A key quality performance measurement paradigm for any service organisation designing for quality outcomes occurs by understanding customer requirements and identifying the set of attributes applicable to services they require followed by translating those identified attributes into service specifications the customer states they require (Tenner, De Toro, 2008). This performance measurement strategy suggests measurement of output against specifications must connect with the customer to not just fully understand how satisfied customers are with the existing performance of service but how much relative importance those customers attach to each element or characteristic and whether other aspects of service are more relevant.

Customers frequently evaluate value in relative terms rather than in absolute terms. Effectiveness of service relies on understanding customer needs and doing things right, but this can be difficult as customer's values are subjective and they tend to determine their satisfaction on expectations of service.

Sometimes customer expectations of service and associated performance attributes can only be translated into organisation specifications based on what organisation systems and processes are capable of achieving and how well they work. This creates a problem for an organisation newly establishing itself in a developing country. If the organisation strives to be deliver efficient and effective services it must assess and accurately predict what the customer values as important.

As stated previously this minefield of unfamiliar cultural; societal diversity and infrastructure; legal; political and economic dimensions combine to make the experience of management to achieve this task both challenging and extremely complex.

Compounding all these issues in Bougainville according to (Masono, 2006), is the dilemma confronting the ABG in efforts to meet expectations of the people in a post conflict situation with the tendency to fast track development and re-establish institutions to satisfy immediate needs. The ABG (as with other organisations) is tasked with doing this whilst dealing with contextual issues that could impede their re-establishment. Short cut methods may be introduced that could be detrimental in the longer term for the organisation and for Bougainvilleans. Masono specifically alludes to using indigenous systems such as LLG and COE (Chiefs) to blend informal and formal decision-making to bring the ABG and rural people (the customers) closer to work in partnership which suggests a similar structure of systems and processes and relationships as the VC.

Western contemporary management practice defines “getting things done in organisations through other people” and is usually targeting the individual customer (Inkson, Kolb, 2004).

Traditionally and culturally management activity at the ‘grass root’ level in the Bougainville VC and in similar Melanesian organisations would be best described as getting things done by the people, with the people; for the people and good of society as a whole (cultural advisors Wanes, Havini, 2012, Masono 2006). In this instance the community (are the customer) and this includes Melanesian time frames which requires more time than western organisations would expect to assess the VOC and allow for discussion and consensus.

The variance between these core management practices is linked to an incongruence of values and beliefs in regard to the importance of relationships and interrelatedness with society. Organisations may replicate approaches similar to those they have used in other Melanesian societies or south pacific countries.

When things don't develop as planned blame is sometimes referred as belonging to poor literacy; poor training or the capacity of the workforce or because there is a need to focus on technical issues. In reverse this problem could just as easily be attributed to lack of sensitivity and poor judgement, a colonialist approach, limited attention to cultural differences, poor understanding of societal political; legal and power interrelationships. Unfortunately the common fact is this 'problem' could also be attributed to failure to choose and use the appropriate methods to gather critical information. Another problem could be limited development toward forming relationships and rapport, limited listening and learning to identify opportunities and ways to adapt organisation systems and processes so they can reflect the local norms; customs and values of the customer and cross cultural issues (Tenner, De Toro, 2008).

For the VC there is the potential to make fundamental mistakes about the quality of service by focusing on efficiency assessments of 'checking people are doing things right' and 'conforming to legislation' or 'following the policies and procedures and rules of the organisation'. Instead the focus needs to shift to appreciating and valuing the customer needs through effective VC performance analysis (VOC) that ensures the VC services meet elements important and valued by the customer (the customer for the VC is the community) and indigenous society, (Dale, van der Wiele, Williams, 2001).

High performing organisations with a history of business excellence seeking to move into developing countries will still need to research, assess, analyse, review and consider their choice of quality models; practices and service strategies. The design of their existing systems and processes and the methods and tools they plan will undoubtedly need to be adapted and adjusted according to the needs of the customers and contextual issues they find.

The efficiency and effectiveness of the organisation will rely on this enquiry in particular the VOC and understanding customer requirements and how best the organisation will function within that environment. This requires engagement and diagnosis at a local level to learn together what is required (Armstrong, Pont, 2011).

A statement by HR manager British Petroleum in Azerbaijan confirms the points made earlier when he discusses that *'to understand each other better we need to be more aware of the peculiarities' and the hidden aspects of the national culture because the key to our success as an organisation is that understanding,* (Branine, et al., 2001, p4).

There is an additional problem for PNG and Bougainville in that there is no 'national culture' or 'national identity'. There is a minefield of dynamics and understanding issues for both private business organisations and international development agencies providing services to and within foreign countries.

Each group would probably broadly agree the strategies; systems and processes effective in one country could be ineffective and less applicable to another. This suggests it is extremely difficult to decipher which management practices, methods will work best.

Working in remote unfamiliar and diverse locations requires careful research; communication and liaison with local people with serious consideration about what; how and when to initiate assessments; why the activity is needed; and if there is a need to reframe operational actions, integrate; negotiate; compromise or maintain certain organisational governance; best practice operational systems and processes. The impact of small changes could also be profound if full consideration of a multitude of factors and interrelated systems are not taken into account according to cultural advisors Chiefs Wanés and Havini.

The complicating factor is the VOC cannot be based purely on diversity issues. Organisations that do succeed will most likely be those that have listened; understood the expectations and requirements of all their customers and have effectively integrated culture; tradition; power and political aspects of local society and allied agencies into their organisations operational systems and along the way made strategic relationship alliances.

When the rights and personal needs of the individual are willingly suppressed to prioritise the needs of the collective customer group needs another question appears as to how effective can western developed quality methods are in identifying the VOC from a Melanesian perspective?

Planning for quality improvement and customer service involves at least three major processes to enable VOC methods and tools to occur effectively. This is explained well by Juran. Juran's 'Quality Planning Road Map' is linear and requires completion of each stage before moving to each of the next stages (Juran, 2005). Critical to this is that customers are identified, and their needs are discovered in their own language before they are translated into 'organisational language' and measures for service development. This does not mean translation from local dialects to English.

Juran describes three major methods for discovering customer needs as: -

1. Being a customer,
2. Simulating customer needs, and
3. Communicating with customers.

When communicating with customers Juran emphasises customer needs should be stated in their own language and from their own viewpoints. Sometimes real customer needs differ from stated needs and customer needs can proliferate into very large numbers and unrealistic expectations within available funds (Juran, Grynya, et al., 1998, p6.6).

This situation occurred with the AusAID VC survey and review when VC officials requested mobile phones, computer lap tops, vehicles, village prisons, and apparel, payment and court buildings comparable to the District Court. (Many of the VC locations do not have access to electricity, phone communication, and roads suitable for vehicles or people with skills to use or maintain computers.)

Irrespective of the style of models; methods and tools organisations decide to utilise in seeking the VOC, the methods chosen should work toward endorsing management learning about how to meet indigenous societal cultural and traditional needs relative to that particular country or regions.

It is important to recognise ways to integrate the synergy and interrelationships between all customers (inclusive of internal; external and extended customers) and then translate this into defined customer requirements, processes and measurement criteria. This can be a major task and may not happen in a few months. It may take years especially when related to Bougainville and wider PNG and the consultative requirements regarding cultural 'negotiation'. It is highly probable in the Bougainville VC situation that one standard description and set of regulations applied to an individual VC will not fit all especially when considered in the context of diversity of kastom; language and village society structures, location, leadership, societal trust and more especially the availability of resources and support according to Chief Timpa.

The VC Act (1989) encourages recognition of diversity and difference with its generic guidelines for VC officials. Information translation into a western methodology tool called Quality Functional Deployment (QFD) may be difficult to apply for this reason. QFD is based on Total Quality management philosophy that it is only through the VOC high quality service is delivered. It comes from adhering to high quality standards throughout the systems and processes that reflect customer requirements. This reinforces many quality theories about service quality which state that quality service is determined by the customer, not management or the organisation (Ramaswamy, et al., 1996, p52).

In the situation of the Bougainville VC, service needs and customer requirements should primarily be derived from VOC results direct from the village community and communicated through the VC officials and Chiefs to the higher echelons of LLG, the Law and Justice Sector, the Autonomous Bougainville Government and if necessary the Village Court Secretariat. The QFD methodology is used in this study to endeavour identify specific customer requirements similar to Jurans' stages by consultation and interviewing VC officials, Chiefs and LLG. QFD is a useful tool to understand the real needs of the customer and place the vital requirements for customer service alongside the processes used. It is normally used to highlight fault and failure points that need to be overcome in a current design. Critical to using QFD methodology is that it should always be implemented early in the design and development of organisation processes to ensure customer requirements are always at the forefront of activities.

QFD methodology produces an interconnected “House of Quality” matrix to assist with assessment, planning and design. For this study the House of Quality was expected to form part of the analysis of the VC systems and processes by translating the VOC survey responses and importance ratings alongside the direct customer service delivery systems and processes. QFD principles are considered important toward VOC assessment and as an analysis tool QFD is expected to assist in identifying service elements linking to the customer. By connecting these linkages back to existing VC systems and processes this should clarify where there is interface and gaps between the organisation and the customer.

For the VC introduced laws that override the understanding of the indigenous people impact on the organisation because they require inter –connectivity with the customer and the community. If this is absent it will affect the effectiveness of those laws in practice and impact on the judiciary and overall compliance. Respect and credibility issues could also be affected.

Chapter Five

Methodology, Variation and Bias considerations

This research uses VOC tools in an attempt to identify service elements valued by Bougainvilleans as important in the provision of VC services. To identify the applicability, relevancy and effectiveness of western developed tools in capturing the VOC within a local organisation in a developing country this study utilises core 'customer' elements taken from Garvin and SERVQUAL tools and links these to a rating model called RATER. It has endeavoured to define through the Quality Functional Deployment (QFD) tool the interactions of operational services that link the VC with the customer. It asks customer what they prioritise in importance and confirms this is evident in the VC systems and processes of service delivery.

The study uses the New Zealand Business Excellence (NZBE) assessment criteria that relate to the customer and seeks to validate its effectiveness in recognising the VOC in a developing country.

Within the thesis the researcher has used a mix of both qualitative and quantitative data by combining Garvin and SERVQUAL tools into a survey questionnaire and asking further informal qualitative questions to validate and encapsulate context to answers provided by respondents. This was expected to clarify information received and identify the intangible and tangible aspects the customer perceived as important service elements to VC activities.

SERVQUAL is usually about seeking a service quality gap between perceived service and expected service (Parasuraman et al., 1985, 1988, 1991). In this instance the researcher is seeking to identify the VOC in the VC by asking individual and collective customers to scale in importance VC service elements they value. The gap between each group of service elements will indicate differences in customer perceptions about the important service characteristics and elements they believe provides quality VC service for them. In quality management when a gap is identified between the internal and external customer it can be used to determine areas for further investigation; analysis and quality improvement.

This approach anticipates discovery of defining design attributes in the VC systems and processes valued as important to each group of customers within the Bougainville community. It is important to remember the customer defines the quality of service by stating what they consider important. Service quality deficits commonly occur when service delivery is hampered by inadequately trained officials who are poorly supported and resourced to deliver services required by their customers. Another problem occurs with the use of procedures that are meant to standardise and ensure repeatable performance become the sole focus and fail to meet customer needs (Beckford, et al., 2008, p24-25).

The 'customer' in western terms is usually the individual to whom products or services are delivered. The customer can be internal such as employees or external such as the person, agent or business receiving the product or services. From a Melanesian and collective society perspective the paradigm of 'customer' should be extended at a minimum to be inclusive of the individual, family, clan, and village community. This creates difficulty for measurement when VOC methods are created and used within a western paradigm of individual needs.

For this research there has been a strong attempt to ask individual respondents about their perspectives of the VC from both the quantitative and qualitative methods. Some respondents were expected to express a community held view rather than a personal view. However this was not differentiated other than as the responses received from the 'individual' respondent as representative of a customer group perspective.

Highlighted words and colours in the list below reflect the interrelatedness of each dimension between Garvin and SERVQUAL. Please note some elements in SERVQUAL merge between several of Garvin's dimensions.

Garvin as a quality tool is more suited to product than service however with conformance a significant part of legal and judicial systems associated with the PNG VC Act this was included.

(Garvin, 1998) defines eight measures of quality as:-

1. **Performance:**

The primary operating characteristic (performance and quality is equally dependent on context / circumstances and quality differences relates to an individuals preference)

2. **Features:**

The extras that supplement the operating characteristic and preferences of features relate to individual preferences

3. **Reliability:**

The probability of successfully performing a specified function (it links with conformance)

4. **Conformance:**

Degree of meeting established standards within a tolerance range

5. **Durability:**

The amount of use before the need to be replaced or modernised (links with reliability).

6. **Serviceability:**

Speed, courtesy, competence and ease of repair including complaint management

7. **Aesthetics:**

How it looks, feels, sounds, subjective judgement or an individual (more subjective)

8. **Perceived Quality**

Reputation, (this is more subjective)' (Garvin, et al., 1988, p24 -34, Tenner, De Toro, et al., 2008, p120-121).

The ten determinants of SERVQUAL are considered to provide an understanding of the attributes of service quality (Parasuraman, Berry, Zeithaml (1991).

SERVQUAL dimensions are:-

1. **Reliability:**
Consistency of performance
2. **Responsiveness:**
Readiness to provide service and timeliness
3. **Competence:**
Skills and knowledge required to perform services
4. **Accessibility:**
Approachability, access, waiting time
5. **Courtesy:**
Politeness, respect, consideration
6. **Communication:**
Keeping customers informed in language they understand
7. **Credibility:**
Trustworthiness, honesty, reputation of personnel
8. **Security:**
Freedom from danger, doubt, physical safety, confidentiality
9. **Understanding:**
The customer understands customer needs and learning requirements
10. **Tangibles:**
Physical evidence of service, facilities, appearance of staff, equipment

Scoring by respondents provides a precise weight to specific critical dimensions of quality. These are the attributes valued as important to each of the customer groups. Scoring ranged between 1 as strongly disagree to 5 strongly agree.

This approach broadly determines individual customer perceptions of importance and value for each dimension.

The response rating for each group of customers (men, women, and youth and VC officials) were added together for each dimension (service element) and for each location ranging from remote, mid distance and close which related to proximity to western influences and government services).

Because there were a differing number of questions per dimension the total for each dimension was divided by the number of respondents and number of questions for that dimension. Overall this provided a figure rating for the importance value out of 5 for each Garvin-SERVQUAL service element for each customer group for each location.

RATER was developed by Zeithaml and defines five dimensions as listed below (AIS World, 2012). Individual customers were then asked to rate and prioritise in importance five key service elements that fit the RATER 'model' (Reliability; Assurance; Tangibles; Empathy and Responsiveness) to add up in total to the number ten. This was again expected to highlight service ratings in importance and enabled comparisons between each group of customers and their locations against the Garvin-SERVQUAL results.

R = Reliability to perform the service dependably and accurately

A = Assurance related to VC Officials knowledge and courtesy and ability to inspire trust and confidence.

T = Tangibles such as physical facilities, equipment, VC officials, and uniform.

E = Empathy giving willingly attention, caring and assistance to customers

R = Responsiveness to help assist customers and provide prompt service and solve problems.

A 'customer gap' is then measured comparing the rating differences between each group of external customers (as receivers of VC services) with the VC official's rating representing internal customers (as providers delivering services). By being a measurement of the customer value of a particular service element the customer considers important this tool calculates the arithmetic difference between the internal customer (the VC officials as representatives of the VC) and the external customers (males, females and youth).

Understanding the VOC (customer perceptions of what is of value and important to them) enables organisations to identify where to focus VC design and systems changes to narrow the gaps to support and improve services to customers (Encyclopaedia of Management, 2011).

The service elements were then drawn together using QFD principles to find commonality and difference via levels of importance for each group of customers and to confirm through qualitative data where each function would intersect and connect the customer to VC systems and processes. This method of research was expected to show that qualitative and quantitative tools are not two different and inconsistent strategies and can actually complement each other to provide holistic meaning to VOC responses. In this instance by using the combination of tools it adds rigor to this research. It does this by use of statistical analysis of the survey questions; reduces distortion and cross cultural misinterpretation in translation and analysis by gaining context through qualitative questioning to the rationale for respondent choices for ratings and valuing service elements.

By choosing to take a multi-dimensional approach the data from the quantitative methodology can be easily expanded and explored more fully by being approached from an alternative vantage point of the qualitative methodology used in NZBE criteria, (Bryman, et al., 2001, p437).

Qualitative and quantitative methods seek to capture what the customer needs or thinks happens but in different ways. One is humanistic and perhaps considered judgemental and potentially emotive, the other objective, scientific and rational yet both are based on customer responses.

VOC responses and other information gathered during this study by being linked directly back to customer related NZBE criteria and QFD principles enhances the data already gathered by providing insight about the VC itself from a holistic operational perspective. The cultural input from local senior leader's places further interpretation as to the applicability of the methods used to gather data and the results.

The flexibility of exploratory procedures means that while the focus is originally broad seeking the VOC it becomes progressively sharpened as the inquiry proceeds and the research can drill down, ask more precise questions, develop rapport, gather more facts and contributing causal factors from a customer perspective (Andrew, Hildebrand, et al., 1993, p74).

Qualitative information gathered was anticipated to provide further confirmation to reports from senior CAP and Village Chiefs that several VC officials were working outside of their legal jurisdiction and with the gathering of qualitative data identify possible causal factors contributing to this occurrence. This form of questioning was expected to successfully draw more information providing context and insight into cultural beliefs and values that would not be recognised easily by a person unfamiliar with local culture.

Another contributing factor possibly affecting the VC has been the full time police services limited response to investigate and efficiently prosecute serious offenders in the formal court system. This may have contributed to customer trust and confidence issues reflected in complaints of ever increasing workloads reported during the pilot questionnaire (VC officials and Chiefs, 2011). With the absence of effective government services away from town areas this may also influence service elements each group of customers consider important to VC services in their areas.

The research survey questionnaire was partially undertaken during the time period an Australian Agency for International Development (AusAID) Law and Justice Sector Village Court Review Questionnaire for community consultation was occurring. This was to reduce intrusion into to each community; increase transparency between two separately run VC questionnaire surveys; and to support open communication on a similar topic.

The qualitative research questions explored and probed, seeking the rationale to respondent's answers to ensure there was no misinterpretation. This was not available using the quantitative questions being asked other than repeating specific research questions in the survey via a translator.

The individual survey questionnaire targeted two VC officials, two males, two females and two youth as a cross section of the VC community designating them as representing the voice of the people living in 'remote, mid distance and close' village communities. The advantage of carrying out research parallel with the AusAID survey was it enabled additional opportunity to observe and speak with groups in a participatory and partnership approach and take a first hand view of an external organisational approach to 'community consultation'.

The survey questions and assessment criteria from NZBE were specifically studying method effectiveness in capturing customer responses (as individual customers living in a collective society - village situation).

A concurrently run AusAID survey was predominantly presented to VC officials for consultation to seek responses to preset questions (not all customers). Information gleaned from the AusAID discussion groups was of limited benefit as it fitted preset questions and another agenda in the form of terms of reference.

Each VC area encounter for this research was guided by senior members of the community, cultural protocols and with the sensitivity required. For this reason a significant amount of liaison and cultural safety protocol work was required totally separate this from the AusAID review.

The research recognised early on, (after the first pilot study) it was impossible to view and assess one VC area alone and to assume it had the "same reality" as another VC. This was due to diverse social; economic; political; historical, customary and cultural variables present including differing leadership style of village chiefs, and the strength of wisdom and support provided by them. Members of the community confirmed through stories there was diversity and different kastomary practices between how each village court operated and applied kastom. This was suggested as a correct interpretation by Bougainville Police Service regular officers, Community Auxiliary Police officers, Saxton, Timpa, LLG VC District officers Timpa, Renatji, Korake, ABG CEO Siriosi and Kimai, Chiefs Wanes and Havini, 2011-2012).

Immediately this flagged for this research the need to identify differences between respondent's values of what were important elements (the VOC) for each VC area based on location, gender, youth and the internal customer (VC official). This specifically related to all the issues mentioned earlier with the additional acknowledgement of exposure to western influences and VC proximity to government services such as the full time Regular Police services, correctional services and state run court services.

For these reasons the VC respondents in the final analysis were segregated into three main locations: -

1. Remote areas - more than one hour traditional canoe ride or two hours 'People Moving Vehicle' (PMV) travel time to Buka Township. (Pre-Japanese Bridge construction over rivers).
2. Mid range areas (MID) - Central mainland Bougainville.
3. Close to Buka District Court House - Buka Island – Kokopau- Selau-Suir areas.

Variances between VC locations could identify improvement opportunities between what is occurring in some VC and not in others however it cannot be linked formally to a benchmarking opportunity or a formal recommendation. This is because 'kastomary systems and processes' and associated 'clan structures' are unique to each community and VC area therefore an overarching recommendation may not fit the needs of a particular VC and its customers. Throughout this process it was important to gain the perspective of the less powerless and inarticulate customers who are may be reluctant to contribute. This was required to provide accurate holistic perspectives of VC service element value and ensured VOC information gathered was an accurate representation of customers (Chambers, 2008). It was anticipated as highly probable it would be difficult to gain within each community an individual person's perspective even though as the VOC it would be as valid as a collective village community perspective. To overcome this problem when an individual was reticent to be interviewed without a support person, interviews were completed in groups of two or three. A local village translator was utilised when there were language difficulties for example when a respondent could only speak Tok-ples (which is the name given for a dialect spoken in some small clan areas) or when the researcher sought clarification of an answer.

Where possible for the survey questionnaire translations, youth was matched with youth, women with women and men with men and in some instance Community Auxiliary Police (CAP) assisted. This still met the VOC survey needs of seeking the VOC and endeavouring to find the voice of the 'individual customer' (a western perspective) within a collective society situation. Local villagers, community Chiefs willingly supported this to occur.

The study undertook nine surveys with eight randomly selected respondents in areas where VC's were located. The survey asked individuals of their perspective of what were elements of the VC they valued using the Garvin SERVQUAL methodology. They were asked to prioritise in importance service elements via the RATER model. Additional information about personal experiences added contextual richness to the research. Only one respondent withdrew. Another was interviewed in his place. This validated the use of the researcher taking extended time, using open communication strategies. It also encouraged individuals who were hesitant to participate to be given additional time to consider and for those who had participated to reflect or change their initial responses. Some were left with the survey questionnaire to return it later.

In total there were seventy two respondents. Two males, two females, and two youth, (youth aged between 16 and 25 years) and two VC officials from each VC location completed the surveys interview form. The selection of people to survey did not differentiate between those who had used the VC or not because the VC is not a 'court' as a westerner would expect. VC systems and processes operate as a vast number of groups of procedures that interact with the customer and society inclusive of both the individual and the community.

Central to all activities commencing with mediation is the return of peace and harmony to the village community through amicable means. This is the expected outcome from the VC Act (1989) although it is not formally measured as part of a quality measure. There was an agreed assumption from the Chief Executive Officer (CEO) of Local Level Government (LLG) Herbert Kimai that villagers would be expected to know of mediation, reconciliation, negotiation, restorative and rehabilitative justice, and compensation. He validated there would be contact with the VC via the numerous services aspects the VC provides to the

community and the interaction of community with the VC. The people in the village would know if peace and harmony was restored to their village and if disputes or offences were being managed amicably and impartially. This would be a natural occurrence because of the nature of close village living arrangements and proximity to VC officials and Chiefs.

The Garvin - SERVQUAL survey questionnaire consisted of 61 questions to be answered with an importance rating scale. A 1 to 7 scale originally planned was less successful during the pilot survey when interviewees found it difficult to scale as effectively. The final questionnaire surveys rated each question on a scale of 1 to 5, with 1 being “strongly disagree” and 5 being “strongly agree” for importance. A copy of the VOC VC survey questionnaire is in Appendix eight on page 225.

Parallel to this as a comparison to uncover service elements customers considered important the RATER model encompasses elements of service inclusive of reliability; assurance; tangibles; empathy and responsiveness. These elements were rated in priority by the respondents to make up a total of 10. Many respondents initially found this difficult to comprehend as it was a new concept to them and five respondents were unable to complete this section.

Surveys were either undertaken on the days when there was expected to be a VC sitting (usually Tuesday and Thursday as stated by LLG CEO) or when there were community gatherings or meetings.

Questions used as an interviewer prompt to gather qualitative data and were broad and flexible to guide the interview, gain meaning and context about VC activities and to clarify responses to the Garvin - SERVQUAL survey.

This information is reported within the body of this research as ‘observations / participant comments’ and used to identify other factors associated with VC such as choice of language to be used when there is a VC sittings and requirements for a VC building.

The AusAID survey provided another source of information separate to this thesis and was only used as a reference when appropriate to validate information already obtained from respondents.

As a result of the complexity and the amount of information received it was anticipated it may be difficult to draw clear conclusions.

Comparing ratings enabled quantitative comparisons between groups of respondents and between locations. This quantitative approach provided scientific rationale to VOC analysis.

The research expected to establish whether the VOC methods used extracted similar VOC information and if a particular tool appeared more effective in identifying VOC information. The value of this form of quality assessment is that by using a combination of VOC tools information from respondents could then be cross referenced to identify differences and validate the applicability of each tool to gather similar information.

The Bougainville VC is highly complex. The VC officials are working in a post conflict situation with idiosyncratic elements that must be recognised. Contextual issues of Bougainville's history, its religions, diversity of culture and geography, rivalries and the influence of the Bougainville Copper mine at Panguna, relationship with the PNG government and people, the impact of the Crisis, the Chieftaincy – Council of Elder (COE) leadership system, contact with international agencies along with Bougainvilleans underlying strong desire for independence are some of many influences impacting on VOC responses (Armstrong, Pont, 2011).

Through the filter of the NZBE criteria this study explores the VOC in relation to customer satisfaction by attempting to identify the features that may have enabled the VC to deliver justice services to customers for so long with limited funding and support.

A holistic approach using the framework of NZBE assessment criteria is used to understand whether the VC is genuinely an important service organisation that works for the good of society and works to satisfy its customers and not bound by policies or rules.

NZBE criteria utilises eleven core values and concepts considered to be the founding platform from which high performing organisations function and integrate their operational requirements into a multi dimensional framework. Measurement of results is expected to be located within the radius of this framework providing an integrated improvement action and feedback system (New Zealand Business Excellence Foundation criteria, 2011, p43).

The relevance and serviceability of using a south pacific “western” business assessment tool such as NZBE assessment criteria within the context of an indigenous service organisation in a developing south pacific country is applied to the Bougainville VC by evaluating VC customer services against VOC based assessment criteria.

NZBE has been operational in New Zealand for over ten years and has credibility within New Zealand. This was chosen as an assessment method for five main reasons:-

- 1) NZBE is expected to be applicable to all sectors (both product and service organisations).
- 2) The method is a self assessment tool used to develop organisational and internal customer awareness of performance, opportunities for improvement and excellence.
- 3) NZBE criteria provide an enabling self learning tool for the Bougainville LLG VC Division to identify strengths and weaknesses in its organisation in a non judgemental and non threatening manner.
- 4) PNG is a south pacific country and New Zealand is located within the same region therefore it is expected there would be appropriateness of criteria for a service organisation such as the VC located in the similar region.
- 5) New Zealand is a small country with a multicultural society therefore there is expected to be appropriateness and synergy when using NZBE assessment criteria in the context of south pacific cultural awareness and sensitivity to VOC requirements.

Generally the winners of NZBE Awards are those organisations that have progressed and made a commitment to quantitative measurement award criteria and connect to a strong customer focus and meeting customer satisfaction. The absence of historical or current documented quantitative and qualitative data limits the Bougainville LLG VC Division from proving effective measurement and responses in relation to quality systems. To counteract this the benefits are information gathered from LLG, VC officials, informal meetings and observations of practices will assist toward developing a paradigm of information that reflects customer perspectives of internal and external practices – providing a form of action learning and co-diagnosis and evaluation for both research purposes and the VC as an organisation (Armstrong, Pont, 2011).

Customers and their interrelatedness with the VC processes are not prescriptive when kastom is used however respondents including the VC officials are expected to be able to describe how these connect enabling them to think about the processes they intuitively use.

One significant added benefit for use of NZBE is the LLG VC Division by being exposed to the criteria of a self-assessment tool will understand more about itself, its goals and purpose, and identify its strengths and weaknesses in the area of customer service.

When analysing the VC survey questionnaire results the final analysis will discuss:-

- The value; relevance and effectiveness of using NZBE as relates to providing a learning tool to the VC to enable them to identify customer requirements.
- The combined Garvin SERVQUAL tool and its effectiveness, RATER, NZBE and QFD principles.
- The value of qualitative and quantitative information in the assessment of the VOC in regard to service provision in the AROB VC in the context of a service organisation;
- The VC official's responses compared to external VOC respondents to identify gaps in values of service element considered important by customers.
- Proximity to support services and the relationship to VOC responses.

- If possible individual versus Collective VOC values of importance.
- Disadvantaged group perspectives

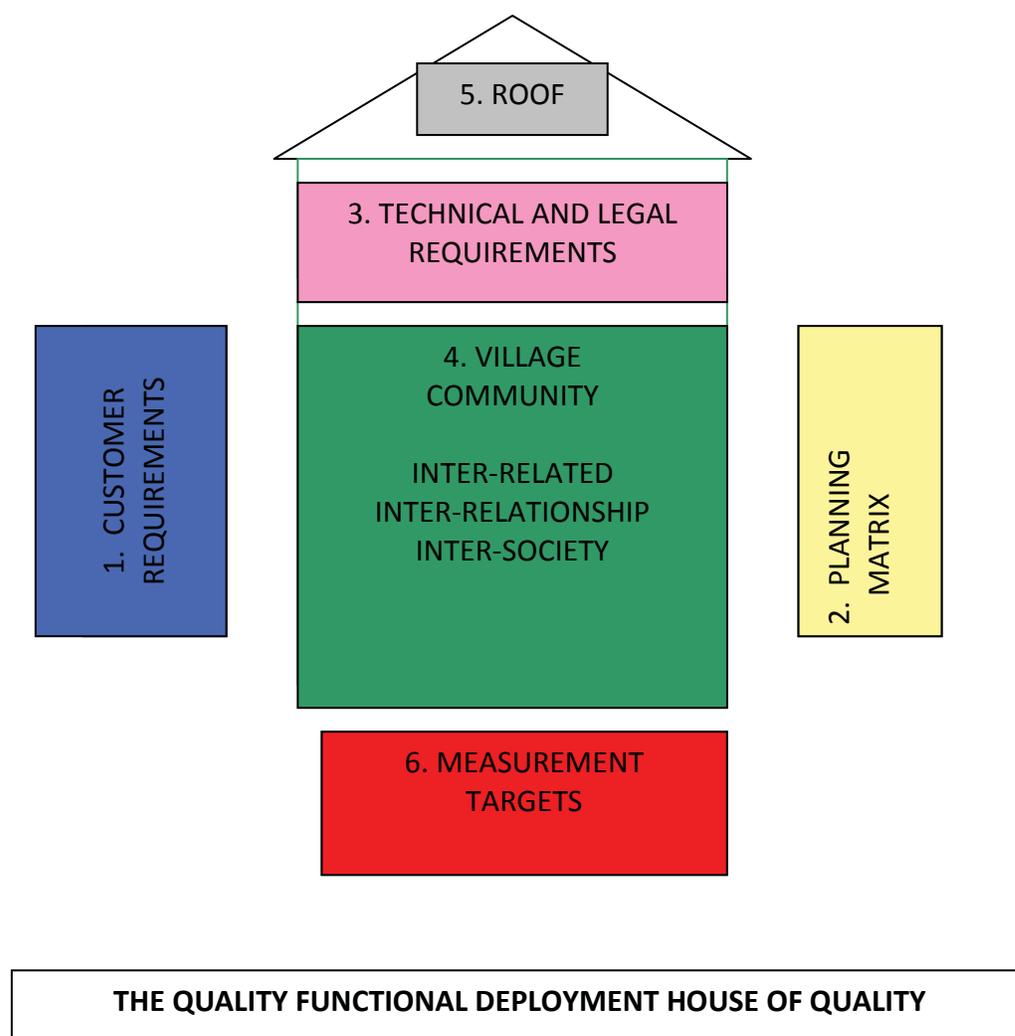
Quality Functional Deployment principles were used to translate VOC requirements and compare these with the design of the VC systems and processes that are actually being used. (This was expected to include the informal unwritten practices that contribute to VC activities).

The Quality Function Deployment (QFD) tool is a method used to identify the customer and the requirements they deem important and translate these needs into engineering characteristics. It focuses all functions of a service organisation that intersect with the customer toward design outcomes that will meet customer needs. Service elements important to the customer are inserted into the design, systems and processes. These are usually part of the original planning stage. This requires a team approach with an emphasis on formal structures matching service policies procedures, systems and processes that connect with the customer. Use of this tool reduces start up problems, improves communication reducing a silo affect between divisions, reduces failure and future change requirements thus increasing customer satisfaction with service delivery because service planning is focused on customer requirements not organisational requirements (Massey University -Engineering, QFD Power Point, 2011).

The QFD diagram as displayed on page 101 describes these key principles that make up the design for analysis of an organisations systems and processes.

Explanation as to how the QFD model functions for each stage in the design process is represented by a box number: - (Box 1) - The organisation seeks to understand customer requirements and records the level of importance and priority to the customer. (Box 2) - The planning matrix is used to identify how the VC will meet those customer needs. (Box 3) - Refers to technical and legal requirements of the VC such as conformance and legal requirements. (Box 4) - This highlights the interconnection, collaborative and interrelationship aspects of VC functions including the customer, community and allied

organisations. (Box 5) - This is used to identify failure or risk points. (Box 6) - This is primarily used to focus on targets and improvements.



To respect kastom and local protocols the author sought official letters of approval to undertake research from several ABG Administration Divisions. A copy of the letter of authority provided by the CEO LLG was hand delivered to each chairman of each VC to endorse the research and provide important cultural respect to senior court officials and local people due to the intrusion into their community.

Appendix Five: - Copy of letter seeking permission from AROB Government Divisions to undertake research in Bougainville community (page 215).

Appendix Six: - Copy of authority letters from AROB Government Divisions giving permission to undertake research (page 218).

Appendix Seven: - Copy of letter of introduction to Chairman of the Village Court from Local Level Government advising authorisation to under take research (page 224).

Appendix Eight: - Copy of Village Court VOC Questionnaire (J A Lewis survey) - (page 225).

Appendix Nine: - Copy of Consent form for Respondents (page 228).

Appendix Ten: - NZBE criteria and results (page 231).

The terminology for the survey questionnaire and field research activities with regard to cultural sensitivity and language was referred to and authorised by Bougainvillean senior employees of the LLG VC Division. These people were considered the most knowledgeable as to whether questions were culturally appropriate and in an easily understood language format and be interpreted easily by customers at the 'grass roots' of the community. Regular informal meetings and discussions were also held throughout this research with the Bougainville LLG Divisional CEO of VC, VC District officers, Law and Justice Sector to ensure cultural safety; openness and transparency in all activities and to provide progress reports of the research.

The VOC in relation to gender.

The individual rights versus collective community needs perspective directly as it impacts on human rights, women's rights, children's rights issues as written into the PNG Constitution; Bougainville Constitution and related international commitments.

For instance in the Constitution of the Independent State of Papua New Guinea (CISPNG) introduced on 16th September 1975, a commitment was made to equality of all citizens and later in 1994 the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) was ratified in Papua New Guinea. Of note Papua New Guinea undertook to take all appropriate measures to modify or abolish existing laws, regulation, customs and practices that constituted discrimination against women under the United Nations Convention on Elimination of Discrimination against Women, (2009). This thesis superficially discusses the VOC in the VC from disadvantaged groups such as women and youth.

Potential variables and biases for this research.

Frequently the same powerful people are presented as 'representatives of the people,' as speakers at various workshops and conferences. Often they are involved at the forefront of research studies and international reviews to provide indigenous opinion and advice of what is occurring in their communities to people internal and external to both AROB and PNG (Chambers, 2008).

The risk for research studies (and for managers) is these 'elite' are frequently the 'fluent informants.' They are the main source of information for organisations seeking to validate theories, confirm local practices, identify cross cutting issues (such as gender, human rights and HIV-AIDS) and when monitoring and evaluating external customer aspects of organisations or projects.

This bias has implications 'as people of higher status' or the 'elite' can be overpowering and may have their own personal agendas and influence. Some may not have used the services for several years and not reside permanently in the rural areas they are being asked about. This practice reduces the opportunity for others 'less educated, less powerful and less vocal' who are experiencing the services first hand to come forward to communicate their opinions and speak up for themselves as the VOC of the majority (Chambers, et al., 2008, p6). For these reasons the researcher ensured when visiting VC areas the selection of people to participate in the survey questionnaire was random and a cross section of people were approached.

New Zealand's involvement in this region after the Crisis is due to its role in the peace process as a neutral country. This has contributed to a positive and strong connection including international aid to local people through development projects. This may influence VOC responses to this research (Ladley, Gault, et al., 2004, p9).

Outside influences from foreign countries for several decades has had a significant impact on traditional balances both in PNG and in Bougainville.

Wealth and power is commonly associated with strength and influence. This has contributed to individuals and communities (not unlike other countries) seeking to manipulate and influence foreigners to obtain further benefits. As occurred during colonial times and since independence, this has resulted in overseas investment and intervention bringing greater benefits to the minority rather than to majority of the people (Nelson, 2006). Unfortunately when combined with the characteristics of lack of national identity, diversity of kastom and practices and groups seeking wealth and benefits by association with outsiders this has significant implications when undertaking VOC research in PNG and Bougainville.

There are a myriad of cross cultural pitfalls foreigners need to be aware of when undertaking research inclusive of cultural awareness and sensitivity to appropriately respect local protocols.

An example is the perception 'outsiders' or expatriates often have that they are speaking with a village representative. Many find out later Chiefs have sent others to seek information to be reported back before discussion, negotiation and consensus can be reached. This means any original agreement or understanding will not be binding as it has no authority from the Chief.

The letter of authority provided by LLG VC Division CEO handed over by the researcher to VC Chairman and VC Magistrates ensured Village Leaders were aware of the purpose of the research, appropriate protocols were to be followed and that formal authority had been obtained.

It is highly probable indigenous people residing or working close to towns due to historical foreign influence would be more aware of portraying to outside researchers examples of what the researchers want to see, hear or believe. This potential bias was reported by CAP and VC officials as occurring in another VC review and adds to a risk of inaccurate information being obtained.

The manner in which this research was undertaken gave clear indications to respondents there was no repercussion for a perceived 'wrong answer' (in their eyes) in regard to failing to complying with the VC Act. There was a clear understanding there was no status attached to the researcher or benefits available to respondents for participating in the research such as the possibility of new court buildings or payment for services. The researcher had no stake or authority in the final analysis to cause difficulty for the respondents. These clear actions should have reduced or eliminated any variance and bias in this regard.

In Bougainville there are additional subtle nuances inherent in carrying out research because it is fragile and a post conflict region. Some local people still remain wary of outsiders, for historical reasons (in relation to the Panguna copper mine and the Crisis) therefore consideration that extracting information in any form could be perceived by some as being for an outsider's benefit, to influence or to manipulate the local people is a possible reality to them. It may raise distrust or in the reverse raise expectations of immediate improvements by participating in research (Chambers, 2008).

This thesis must acknowledge the potential cognitive bias effect of a western researcher (and ex manager) living in Melanesia and familiar with western developed quality methods and management practices. Also the perspective of ones own experiences living in Bougainville could lead to a tendency to search for and interpret information in a way that confirms preconceptions (confirmation bias) therefore this was noted.

The researcher was careful to ensure the surveys were randomly conducted. No payment or any form of inducement to complete the survey was provided and no specific VC cases, verbal responses that would identify a respondent or their actual village (unless they authorised disclosure) has been documented in this research. This is because it would be in breach of the trust and consent made with the respondents being surveyed and this relates to Massey University ethics, risk and safety requirements. This action also retains VOC confidentiality with privacy of the names of specific village court community areas retained solely in the possession of the researcher.

Any risk of research exposure to matters that are private and or disclosure of VC cases in this research paper has legal ramifications being in breach of the VC Act (1989), therefore no VC cases are discussed other than broad examples of justice. Significant fines, compensation payments and deportation could be incurred if this is breached.

Clarification of ethics and safety risk, cultural perspectives from interviews, translation, occurred during analysis and evaluation and from cultural input from early draft copies of the thesis in progress. Information was referred to Paramount Chiefs, Chiefs, and VC officers from LLG, Law and Justice Sector, Police, and local Bougainvilleans as appropriate to their authority on VC justice.

The main purpose of consultation and formal analysis from a cultural perspective was to ensure accuracy in translation of information toward ensuring the research had indigenous validity. It was important to be inclusive of acknowledgement of Bougainville leaders and awareness of Bougainvillean society structures, indigenous knowledge, people and general Melanesian societal processes. The principle followed is reflective in indigenous methodology used by Maori in New Zealand which is not so much concerned about tools of analysis but about interpretation. This requires researchers to acknowledge the validity of indigenous knowledge and incorporate this knowledge and a Bougainville world view in the interpretation and analysis of research data. This is to ensure appropriate interpretation and understanding of information that is entwined with culture and society, indigenous kastom, knowledge and understanding (Rangahau, 2009).

Given this is a south pacific region and the research is seeking the indigenous VOC this is considered by the researcher a highly appropriate strategy to use with Bougainvilleans providing a Bougainvillean view in the interpretation and analysis of this research data.

Chapter Six

Results – The Voice of the Customer and the Village Court.

This research was initiated to identify the applicability of VOC tools in identifying service elements in the VC valued as important by the customer. It has explored the interrelatedness and interface between the VC service and its customers, the VC through NZBE, QFD and via Garvin – SERVQUAL and RATER tools service elements considered important by customers (inclusive of individuals and village communities).

This research confirmed the importance of respecting local protocols of verbal and written requirements with the ABG Administration and indigenous leaders, by explaining the purpose of the research, seeking written permission and formal authority before undertaking any research activity.

The letter of introduction provided by LLG Division of VC for Chairman contributed to the ability of the researcher to gain access to village communities and to explore collaboratively with people across all levels in the villages. This protocol needs to be formally acknowledged as a valid consideration when undertaking research or studies in a foreign country. It particularly relates to respect to leadership, trust in the integrity of the research accuracy of causality issues and cultural context to responses.

Ongoing communication and contact with people concerned by keeping them involved and informed about research progress is equally as important as the results of this research.

Comments about interactions during customer survey questionnaire interviews: -

- 1) In some instances females and youth requested to be interviewed together. This was to support each other. Respondents still answered independently with their responses often differing.

- 2) Toward the end of the survey questionnaire there was interest about the topic of the VC and sometimes the small group gradually expanded due to community interest enabling more information to be gathered for the second part of the survey questionnaire covering qualitative questions. This became a 'co learning' opportunity for both the respondents and researcher and produced a more rounded perspective for NZBE. Many respondents were proud of their VC practices and accorded great respect to the VC officials and Chiefs.

- 3) One male attendee at the AusAID VC Review meeting at Tinputz (MID location) in September 2011 raised concerns about the risks of introducing change when existing systems are fragile and poorly resourced or supported. He stated *"this is like looking to put a plaster over problems, but it won't deal with the real problems or future problems appropriately for now or the long term so it is better to get the current service working properly before making changes for something just getting established."*

- 4) In remote areas of Bougainville according to VC officials and members of village communities there are very limited to no government services thus denying the VC support and individuals access to the alternative formal justice system and an effective working VC system. This has apparently contributed to an inability of VC officials to effectively meet VC 'conformance' requirements of the VC Act, (Chiefs, Bougainville Police Service officers, Village Court Officials, Village community members, 2011), (AusAID VC Review, 2011) and (Campbell- Allen, Lewis, 2011).

From a quality perspective it is an enigma in that the VC fails to be explicit, prescribe or record exactly how it functions and manages to meet customer requirements at the village level. There is limited evidence of formal documented paperwork as to how the VC measures outcomes and develops and plans to continuously improve services to meet VOC needs.

Many respondents said “the VC evolves” and “it just works,” others said “it’s because the Chiefs help to make it work” and “it can be unpredictable but it’s flexible and adapts to each case”.

During discussions and interaction with all groups of respondents when seeking further information after comments saying “it depends” it was obvious each VC operates differently dependent on Chief leadership, kastom, community confidence with VC officials and the credibility of the VC systems and processes used to return the village community amicably to peace and harmony. From an ‘outsider’ western research perspective this makes it very difficult to understand the essence of what makes up the VC as an organisation, to differentiate VC service elements from other services that connect with the VC, the VC role within the community, how it functions and in what way it provides service to each VC community from a customer perspective.

A person external from each VC community would need to be made fully aware of each societal structure, the inter-family-Clan and interpersonal relationships at play, the history, the culture and the context that has formed individual local community values and beliefs all of which underpin the VC magistrate’s application of kastomary restorative justice.

Therefore the importance of local input to assist the researcher to understand and interpret the VOC responses to the Garvin SERVQUAL VOC tool was invaluable.

This reflects Jurans theory of the need to evaluate the VOC through simulation, communication and through being a customer. This suggests even a Bougainvillean who is not a customer of the VC, has never used the VC will not entirely understand the value of it to the community. It also confirms the major risk of ‘fitting’ western frameworks and values onto complex situations we are unfamiliar with. Although it may produce results we as ‘outsiders’ feel comfortable about, it potentially misses the realities for the customer, the unique contexts and relationships thereby resulting in misdiagnosis (Armstrong, Pont, et al., 2011, p14).

Another key finding by using the NZBE criteria was each VC cannot be assessed in isolation as an organisation that is easily separated from the village community and customers it

serves. The VC was found to be intrinsically linked to the customer through a psychological contract bound by each individual's sense of belonging from the moment they are born into the community and whilst they live in the community (Branine, 2011). This belonging underpinned by the psychological contract is formed through relationships, kinship language, kastom, tradition and culture (the wantok connection) according to CAP and Chiefs. They stated the value of kastomary justice and role it plays in the VC was reinforced by continuous active customer participation, continuous communication and personal contact across all levels and groups in the village community. Through the actions of the Chiefs and VC officials the VC holds the customer central to all its activities. These activities are known by the majority of people however work via mostly informal systems and processes (by western perspectives) but follow the guiding principles and a loose framework of the VC Act. The vision remains similar to all to return their village community to peace and harmony via mediation and other kastomary processes.

Each VC is unique with its own culture, kastom, norms and rules and separately each has evolved in a form of continuous improvement adaptation to meet the needs of its customers, situation and environment evidenced by AusAID VC review 2011 and results gained from the NZBE criteria.

Customer groups, dependent on their location, held differing views of service elements important to the function of their VC and valued them with differing priorities. This is reflected in the VOC findings from the quantitative responses for all groups, in all locations.

Results: - Garvin – SERVQUAL Tool.

The Garvin – SERVQUAL tool findings identifies service elements important to each group of customers in each VC area based on the customers providing a figure value to identify the strength of importance to each pre-set statement and question. Figure values were rated out of 5 with 5 being the most important and 1 of least importance.

This method was used to seek customer expectations of service elements important to them. It did not seek perceptions of actual service being delivered. The rationale for this

action was to identify if VC services are soundly based on the needs, and priorities of the customer (Wisniewski, 2001). VOC measurement in this way enabled comparisons to be made between customer groups (male, female, youth and VC officials), their expectations and between locations of VC areas in remote, MID and close locations to government services. Photographs of some VC locations are located in Appendix fifteen to twenty one on pages 261-264.

'Serviceability' was considered by external customers to be the most valued overall (This include all male, female and youth).

This was the only major gap for different expectations between VC officials and the customer and is shown in tables 4, 5, 6 shows the Garvin – SERVQUAL methodology, customer gaps and ranking (pages 121 – 122) where males attributed the highest points at 4.26 points, females 3.89, youth 4.02 and VC officials 3.87.

Serviceability is described in the combined Garvin - SERVQUAL and RATER models with characteristics of: - Accessibility, readiness to provide service in a timely manner, responsiveness, communication, understanding, empathetic, politeness, respect, consideration, courtesy and complaints management.

All of the characteristics of serviceability listed above have been identified at various times over the years through numerous formal VC Reviews, research and other related documents as the main strengths of the VC, (PNG Attorney General, 2003, 2010, Goddard, 2004, PNG Law and Justice Advisory Group, 2004).

Customer groups from all locations were added together as the total voice of the external customer to provide a total calculation of customer opinion of important service elements.

'Reliability' was the most valued service element for all VC officials receiving a value of 4.73.

Reliability is described in the combined Garvin - SERVQUAL and RATER models with characteristics of consistency of performance and the probability of successfully performing a specified function and this links to conformance.

The service element 'Performance' received the highest number of points **(4.53)** from male and female customers.

VC officials attributed **(4.72)** points to 'Performance' although it must be noted VC officials were the only group that answered all the questions potentially skewing the quantitative value rating.

This suggests the number of points attributed for each element from each customer group provides different interpretations to value ratings dependent on many different factors. For example variances could be attributed to cross cultural communication issues, survey terminology and the format of the questions, difficulty for respondents to determine as whether they should respond as an individual or a member of the village; concerns they may 'provide an incorrect answer'. The VC officials had an active interest in ensuring they were well represented.

In particular a 'strongly agree' VOC responses to questions providing a 5 rating could skew values of importance. Males and VC officials were observed as more likely to give either a strongly agree or strongly disagree measurement, whereas females were more moderate in their ratings.

Another potential problem in data gathering using the Garvin-SERVQUAL and RATER method was ensuring customers were empowered to record 'don't know.' This was further compounded by respondent's comments to many questions with "it depends on the situation". During this research it became clear most VC processes were not formally structured and were reflective of immediate customer – village requirements at the time. This possibly contributed to the 'it depends' responses and indicates the fluidity of Melanesian kastom and justice.

From this it would be fair to deduce western legalistic practices and understanding as it works at present will not easily fit into village community practices especially those that are more traditional or remote from supportive government services.

In the remote locations twenty four respondents answered a total of 1464 questions. Only twenty six 'don't know' responses were recorded. Within the same location males registered one 'don't know', females registered twelve 'don't know', and youth registered thirteen 'don't know.' Again this has the potential to skew results and indicates the risk and biases with the quantitative tools.

Of note VC officials answered all survey questions although one magistrate withdrew and another was interviewed in his place. The VC official response rate may relate to confidence and knowledge they hold about the VC, a keen interest in the outcome or wariness about answering incorrectly or truthfully.

With the higher number of female and youth 'don't know' responses this left some potential ratings out of the data which has affected the final figures and analysis.

Females and youth equally rated **Performance** as first. (Points for female were **(4.53)** and youth **(4.5)**).

Reliability was second with female points at **(4.46)** and youth **(4.43)**.

Aesthetics was last at eighth with female **(3.54)** and youth **(3.69)**.

Males **(4.53)** and VC officials **(4.72)** equally rated **Performance** as second.

Overall these results indicate similarity in value of importance for these service elements for youth and females.

VOC: - VC in remote locations

From all customer groups in remote locations the service elements '**performance, features, reliability, conformance and durability**' was considered of greater importance by males.

From all customer groups in remote locations youth rated **'serviceability'** and **'perceived quality'** of greater importance. Of all customer groups in remote locations the VC officials rated **'aesthetics'** of greater importance.

'Aesthetics' is described in the combined Garvin - SERVQUAL and RATER models with characteristics of how the VC looks feels, sounds and is based on more subjective expectations of the individual.

VC officials in the remote areas rated 'serviceability' of lowest importance when compared to male, female and youth. This reflects the total overall gap between the internal customer (VC official and all other groups) as shown in table four on page 121.

In remote location males and VC officials were within a similar range of valuing service elements **'performance, features, conformance, durability and aesthetics'**. Youth valued the service elements **'reliability and serviceability'** within a similar range to males and VC officials.

In remote locations males and females were closest in valuing **'serviceability and perceived quality'** as important.

Male, youth and VC official considered **'performance, reliability, conformance, durability, serviceability and aesthetics'** more important than females.

The highest valued service element for females in remote locations was 'features'. This element relates to extras that supplement the operational aspects and includes understanding customer needs and learning requirements.

An example of this was voiced by a respondent with the appreciation of the VC official's consideration of a women's situation and going to speak to them confidentially about private issues. Another was the VC sitting being accessible by being located close to where a woman complainant resided.

In remote VC locations female point allocations for all service elements were at the lower end of the total customer group. This is possibly reflective of the observation they were more moderate in their response rating of importance and the number of 'don't know' responses. (Don't know frequently related to comments of "it depends" before recording their answer).

VOC: - VC in MID locations

VC officials and youths in MID locations ranked similarly for '**performance, features, conformance, durability** and **perceived quality**'.

From all customer groups in MID locations youth ranked '**performance, features** and **perceived quality**' of greater importance.

Of all customer groups the VC officials in MID locations ranked the service elements '**reliability, conformance, durability, serviceability** and **aesthetics**' of greater importance.

Overall 'Performance' received the higher number of points for all customer groups in the MID location.

Performance has the characteristics of VC official's competence and skills to do the job through use of kastom, communication and language. It also includes empathy with customers based on context and circumstances to ensure peace and harmony is returned to the village.

VOC: - VC in Close locations

VC officials and females were closest in agreement with the service elements important to them being '**performance, features** and **durability**'.

From all customer groups in the close location it was VC officials who ranked '**performance, reliability, conformance, durability**' as important service elements.

Of all customer groups in the close location it was females who ranked '**features**' and '**serviceability**' as of greater importance. Females and youth ranked '**conformance**' and '**perceived quality**' as the least important service elements.

Youth ranked all VC service elements in importance at a lower value, except '**aesthetics**' and '**perceived quality**' which were ranked 2nd and 3rd respectively. This suggests youth living in village communities close to government services may not consider VC services of relevance to them. They may not understand the function of the VC in the village community nor been exposed to its value and importance as they are at high school and away from their villages according to Chiefs Wanés and Havini and VC Magistrate Sapur, 2011). This inference is made because youth in these locations rated all VC service elements in importance at 3 or under for 47% of their responses.

A similar situation applied to MID location where there was a large 'don't know' response by youth to conformance questions. This specifically related to questions seeking the importance of conformance to VC Act such as 'referrals of serious offences to the formal court', 'VC officials are trained', and 'all VC are gazetted and authorised'. This suggests youth have limited awareness of the separate functions of the VC processes and parameters the VC most work within in regard to the VC Act (1989). It could also relate to the terminology used in the questions, or confidence to respond without referral to senior members of the community according to Chief Wanés and VC officials from Selau Suir (March 2012).

In MID locations literacy problems for youth were identified when the researcher was seeking written consent to undertake the questionnaire. This was verified by youth as caused by limited to no access to education because of the Crisis and validated as a real problem by the CEO of the Division of Bougainville Community Development. This lack of education and limited awareness may impact on comprehension and interpretation of Garvin-SERVQUAL questions and in turn responses to questions. This was a variability not anticipated in the methodology. For this reason the results of this research underpin the importance of understanding the environment and contextual issues, particularly the impact of the Crisis on people in a post conflict region. This outcome further validates using a multi faceted VOC approach utilising qualitative and quantitative methods in a developing country scenario.

Applicability of the Garvin- SERVQUAL methodology to all groups of customers.

The Garvin- SERVQUAL questionnaire appeared to be too long to hold most respondent's attention. (61 questions in total were asked). Youth in the MID locations found difficulty in responding due to literacy, comprehension and translation issues (NB causal factors perhaps the ten years of civil war and lack of access to education). Literacy issues identified in the MID areas may have not been easily identified in other locations or with other groups surveyed.

The order of questions may have contributed to variation in data collection in relation to the value attributed to service element provided by respondents.

Some questions were perceived as repetitive by some respondents even though they were worded differently and seeking a response to a different service element. This could relate to service elements being viewed in a blended interrelated way and not separated as in the context of the VC. This suggests complications occur when assessing individual service elements important to customers because VC systems and processes are interwoven so tightly within other village community systems and processes. There is a strong possibility service elements westerners consider 'special' and 'important' to services they receive are taken as 'expected' and 'the norm' by Bougainvilleans particularly in relation to empathy, communication, conformance to kastom and outcomes of the VC justice process.

An example of this is there was an expectation that VC officials would respond promptly and visit the location where the problem or offence had occurred. There was no hesitation in expecting services to be provided and total commitment from Chiefs and VC officials to be available at any time night or day.

Some respondents asked for further explanation of questions to gain understanding of the purpose of the question suggesting some of the service dimensions do merge or may be slightly different in this culture. This encouraged further investigation during the NZBE criteria exploration of the VC services to the customer.

For example: - Question 29 in the survey questionnaire on page 225: Statement- The ongoing and flexibility and adaptability of the use of customary law is important. The key words causing problems were 'ongoing' – 'flexibility' and 'adaptability'. Kastomary practices are 'a known' and it is 'given' these practices are continuously adjusting to meet customer and village needs.

Example: - Question 31: - Do you think most people are happy with the outcome of the VC? People were uncertain if this related to them as an individual or to the community being happy that peace and harmony was returned to their village. Some individuals initially said they rated a service element statement at 2 or 3 but after further thought quickly responded with a rating of 5 (strongly agree) for the greater good of the community with the 'return of peace and harmony' as their final answer.

An external method needs to recognise the over-riding desire of the group is to return the village community to stability and peace and harmony. It is not about the 'me' aspects of an individual but interdependence interrelations aspects that connect to the whole community. Overall most of the customer groups either strongly agreed or strongly disagreed indicating definite emphatic customer opinions of what characteristics of service elements were important. This was more apparent with male and VC official's responses.

An inference from this is the kastom and cultural norms are explicit and known to these groups (black and white with no grey areas). It may be a cultural expression of gender differences about what they think is right or wrong because the women were more moderate in their responses opting for a value of mid range between the two extremes. Preference was given by most respondents to 'telling their stories' to give rationale to themselves for their answer, many of which validated their response for 'it depends', 'don't know' and extreme values attributed to service elements.

This indicates when using the Garvin – SERVQUAL VOC tool there are potential cross cultural communication interpretation issues, language and terminology and service dimension problems and variables. There are other considerations such as literacy and people requiring context and purpose of the questions before responding. These contribute to risks of inaccuracy when using pre-set questionnaires because the questions are based on pre-set paradigm of what constitutes service and the service the VC provides as an organisation.

For quantitative research to capture information it must ensure respondents understand the rationale for the question and why it is being asked. This research suggests significant implications about applicability of western developed VOC assessment tools, pre-set question models developed within a western paradigm and then used in foreign cultural settings, and developing country scenarios.

This research highlights issues in VOC methodology in collective societies when seeking information from an individual that may reflect a community perspective or in the reverse be perceived as information about community needs and expectation that actually reflects individual perspectives of service needs. What has been determined in this research is there may be other service elements not identified using these methods yet important to the customer.

The main advantage of using the Garvin - SERVQUAL tool is it did provide a base platform to commence further investigation to provide direction and focus the research about the VC its role and the services it provides to each village community from a qualitative perspective. It is clear it does not have applicability without adaptation as an effective VOC assessment tool to capture all service element information.

Suggestions for further research could be comparing differences and similarities between gender and the outcomes of the VC, the VOC in the VC in relation to demographics, and leadership. Customer needs in relation to location of the VC and exploration of different categorisation of attributes that constitute service and elements of service customers seek in Melanesian organisations.

Many of these issues would be of interest particularly with PNG oil and gas exploration activity and expansion of external international agencies and businesses into this south pacific region.

A summary below describes issues identified using the Garvin-SERVQUAL survey questionnaire.

Disadvantages

- Difficult to develop rapport with customers.
- A western 'lens' and paradigm focus despite cultural input.
- Preset questions were limiting.
- Prescription limits learning.
- Contextual and causal factors not easily identified without discussion.
- Customer restricted by time, location, risk, culture, daily living, cross cultural communication and other commitments.
- Literacy issues were not easily identified.
- Length of time to undertake survey may be a barrier to accuracy.
- Consideration of number of questions and order of questions.
- Risk of missing observation of rating - points scoring by groups if more than one surveyor

Advantages

- Fast and easy approach (as an outsider)
- Achieves high coverage & usually identifies major issues but only **within the range of question**
- Service dimension boundaries
- Direct customer response
- Quantitative data can point direction to qualitative exploration to capture more data.
- Objective, scientific model

Table Four: - Garvin – SERVQUAL methodology results for all customer groups.

KEY: - High = All groups record 4 and above rated HIGH.					
GAP = Difference VC official and all external customers					
Combined Garvin -SERVQUAL value in importance Comparison between groups of customers and VC officials. Rating 1 to 5 1 = strongly disagree - 5 = strongly agree					
LOCATION					RESULT
REMOTE:- 1 hour canoe ride or 2 hours PMV travel to Buka including areas such as Hahon, Nissan, Pinipel, Saposa and Taiof Islands	Male	Female	Youth	VCO	
Performance - (Reliability, Competence, Communication, Responsiveness)	4.95	4.28	4.50	4.75	High
Features - (Tangible, Understanding)	4.40	4.36	3.92	4.38	
Reliability – (Competence, Accessibility, Responsiveness)	4.77	4.04	4.74	4.47	High
Conformance - (Competence, Security, Tangible)	4.30	3.63	3.93	4.19	
Durability - (Security, Understanding)	4.46	3.55	4.29	4.39	
Serviceability - (Competence, Courtesy, Reliability Accessibility, Responsiveness, Communication, Understanding)	4.72	3.99	4.82	3.58	GAP Customer to VCO
Aesthetics - (Tangible, Courtesy, Credibility, Communication)	3.84	3.58	3.72	3.93	
Perceived Quality - (Credibility)	3.88	4.00	3.58	4.32	GAP VCO to customer
MID:- Central mainland Bougainville including areas of Tinputz and Wakunai.	Male	Female	Youth	VCO	
Performance	4.09	4.53	4.75	4.45	High
Features	3.82	3.84	4.34	4.28	
Reliability	4.57	4.47	4.67	4.7	High and GAP VCO to customer
Conformance	3.67	3.63	3.73	4.3	GAP VCO to customer
Durability	4.15	4.17	4.36	4.5	High and GAP VCO to customer
Serviceability	4.10	3.17	3.96	4.14	GAP VCO to customer
Aesthetics	3.10	3.89	3.72	4.03	GAP VCO to customer
Perceived Quality	3.88	4	4.53	4.32	
CLOSE:- Buka Island including upper mainland Bougainville in areas Kokopau, Selau- Suir.	Male	Female	Youth	VCO	
Performance	4.53	4.78	4.09	4.95	High and GAP VCO to customer
Features	4.44	4.55	3.57	4.46	
Reliability	4.60	4.87	4.14	5.0	High and GAP VCO to customer
Conformance	4.67	4.36	3.75	4.93	GAP VCO to customer
Durability	4.43	4.55	3.79	4.55	
Serviceability	3.96	4.50	3.26	3.87	
Aesthetics	3.79	3.15	3.62	3.55	
Perceived Quality	4.55	3.84	3.84	4.46	

Table Five: Garvin - SERVQUAL - Customer GAP

Garvin-SERVQUAL Service elements methodology	Male	Female	Youth	VC official (VCO)
Performance	4.53	4.53	4.45	4.72
Features	4.22	4.25	3.95	4.38
Reliability	4.65	4.46	4.43	4.73
Conformance	4.22	3.88	3.87	4.48
Durability	4.35	4.09	4.15	4.48
Serviceability *****	4.26	3.89	4.02	3.87 - GAP VCO result is lower than all other group results
Aesthetics	3.58	3.54	3.69	3.84
Perceived Quality	4.11	3.95	3.99	4.37

Service elements points were attributed in importance for each customer group.

Table Six: Garvin - SERVQUAL - Customer group value point ranking.

Garvin-SERVQUAL Service elements methodology	Male	Ranking	Female	Ranking	Youth	Ranking	VCO	Ranking
Performance	4.53	2 nd	4.53	1 st	4.45	1 st	4.72	2 nd
Features	4.22	5 th =	4.25	3 rd	3.95	6 th	4.38	4 th
Reliability	4.65	1 st	4.46	2 nd	4.43	2 nd	4.73	1 st
Conformance	4.22	5 th =	3.88	7 th	3.87	7 th	4.48	3 rd =
Durability	4.35	3 rd	4.09	4 th	4.15	3 rd	4.48	3 rd =
Serviceability	4.26	4 th	3.89	6 th	4.02	4 th	3.87	6 th
Aesthetics	3.58	7 th	3.54	8 th	3.69	8 th	3.84	7 th
Perceived Quality	4.11	6 th	3.95	5 th	3.99	5 th	4.37	5 th

These findings as demonstrated in tables 4,5,6, and 7 on pages 121-123 all demonstrate there are differences and similarities in VOC expectations of service elements important to customers in regard to gender, location, youth and the internal customer the VC officials.

This suggests results are based on customers subjective experiences and understanding of the VC. These have determined their level of agreement as a measurement of importance.

Overall the first ranking for females and youth are identical for performance.

Overall the first ranking for VC officials and males is identical for the service element reliability.

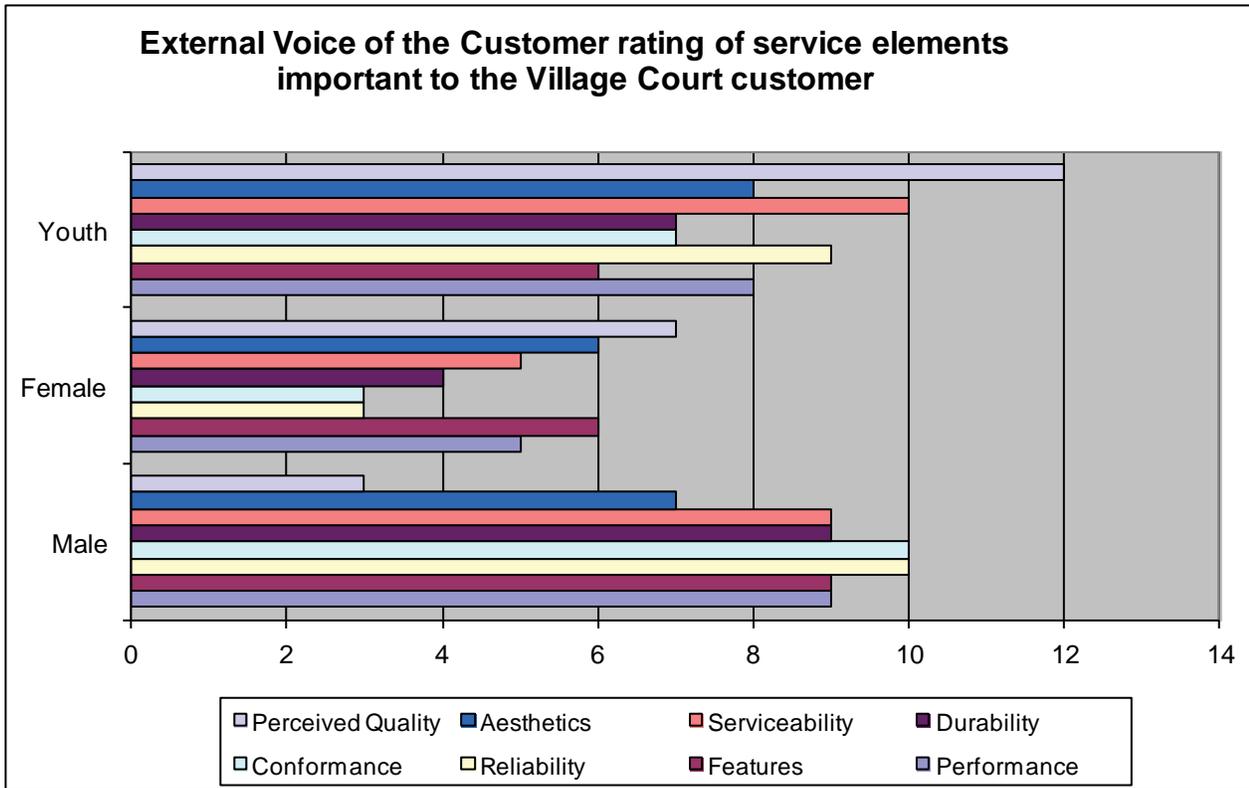
Table Seven: Garvin – SERVQUAL - Overall Customer GAP analysis

Service Elements	Customer rating	VC official rating	GAP	Comments
Performance	7.34	8	0.66	Similar to all customer groups
Features	7	9	2	Rated as important by VC officials
Reliability	7.34	8	0.66	Similar to each other
Conformance	6.67	10	3.33	Rated highly by VC official
Durability	6.67	10	3.33	Rated highly by VC official
Serviceability	8	6	2	GAP - Customer rating higher than VC official rating in importance
Aesthetics	7	12	5	Rated highly by VC official
Perceived Quality	7.34	9	1.66	VC officials consider VC perceived quality as highly important.

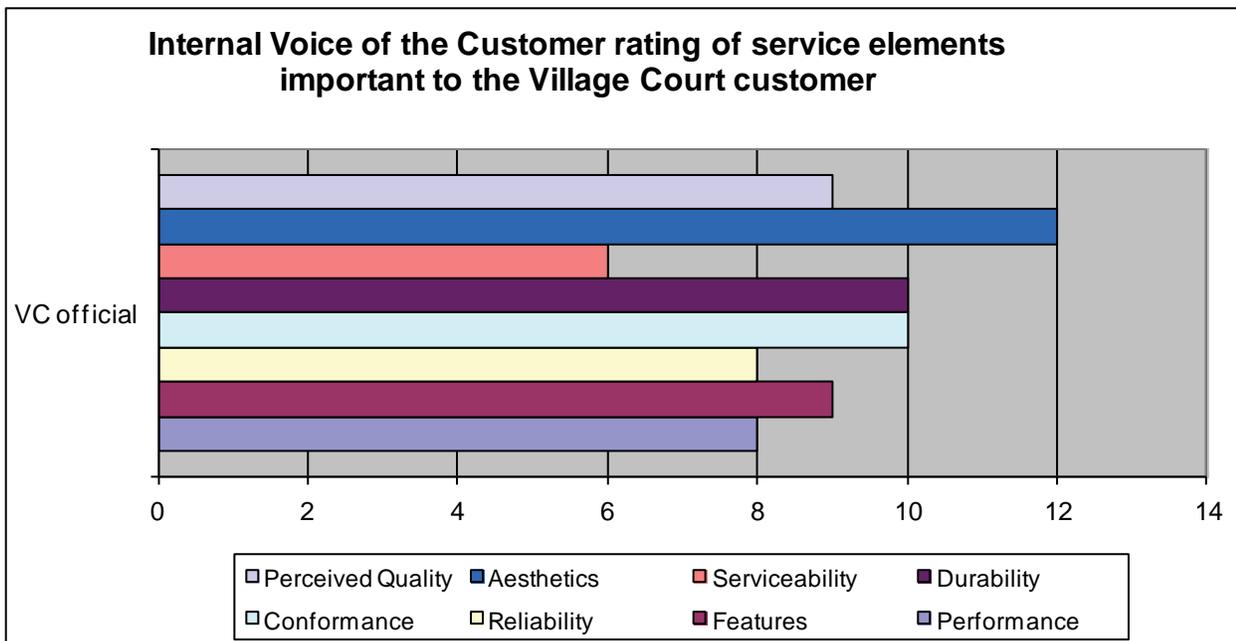
Therefore it is impossible to draw conclusive findings from the quantitative data gathered as this is open to statistical interpretation without cognisance of variation issues. Respondent answers were not captured as to whether they were responding from an individual perspective or collective community perspective. There is an assumption answers were a mix of perspectives dependent on the question and respondent confidence in answering the question. This is a variable to the survey results and reflects cultural incongruence between individual and collective society values and beliefs systems, something western methods needs to be aware of. It also highlights a gap when undertaking assessments with pre-set questions similar to the Garvin - SERVQUAL tool especially if there is an assumption the answers are accurate and provide all the necessary assessment information.

Graphs one and two on page 124 provide a visual summary of VOC service elements considered important to internal and external customers.

Graph One: Garvin – SERVQUAL - External Customer results.



Graph Two: Garvin - SERVQUAL - Internal Customer Results.



The RATER method was used by customers to prioritise five core service elements out of a total of ten points. (Responsiveness, Assurance, Tangible, Empathy and Reliability are the core elements referred to in the results below.)

Customer Results for RATER in Remote locations

Males and youth in remote locations selected **responsiveness** as their top priority. Females in remote locations chose **empathy**. This rating could be cross referenced to relate to “it depends” initial responses to Garvin-SERVQUAL method indicating knowledge that each case is judged by VC magistrates as a separate case separately and there is no preset ‘punishment criteria’ or standard verdict. It also reflects the choice of features in the Garvin-SERVQUAL results.

Customer Results for RATER in MID locations

Tangible was the element valued a high priority for all customer groups in the MID location.

Males equally rated **tangible** with **empathy** as high priority. Females equally rated **tangible** with **empathy**, and **responsiveness**. Youth rated **tangible** as a high priority.

This was interpreted later as indicative of the influence of aid and development and government services being more accessible to these customer groups with the MID location recent recipients of law and justice buildings and improved roads.

Customer Results for RATER in Close Locations

Tangible was a high priority for females and youth in the close location. Males in the close locations rated **empathy** as a high priority.

Village Court Official Results for all locations (remote, MID and close)

Tangible was selected as the highest priority service element by VC officials in all locations. Tangible as a service element in the RATER encompasses, aesthetics, features, and conformance as its core service characteristics.

Overall ratings were similar between customer groups situated in the MID and close locations indicative perhaps of outside influence particularly for Buka Island and Tinputz areas. Refer to table eight and nine for RATER model results comparing customer groups and customer priorities by VC location on page 126.

Table Eight: RATER Model - Results comparing customer groups by location

Comparison between groups of Village Court customers by location and service elements.				
Rating in priority of importance				
REMOTE LOCATION	Male	Female	Youth	VC official
Q1 Tangible	10	9	12	14
Q2 Responsiveness	13	8	17	13
Q3 Reliability	8	6	8	11
Q4 Assurance	10	7	13	11
Q5 Empathy	9	10	10	11
MID LOCATION	Male	Female	Youth	VC official
Q1 Tangible	14	12	16	14
Q2 Responsiveness	13	12	14	13
Q3 Reliability	9	8	8	12
Q4 Assurance	10	6	10	12
Q5 Empathy	14	12	12	12
CLOSE LOCATION	Male	Female	Youth	VC official
Q1 Tangible	12	14	20	12
Q2 Responsiveness	10.5	11.5	10	12
Q3 Reliability	11.5	9.5	9	12
Q4 Assurance	12	13	10	12
Q5 Empathy	14	12	12	12

Table Nine: RATER Model - Top priority rating by Customer group and VC location

Highest Priority	Remote location	MID location	Close location
Male	Responsive	Tangible / Empathy (Rated equally)	Empathy
Female	Empathy	Tangible / Empathy / Responsive (Rated equally)	Tangible
Youth	Responsive	Tangible	Tangible
VC Official	Tangible	Tangible	Responsiveness, Accessibility, Tangible, Empathy, Reliability (All rated equally by VC officials)

Appendix Eleven: - RATER MODEL: - Comprehensive data is displayed related to VOC data collection (page 253).

Responsiveness referred to a quick response to a dispute or offence through mediation or through the VC. This received highest priority by males and youth in remote locations and females in the MID location. Assurance referred to ongoing adaptability and flexibility and use of AROB customary law.

Tangible characteristics included uniformed VC officials, formality and written receipts and documentation. These were valued as high priority by VC officials in remote and MID locations. Tangible characteristics were also considered of high priority by male, females and youth in MID locations. Females equally valued tangible with empathy and responsiveness in the MID location.

Empathy referred to trained and experienced VC Magistrates who are respected by the community and know about kastom. Females in remote and MID locations considered empathy the top priority, whilst males in 'ID and Close locations considered it of high priority for their VC.

Reliability referred to regular VC sittings in a well known location accessible to all.

VC officials in Close locations rated all service elements of equal importance and priority. When all customers were combined from all areas the following information was identified.

Males prioritised empathy the highest, closely followed by tangible and responsiveness. Females prioritised tangible the highest closely followed by empathy and responsiveness. Youth prioritised tangible as a significantly important service element. VC officials prioritised tangible the highest followed by responsiveness.

These results indicate the youth and VC officials have similar priorities. The responses indicate gaps between separate customer group requirements dependent on gender, age (youth), location and VC officials.

The key finding is the Garvin – SERVQUAL and RATER methods failed to identify potential new service elements, contextual and causal factors or the rationale for customer group responses. This reiterates the need to have cultural understanding to plan survey questionnaires and interpret customer responses accurately.

Table Ten: RATER - Groups of Customers priority rating.

Key: - * - indicates top priority and # indicates lowest priority	
RATER MODEL	IMPORTANCE
Rating Male	VALUE
Q1 Tangible	36
Q2 Responsiveness	36.5
Q3 Reliability	28.5 #
Q4 Assurance	32
Q5 Empathy	37 *
Rating Female	VALUE
Q1 Tangible	35 *
Q2 Responsiveness	31.5
Q3 Reliability	23.5 #
Q4 Assurance	26
Q5 Empathy	34
Rating Youth	VALUE
Q1 Tangible	48 *
Q2 Responsiveness	41
Q3 Reliability	25 #
Q4 Assurance	33
Q5 Empathy	34
Rating VCO	VALUE
Q1 Tangible	40 *
Q2 Responsiveness	38
Q3 Reliability	35 #
Q4 Assurance	35 #
Q5 Empathy	35 #

The Garvin-SERVQUAL tool was seeking the VOC with regard to value of importance they placed on eight service elements for the VC, whereas the RATER tool sought VOC opinions about prioritising from five selected service elements. No formal comparison can be made between the two VOC quantitative assessment tools used.

It is difficult to make comparisons other than seeking similarities of service elements between the tools and then relating them to the customer groups. Using the Garvin-SERVQUAL results youth respondents in MID and close locations regarded reliability and performance as service elements important to them.

This was measured by the number of points attributed 1-5 in the measurement system. The same groups of youth valued tangible as the most important service element in the RATER model. Youth in remote locations using the Garvin and SERVQUAL tool valued serviceability and reliability as most important.

In the RATER model customers rated responsiveness as the most important service element. Responsiveness has similar attributes to serviceability therefore it could considered the Garvin – SERVQUAL and RATER models captured similar information although this is not validated by cultural advisors.

This suggests despite these models having a slightly different focus they both captured similar attributes of service that were important to youth as the customer. It is however difficult to make an defined assumption of similarities between outcomes as the original intent of the Garvin – SERVQUAL model was not rating in priority, only what the customer regarded as important service elements to their VC. It was about what people expected as important service elements to make their VC operate to meet their requirements and needs.

The applicability of both Garvin – SERVQUAL and RATER VOC assessment tools as a quantitative method used in an indigenous organisation and developing country situation does easily contribute toward providing objective research that controls potential variables however it is based on a western paradigm of what constitutes service.

The greatest risk identified with the use of VOC models Garvin-SERVQUAL and RATER and possibly other similar surveys in a developing country scenario is the cross cultural communication issues in relation to pre-set questions. Particularly with regard to the order of questioning, the number of questions, the format of questions, interpretation by respondent of what is underlying the meaning of the question being asked.

For example the real meaning and purpose behind asking survey questions in relation to transparency. Another risk is use of terminology due to cultural and language having different value or meaning and professional legalese. Use of quantitative data does however reveal objective scientific measurement. In this instance it provides VOC information about groups of customers (male, female, youth and VC officials). This enables objective comparison between each VC area and compares VOC responses to this. It also compares measurement of responses between each customer group to consider the value of importance they attributed to each statement.

Quantitative methods do reduce variability and have enabled the researcher to make inferences and evaluate figures however several biases and variances were noted.

For example the research has identified a gap between VC official values of importance in when compared to the collective responses of other customer groups. This related to a GAP in perception about the importance of serviceability. But the VC officials were the only group to fully complete the survey and most gave high ratings and points in both survey questionnaires.

The Garvin - SERVQUAL VOC tool has identified different values of importance for certain service elements dependent on location and inferred this is due to proximity to government services such as District Court services and regular police services. The problem however is this interpretation is based purely on statistics. As to whether the information and its interpretation are actually valid is difficult because there is no other information to draw on using a quantitative approach. In a research situation using externally introduced methodology requires the addition of cultural context, (customer stories) to verify the response and analysis is a correct interpretation of the statements and question. This finding is of particular relevance to applying VOC quantitative assessments to an indigenous organisation in a developing country.

An example of this is the restrictions when asking pre-set questions. Question 3 in the Garvin – SERVQUAL asks the customer if a quick response time before a dispute, offence, mediation and the sitting of a VC is important. Some respondents responded verbally

saying 'it depends' reflecting contextual issues need to be considered and the question expanded. The strongly disagree to strongly agree 1 to 5 method could not capture this information and when respondents could not decide they sometimes opted for a mid range number – 3 or recorded 'don't know'. Therefore the results from using VOC methods in this research indicate that quantitative information does provide a shallow platform to then focus qualitative methods toward to assist in cause and effect exploration and analysis. Simple quantitative data is located in table eleven and twelve pages 132- 133. This provided a base to capture data and delve deeper during the NZBE assessment. The small additional questionnaire was introduced as issues of cross cultural communication and cultural perspectives about VC service elements were being identified.

Questions listed in table eleven on page 132 were utilised as a prompt to gather qualitative information as an initiative to develop rapport and engagement with respondents. No differentiation between locations was made for this data. The general rationale for this was to gain clarity about how each specific VC functions, the systems and processes used, to understand the connection with customers and how important these services were to VC customers as representative of both internal and external customers. This small questionnaire provided an opportunity to identify if the questions asked in the Garvin-SERVQUAL survey were appropriate to gain responses. It also used a question about compensation to see if terminology and language was a problem with the questionnaire. Neither of these issues was found to contribute to cross culture communication problems with respondents.

For example: - In the Garvin – SERVQUAL questionnaire it asks customers if it was important VC sittings were held in a building. What was discovered in further discussions later with respondents was the design of buildings preferred was open so the community could participate if they wanted. Another example was a small private area for private 'tambu' (private) discussions was considered necessary by 100% of respondents. A small storage area with a filing cabinet was considered as required to hold VC documents along with a desk and chair for the VC clerk to sit and write reports. VC officials wanted a building to go to for only VC sittings for the reason that it would be weather proof.

There was an expectation that customers would believe the matter serious when VC sittings were held in a building. There was no indication that mediation and other VC

activities would need to be held in a building. Use of other buildings such as tshana (Chieftain and community meeting place) was not conducive to VC sittings as other people using them would take priority. Currently VC sittings are held wherever it is accessible for the people involved and the VOC and VC officials still wanted this option. Customers therefore did not require (as initially perceived) a formal court building similar to a District Court as could be inferred from their responses to Garvin-SERVQUAL questions. This highlights a risk with pre-set questions and quantitative information as it does not capture the contextual issues or causal factors influencing respondent answers.

Customers were asked “Can there still be VC justice as you know it if specific services are or are not available”? The question asked about compensation validated compensation as an essential service function with VC activities. Graphs three, four, five and six on pages 133 -134 and table eleven below provide collective customer group responses to specific questions for all VC locations).

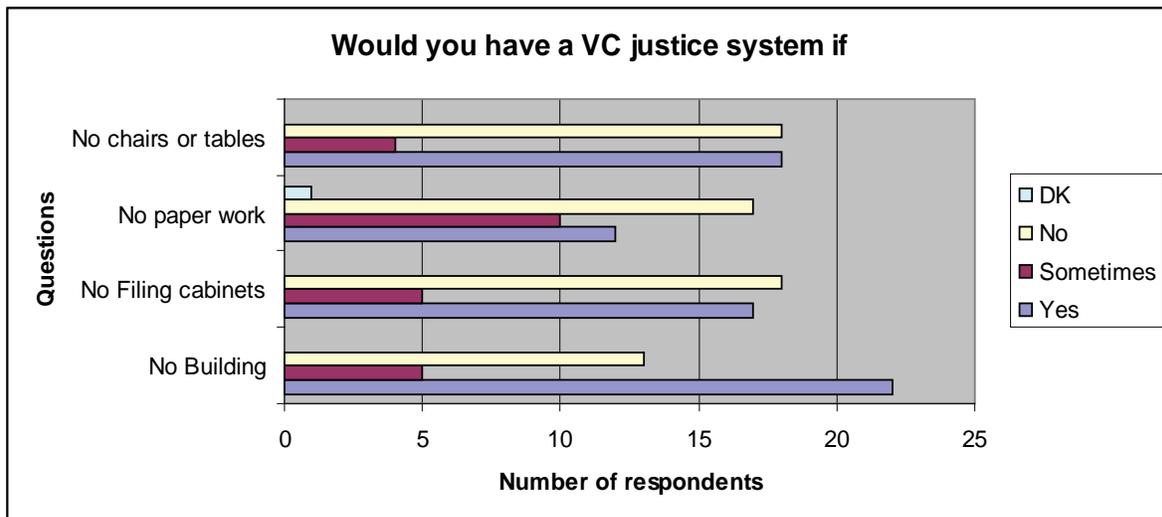
Table Eleven: VOC responses to informal questions.

Would the VC still operate if there was ...?	Yes	Sometimes	No	Don't know / Not sure
No VC Building	22	5	13	
No Filing cabinets	17	5	18	
No paper work – documentation	12	10	17	1
No chairs or tables	18	4	18	
No special legal language	20	3	16	1
No compensation	10	7	21	2
Continued compensation fines	19	10	11	
No VC uniform	19	5	16	
Any one can participate	25	4	9	2
Only Tok Ples	9	7	24	
Only English	5	3	32	
Only Tok Pidgin	23	6	10	1
VC trained and know custom (kastom)	33	2	4	1
No pay for work to VC Officials	12	9	19	
If VC sitting was informal perhaps they were held under a tree	25	4	11	
VC sittings held in a building with a design without closed in sides.	30	4	6	

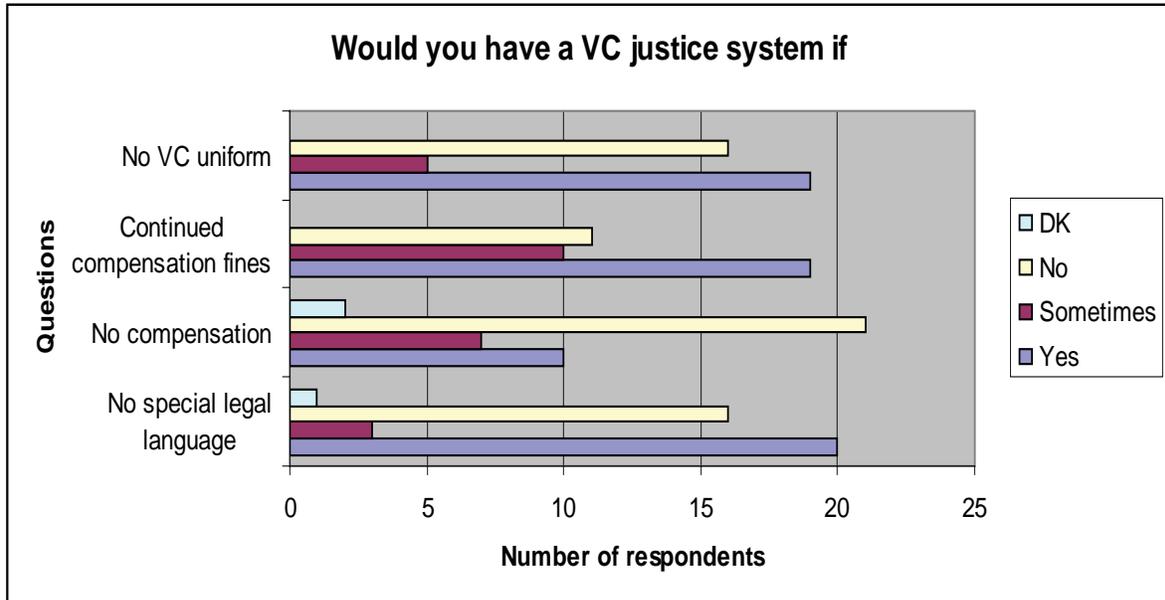
Table Twelve: – VOC responses to informal questions as percentages.

91% of respondents	Require VC officials who are trained and knowledgeable about kastom to have VC justice
78% of respondents	Require Tok Pidgin to be only spoken
69% of respondents	Require compensation to have VC justice
65% of respondents	Require a building without closed in sides for VC sittings.
61% of respondents	Require VC to be informal to have VC justice
61% of respondents	Require anyone to participate to have VC justice
57% of respondents	Require VC officials to be paid to have VC justice
54% of respondents	Require VC officials to wear uniforms to have VC justice
48% of respondents	Require paperwork and filing cabinets to have VC justice

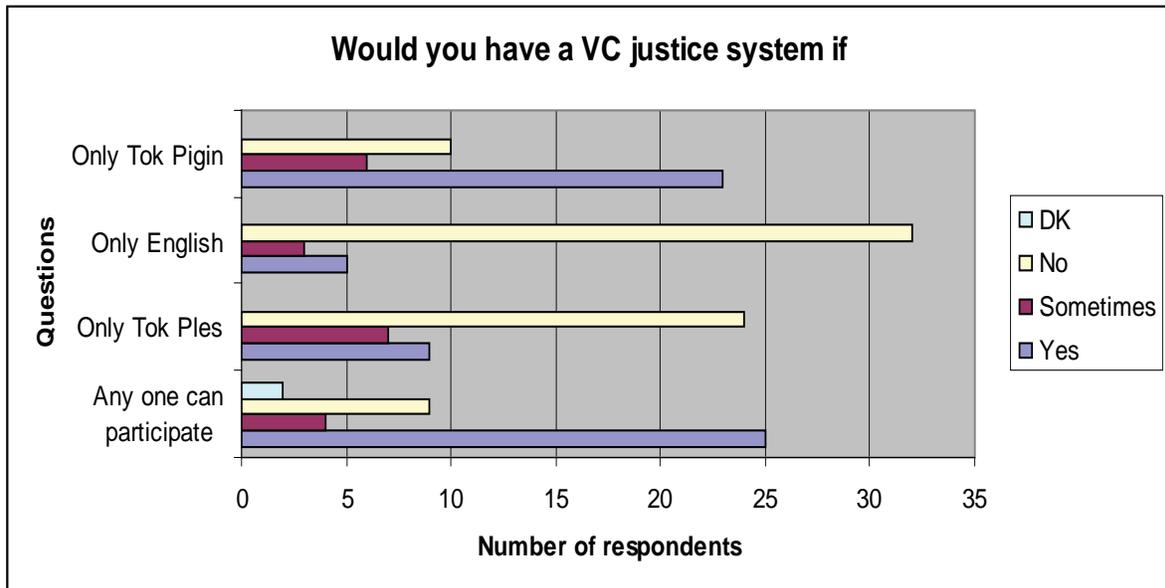
Graph Three: Characteristics and functions required by customers related to questions.



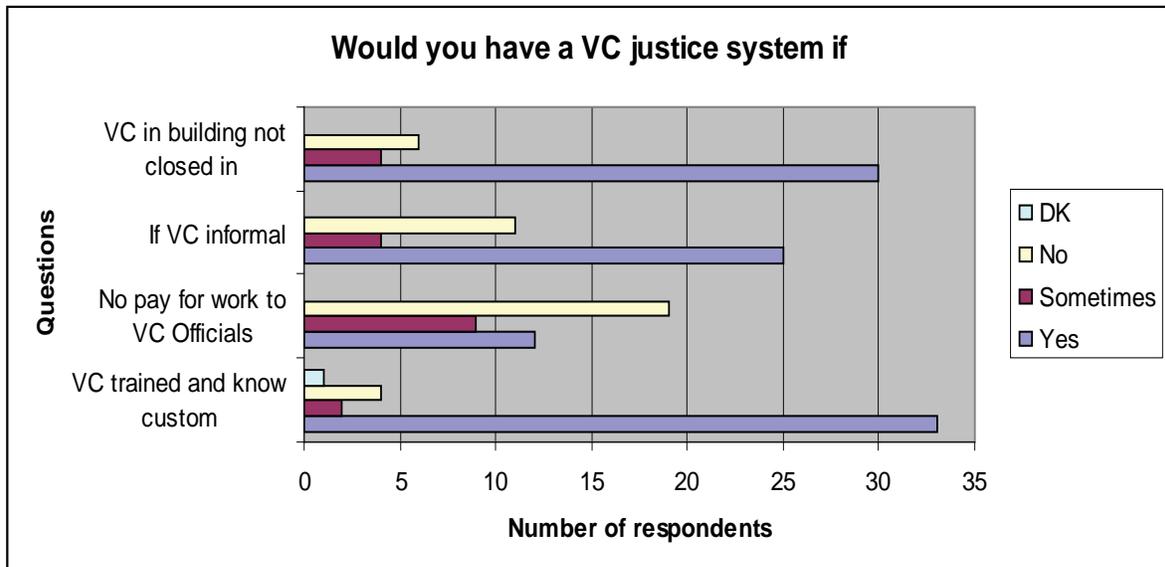
Graph Four: Characteristics and functions required by customers related to questions.



Graph Five: Characteristics and functions required by customers related to questions.



Graph Six: Characteristics and functions required by customers related to questions.



The VOC tools Garvin – SERVQUAL and RATER confirmed diversity of opinion between customers and customer groups and locations. This highlights the importance of capturing enough samples to undertake accurate analysis. The information gained from using these VOC methods along with the small quantitative research assisted the use of NZBE assessment criteria by providing direction to explore values, relationships, serviceability and what the term service encompasses and means to the customer in relation to characteristics of service.

Results from New Zealand Business Excellence criteria and Quality Function Deployment methods.

NZBE VOC assessment focused specifically on leadership, strategic direction, customer focus and results. This involved discussions with the CEO LLG VC Division, Chiefs, VC magistrates, officials and with respondents who had participated in the Garvin – SERVQUAL survey.

Applying NZBE assessment criteria to the Bougainville VC (NZBE, 2011-2012, p2).

The criteria for NZBE are under seven key categories with a total point value of 1,000: -

- 1. Leadership. (120 Point values) - Senior Leadership / Governance and Societal Responsibilities**
- 2. Strategic Planning. (85 Point values) - Strategy Development / Strategy Implementation**
- 3. Customer Focus. (85 Point values) - Voice of the Customer / Customer Engagement**
- 4. Measurement, Analysis and Knowledge Management (90 Point values) - Measurement, Analysis and Improvement of Organisational Performance**
- 5. Workforce Focus (85 Point values) - Workforce environment / Workforce engagement**
- 6. Operations Focus (85 Point values) - Work Systems / Work Process**
- 7. Results (450 Point values) - Product and Process Outcomes / Customer Focused Outcomes / Workforce-Focused Outcomes / Leadership and Governance Outcomes / Financial and Market Outcomes**

The main focus and direction of using this method was to identify it's effectiveness for communication and ability to capture the VOC. Specifically it sought the applicability of NZBE criteria under the core headings of leadership, strategic planning, customer focus, and results and to highlight where it links to service and the customer.

The VOC for NZBE and QFD encompassed how much engagement there was between the village customer, the VC and Local Level Government (LLG) – VC Secretariat.

It also endeavoured to understand how customer satisfaction is being determined and how it is measured. Including how this is applied as an indigenous organisation in a developing country where there other factors need to be considered such as tradition, cultural and kastom diversity and where collective society values and beliefs dominate.

The criteria underpinning each of the NZBE heading has been used by several organisations around the world to enable accurate assessment of organisational capability.

Theses have been successfully used to identify areas of strength and weakness; areas toward improving strategic goals for improved performance; quality improvement; efficiencies and effectiveness; productivity and customer service (NZBE, 2011).

The criteria for New Zealand Business Excellence assessment (2011 – 2012) allocates 'leadership' and 'results' with the highest points value followed by 'customer focus'.

Leadership rates 120 points (senior leadership, governance and societal responsibilities) and results rates at 450 points encompassing process outcomes, customer focused outcomes, and workforce focused outcomes and leadership and governance outcomes. Customer focus rates 85 points and includes VOC matters and customer engagement. The criteria underpinning each of these heading has been used by many organisations to enable them to assess their capacity; identify areas of strength and weakness and to target specific systems and processes to improve performance and customer service.

Results from this research suggest the NZBE assessment criteria have relevance to developing countries and indigenous organisations under the headings as listed. However these cannot be generically applied to the VC (as a total organisation) due to the difficulty in obtaining clear concise understanding of systems and processes that could be applicable and used by all VC and VC officials.

Each VC functioned differently. NZBA could perhaps have been more successfully if applied to one individual VC location. The critical value of using NZBE criteria as a VOC method was its structure and approach. It used a 'co-diagnosis' strategy with customers and with LLG management which provided the opportunity of capturing underlying, informal, unwritten systems and processes. It also identified significant relationships and societal – kastomary connections with stakeholders when compared to other VOC methods used for this research.

This suggests NZBE criteria terminology as applied to the Bougainville VC was adaptable to fit organisational cultural requirements to gain causal and contextual information. The ranking for points aligned to each heading would however need to be adjusted to reflect indigenous values with regard to leadership, workforce, customer focus and results.

For example higher points ratings would need to be given to 'customer focus' criteria.

The rationale for these changes relates to VC customer relationships, Chieftaincy, kastom, culture, community and society reciprocity relationships, and serviceability and performance measurement perspectives. Without the VC officials having a committed work ethic and understanding of kastom, rules and norms of the village community the VC would not function effectively according to Paramount Chief Wanés.

Understanding a holistic perspective of the VC and its purpose, the community it serves, history, culture and language red flagged diversity and contextual matters create difficulty in capturing concise data for analysis. NZBE criteria and applying QFD principles both identified significant interwoven VC connections to the VC community through unconditional trust to meet customer needs.

NZBE respondents found some of the criteria assessment results were repetitious throughout the assessment. The benefit of this approach however is it does provide a cross reference to establish where there may be a VOC gap to enable targeting of more depth investigation and approaching questions from a different angle. This was useful to re-enforce previous results that reflected people, systems and processes interconnecting and being integrated into many VC, with Chiefs, LLG and village community functions.

Through NZBE criteria the VOC at village community levels validated leadership and governance practices as critical to achieving 'unconditional trust' in the VC.

The VOC identified integration with society at almost every point perhaps reflective of Chiefs and VC officials having continuous contact and communication with customers, noticing problems themselves, listening to customers and making changes (some imperceptible) yet have meaning to the customer, community and environment.

The VC and village community were found to inter-twine in a tight mesh of systems and processes that interconnected and crossed over therefore information gathered through numerous resources were used to identify what service elements were important to the customer.

Mediation practices and conflict resolution would be two systems as good examples of nebulosity and fluidity. It was difficult to decipher where the systems and processes connected to the customer came solely from the VC as an organisation. This included communication mechanisms and the societal networks. It is apparent through the VOC customers continuously use the VC systems and processes as a support method toward returning peace and harmony in the village. Almost all customers viewed the VC and service it delivered as integral to village communities.

This assessment has specifically looked at relationship aspects and the connection to the psychological contract between Chiefs, who were identified as an integral part of the VC process by their role in selecting officials, leadership and governance, and where the VC officials (internal VC customers) and the external customer (the village community) connected.

The VC as it serves the village community (the customer) at the grass root level required cultural analysis from as many 'customers as possible. Support came initially from a higher level but the front line operating information came from the village community itself. This included Chiefs, VC officials, the seventy two respondents and others.

Appendix Ten: - NZBE criteria and results (page 231).

Appendix Eleven: - RATER model – comprehensive data related to VOC collection page 253).

Quality in the form of quality improvement; continuous improvement; total participation and customer focus is a strategy considered important in western organisations (Rao, Carr, Dambolena, Kopp, Martin, Rafii, Schlesinger, 1996).

Improvement and continuous improvement in the VC is evidenced as occurring when verbally discussed with respondents and other village customers and in one handwritten VC document provided by Nissan VC Inspector Sylvia Renatji.

Without active engagement with respondents this information is unable to be easily captured through the use of pre-set questions seeking VOC analysis or from VC existing measurement systems.

Appendix Twelve: - Overview of Village Court Generic Processes (page 258).

Under western developed management methods and audit assessment criteria it is difficult to 'prove' via the existing VC documentation format (and to a formal western standard) as to how effective and efficiently the VC is managed operationally to meet customer needs from an outcome perspective.

The QFD as a tool was extremely difficult to apply in the context of VC systems and processes. Many were meshed into other societal and community functions.

The VC was not viewed by some respondents as a separate organisation with a separate role and purpose outside of the village community. It was only when the formality of the VC sitting was to occur that it was perceived by the community as completely separate and working as an external organisation. There was duplication of leadership functions (Chief, VC Magistrate, VC Chairman) and replication of kastomary justice activities with interconnectedness of VC and 'wanbel kot' (kastomary court). When using QFD principles the research uncovered similar issues of leadership duplication because it permeates through all aspects of Bougainville society with representation at all levels.

The specific systems and processes that were expected to belong solely to the VC via the VC Act legislation were inconsistent and not applied in their entirety to any of the VC. This created imprecise identification as the author attempted to produce an analogy of the Bougainville VC. For these reasons the author found the VC (due to kastomary practices) was integrated into all aspects of community living therefore could not be successfully disentangled from or separated into fixed policy and procedures to 'ring fence' to provide a defined generic practice applicable to all VC. Many VC were a mix of the QFD frameworks shown in the diagram 'An analogy of the Bougainville Village Court within western organisational frameworks and lens' is on page 142. Frequently VOC responses

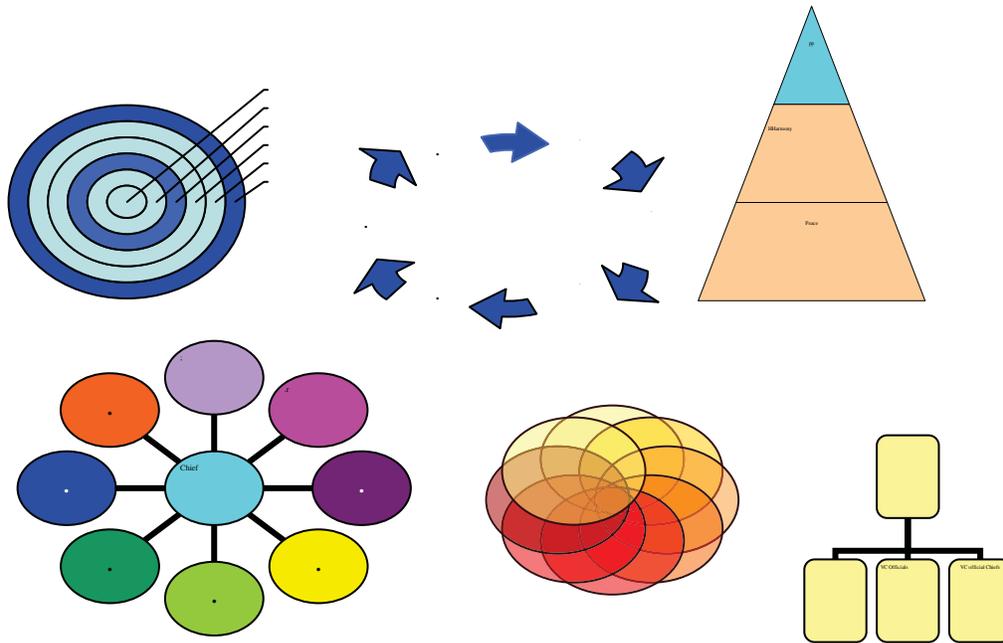
were “it depends” and when it seemed there was clarity about a system or process another alternative action was given as an example for a similar situation.

The VC therefore (through QFD principles), is best described visually and procedurally as similar to a swarm of bees and extremely complex and dynamic. The central part is the queen bee that the bees swarm around. This could also be likened to Chieftain or VC chairman leadership behaviours and style. For example in nature a swarm of bees with its varying shape, up and down swirling motion represents the VC with its frequent constant contact with customers, with non linear, interactive, inter-connected, collaborative, non static systems and processes that interact with each other.

This suggests the VC is an organisation that is vibrant, constantly adapting, flexible, contracting and expanding as necessary to meet the requirements of the VOC, the whole community and the environment. The VC is ever present within and part of the community. It is not entirely separate from the structures and functions of other community activities and relationships therefore it is difficult to provide a formal construct of VC systems and processes within the formal parameters of QFD requirements. This has created imprecise identification of VC measurement systems and systems and processes as the author attempted to produce an analogy of the Bougainville VC through a western lens. The author found the VC (due to kastomary practices) was integrated into all aspects of community living therefore could not be successfully disentangled from or separated into fixed ‘ring fenced’ policies and procedures to provide a defined generic practice applicable to all VC. Many VC were a mix of the QFD analogy diagram on page 142 however the description of a ‘swarm of bees’ was confirmed through cultural analysis “as the most accurate analogy of how VC’s function” by Chiefs Havini and Wanes.

For all these reasons the reader should view the VC as ‘an interwoven chaotic matrix of systems and processes’ that are difficult to describe within western terms and perspectives. These findings suggest VC policies, procedures, systems and processes cannot be generically applied to each and every VC or be detailed and prescriptive as each VC community functions very differently. The formality of western frameworks shown overleaf cannot effectively capture the VC framework because their characteristics consist of several of these constructs. Any description is difficult and to be definitive of systems and processes can only be noted in very general terms.

Diagram: - An analogy of the Bougainville Village Court within western organisational frame works and lens.



The diagram above is indicative of how complex the VC is by the fact it cannot be rigidly fixed into one western developed organisational chart as different aspects of the VC systems and processes are present in all of these charts.

The basic principles of QFD are informally enacted by the VC officials in response to the VOC and other events (processes connect to customers). This occurs through incremental base changes to kastomary justice and VC operational activities and functions relative to contextual and environment factors occurring in each VC location. The range of diversity for each VC location surveyed provided further evidence of differing values and priorities of importance and differing service element preferences by customer. The diversity reinforced the interpretation from this research that there is translation into how each VC functions from VOC needs and environmental factors with the internal customer being the key driver.

Other factors impacting on the operating of the VC included kastom, norms, rules and customer responsibilities and accountabilities to the village community inclusive of the formal court and external western pressures.

Examples of the tension between all the drivers of influence impacting on the VC are shown in Appendix Thirteen: - The Village Court Customer Requirements versus External Influences toward Conformance (page 259). This includes the pressure from the national courts, the PNG state and outside advisors. It shows the externally imposed laws, rules not fitting easily to meet Melanesian culture due to intangible and tangible customer needs. The diagram depicts the VC being pulled in all directions with upward pressure from the grass roots of society via customers, chiefs, LLG and AROB to do more to respond to customer needs due to the limitations of national government services and external pressure to conform to western standards and culture.

The Overview of VC Generic Processes (Appendix Twelve, page 258) describes the core framework of the VC justice systems and processes expected to be used for dispute management under the VC Act. Information to produce the flow chart was taken from the PNG VC training manual and VC Act (1989). Please note this flow chart does not and cannot prescribe kastomary practices, community norms and rules and the way each VC operates. However when using the VC flowchart as a framework to validate VC practice in relation to the VC Act and to identify where the customer interconnected with the VC processes it became evident each of the nine VC locations did not conform to this as a standard. Each had adapted at different sections of the pathway to meet environmental and VOC requirements. This is reflected in VOC responses with variations to answers about VC practices.

Use of specific VC forms is required to be completed under the VC Act (1989). An example of one document is shown in Appendix fourteen, page 260). Note books and receipt books purchased from stationery shops were used instead of VC documentation because there were none available. Compensation and fines were varied and in some instances higher than the VC legislation stated. The offences and disputes managed in VC were outside the parameters described in the VC Act. CAP assisted VC Peace officers with VC complaint investigations and vice versa indicating a blurring of roles in the village yet individually they identified as either a VC Peace officer accountable to the court system or a CAP

accountable to the Bougainville Police Service. Referrals to full time regular Bougainville Police officers for serious offences, arrest and delivery of suspects to the police station by CAP were often determined by village Chiefs due to risk of minimal response and delays according to VC officials, CAP and Chiefs in almost all locations.

Village Chiefs were working as VC Magistrates to name 'one of a several deviations' from the VC Act.

Another specific example of VC developing independent strategic change initiatives at 'grass root' level in response to VOC needs has been to include females to work as mediators and with Chiefs selecting female VC Magistrates to ensure female complainants can speak openly about issues considered culturally private. This has not required legislation and has evolved in response to customer needs. There are no generic standard criteria, ISO or benchmarking practices to measure performance of VC at a national level, provincially, regionally, or to compare differences or similarities between individual VC's.

To measure the VC success through a western lens only using assessment tools that are developed from a western perspective as described in the examples above indicates the organisation may not meet 'the standard' because it is unable to provide objective formal written evidence of quality improvement initiatives or planning related specifically to VC activities. However anecdotal information is the VC does portray many aspects of quality particularly in customers perceiving positive outcomes and customers continually using their VC services.

The VC displays quality informally with overall a committed ethical leadership and good governance through the Chief. Customer involvement and participation in the majority of VC internal and external processes combined with adaptation to the VOC needs through small incremental shifts over time due to kastom, customer and environment indicates there is continuous change occurring within VC systems and processes. All these systems and processes are considered as either belonging, owned and or entwined with the customer to the community and with societal structures when discussed with Chiefs and customers.

According to Feigenbaum, for quality to be achieved in an organisation it is reliant on 'an ecosystem of economic and social relationships' and 'customer satisfaction' implying that organisations must be always alert and responsive to customer needs and expectations in order to fully satisfy them (Beckford, 2002). The VC generally meets these aspects of service according to VC officials and customer groups (VOC) because the VC works directly with the community (its external customers) and through its workforce (the internal customer) to return peace and harmony back to the community.

By applying only a quantitative method to assess the VOC it is difficult to grasp the essential holistic; organic; humanistic, interrelationship aspects of the VC that connect to customers. It is difficult from the outside looking in to understand how these connect or identify improvements or capacity of the VC to make important changes themselves. However through extensive probing questioning and discussion via the NZBE and qualitative prompts this research discovered that if these essential aspects were to be relegated to the periphery of the community and away from 'grass root' VC practices it could threaten customer satisfaction and future sustainability of the VC as an organisation.

Perhaps these humanistic – relationship aspects were not recognised as of important value when answering the quantitative questions by VC officials and customers because they are unconsciously intrinsic to the norms of collective society and close community living and the norms of VC activity. The NZBE structured questions enabled these humanistic aspects to be captured mainly through discussions with small groups of customers in the VC community and with LLG VC Inspectors and village Chiefs.

Respondents frequently described how disputes managed by the VC officials and Chiefs often depended on the circumstances and stated kastomary processes generally satisfied the needs of the customer. Kastom almost always surpassed the ability of a state formal court to provide justice and amicable settlement to return the community to peace and harmony. According to Daniel Timpa responding as both a VC Inspector and a Chief this was because the state and its accompanying formality was too remote from the customer,

could not mediate with understanding of contextual and environmental issues therefore could not effectively reflect community service needs required by that village.

This indicates and validates customer satisfaction with service depends primarily on the delivery of service and the outcome not so much the technical and legal aspects of conformance to law (Ramaswamy, 1996).

NZBE assessment criteria explored core elements enabling the VC to work to meet the needs of its customers. The success of the VC is largely the result of the strength of relationships between the Chief, the VC, the customer and society all being intrinsic and central to organisational practices is validated as correct via cultural expert analysis provided by Chiefs Havini, Wanes, and comments from CEO of ABG Divisions Kimai, and Siriosi.

Societal trust is held together via strong bonds between customers, with the Chief and in turn VC officials. Growth of the number of VC in Bougainville is indicative of their success, particularly in MID and remote areas where there are almost no government services.

The complexity of the work the VC officials must provide was evident from stories from customers (village community), Chiefs and VC officials. Most customers did not specifically state the strength of the VC was its ability to manage multi-dimensional issues however the stories they told provided this information. This explained the statement from respondents when they said “it depends” in answer to questions. Again this shows the benefit of qualitative methods through narrative to gain perspectives of culture, context and causal factors that provided essential information to understand and interpret respondent answers to quantitative questions.

Leadership

The research uncovered continued strength and relevancy for the Chief – VC official relationship which provides guidance and support to the VC. Across all aspects of the community there was an imbedded respect for leadership, status, beliefs, values and pride for kastomary practices, culture, control along with ownership and customer expectations to be included in all aspects of VC activities as part of village community

living. This was observed by the researcher at community meetings, a reconciliation ceremony and during visits to VC areas.

Chiefs must be acknowledged in this research as intrinsic to the workings of the VC at grass root levels. As leaders of the VC because of their selection of VC officials and through their guidance about kastom to VC magistrates they assist in determining the success or failure of the VC as an organisation providing service to their village community.

NZBE research rating for Leadership in the VC is 115 points out of 120. The rationale for this rating is referred to in the following information: -

Understanding the depth of leadership in relation to kastomary justice and village communities assists in understanding this result is discussed further in this chapter.

Bougainville society has a Chieftain system where kastomary problems and disputes were historically taken to the chief because he or she was considered knowledgeable about kastom and had the interests of the community at heart. Generally people still today seek assistance from family or clan members and for others they would ask village Chiefs or elders to preside over problems and decide the best solution. The original design of the VC endeavoured to recognise these positive aspects of 'kastom' and bridge the gap between the introduced western based law and justice system and indigenous customary and traditional systems.

For example it recognised chieftain leadership by requiring they select VC officials for their VC area, although the VC Secretariat in Port Moresby (POM) makes the final approval at a distant level, remote from the community.

Various forms of kastomary authority has retained importance for Chiefs in Bougainville however those areas with the longest exposure to western contact with higher rates of formal education, participation in the monetary economy and closer to government services have become weaker in recognising kastomary authority. This is confirmed by quantitative survey RATER where empathy and responsiveness were a priority in remote areas. Tangible service elements were more important in MID and remote areas and valued by VC officials and Chiefs during cultural analysis.

The VC activities when viewed from the customer perspective of justice are even more complicated with the VC stepping into manage serious offences in the absence of government services and the accessibility to formal court services. When combined with culture, kastom and tradition and the diversity of community norms and rules it results in complex, creative and chaotic systems and processes that are non linear but are actually very effective at the grass roots of society especially in remote areas (Forsyth, 2009).

This has created unpredictable patterns of interaction, interpretation, tension and competition. One VC official in a close location suggested some 'customers' were using both systems to circumvent justice and the law resulting in reduced status for VC officials and hindering peace and harmony in the village.

The problem of unpredictability is confirmed in the research results when QFD was used as tool to try and translate VOC responses into structured formal systems and processes of the VC to identify important service elements.

Each VC through unwritten actions in the name of kastom uses indigenous kastomary formalised systems and procedural methodology which are not recognised easily by an outsider to the culture. By being unwritten there occurs ritualistic practices and intense communication with close contact activity to reinforce kastomary methods. This is difficult to objectively measure and understand when applying NZBE criteria and quantitative methods. This indicates outcomes from a leadership, customer, strategic direction and results perspectives could only be validated on a case by case basis or by verbal confirmation from the village community. Again the critical validation of success of the VC is in the belief and expectation there is peace and harmony in their village because of the work the VC officials deliver.

For instance an example provided in the VC Training Manual refers to an older woman attacking a younger woman with a bush knife. The younger woman lodged a complaint with the VC and despite attempts at mediation was unsuccessful. A VC sitting was arranged. Various members of the community were available to support both sides. In brief the younger woman had been tormenting the older woman flaunting the fact that she had taken the older woman's husband. This was verified by the community attending as informal witnesses. The older woman had been left destitute to bring up five children.

The final outcome of the VC sitting was the younger woman was chastised by the VC magistrates for taking a married man away from his family (against society norms), the older woman was censored for attacking the younger woman with the bush knife. The husband of the older woman was required to pay compensation to all parties including the added requirement of a pig and other food to the older woman (his wife whom he had left). The magistrates ruled the husband had contributed to the situation by his behaviours upsetting the peace and harmony in the village.

These systems and processes are not reliant on rules of evidence, formal investigation or prosecution or a standardised approach or set programme to be followed for sentencing. They reflect customer needs and whole community needs in reinforcing the norms and rules of behaviour in society and acknowledging contributing factors however the outcome focuses always on the need to return the village to peace and harmony (Paramount Chief Waness).

The procedure and rules of how each VC sitting is conducted are not strict or explicit enabling the VC's to function in a manner that reflects Kastom and tradition for the village location. There are no strict boundaries, rigid protocols; procedures and rules enabling flexibility and adaptability. VC sittings were found to be rare in remote locations and more common in close locations suggesting perhaps reflective of western and government influences. This has created and produced diversity and when it requires comparisons to be made with each VC.

Chieftain practices are reflected within the individual community's village culture and identity, shown in leadership maturity, capacity and with their skill involved in appointing VC officials with the necessary attributes to ensure the VC can function to meet community needs and be effective into the future. As a result some VC appeared structured, organised, some effective and progressive whilst VC at the other extreme could be seen as efficient but not as effective in meeting customer needs. Some VC's had strong leadership. This showed in their status in the community, ability to delegate and organise, prioritise, be reliable and consistent and by the respect given by the community and VC officials to them.

For example one VC on mainland Bougainville had organised the use of a building for formal VC sitting when all avenues of mediation and negotiation had failed.

The main problem for some respondents living in the mountain was accessibility as it was in one fixed location. Justice was not going to the people when there was a formal sitting however it did indicate to customers the seriousness of the dispute or offence.

Anecdotally more formality occurs in VC close to towns. There are suggestions the increasing requests for formalism may be a reflection of western influence or VC officials and or village community expectations that formality indicates the seriousness of the dispute or crime in contrast to mediation and other VC processes (Dinnen, no date 01/3).

Integration of VC systems and processes as portrayed in the previous example suggest a strong link with justice, rules and norms being reinforced into to all aspects of community life. These are recognised and embraced by the majority of customers (individually and collectively).

Customers inclusive of LLG VC Division expressed appreciation of service elements in emphatic ways, either strongly agreeing or strongly disagreeing to what were important elements indicating to the researcher there are clear explicit social norms and boundaries operating in VC areas and there was an understanding of what was important or right and wrong. This possibly fits with the general psychological understanding individuals have with each other and with their obligations to the community as a whole.

Kastomary practices and justice systems are predominantly led by Chiefs and community elders. Chiefs and elders are relied on to provide a holistic perspective to everything that occurs in the village to ensure an all encompassing focus on several strategic areas that often must cross over and mesh together. This action impacts on the VC and how it operates for the whole community. This meshes the VC as an organisation into society and meets NZBE criteria of integrated systems and processes even though the systems and processes are difficult to distinguish.

The VC role in the village community as a justice mechanism is best described from the results as: -

- The VC itself is meaningful to the customer. (In most instances ‘there would be no justice or ‘law’ enforcement without it’).
- The VC generally works in the interests of the wider community in which it exists.
- The VC considers the interests of the people who work within and external to its services – its responds to the VOC needs evidenced through its actions.
- The people involved with the VC and other stakeholders take into account the past the present and predictions about the future and this encompasses all levels of the community and decisions for the community.
- The VC services reflect kastom by respecting chieftain leadership and societal structures and primarily through its function meets the needs of the village community to ensure peace and harmony.
- Over arching kastom are four principles of tradition, participation, continuity and holism (Beckford, et al, 2005, p294). This is supported through the Bougainville Constitution.
- Continuous communication is embedded in actions by Chiefs and VC magistrates.
- Strategic decisions are based on plans that when finalised will be implemented simultaneously and interdependently across the village community and into the VC. According to Chiefs nothing is viewed in isolation and initially from the outside in it looks like a chaotic mess of information and activity until all is implemented to become one.

The procedure and rules of how each court sitting is conducted conduct are not strict or explicit enabling the VC to function in a manner that reflects Kastom and tradition for the area. They are not bound by strict rigid protocols; procedures and rules of evidence imposed on them.

VC officials confirm they manage offences and disputes outside of the VC Act legislation indicates Chiefs and VC Officials consider they are in control and are not trapped into a specific way of thinking or feel constrained to follow and conform to rules. They are however possibly trapped in another way by their limited awareness and exposure to other possibilities. The strength of the VC is it can control and pace change according to

culture and VOC in its own community. VOC needs are transferred into kastom, community norms and rules and in turn translated into VC practice.

This shows the small step by step 'kaizen' approach to change. All activity is primarily reliant on the skills and capability of Chiefs and VC magistrates to listen to the customer and community needs.

An example of VC kastom methodology is at a VC sitting it involves participation with the community via family and clan; it may include subjective views about kastom that are generally well known by the community. Information used for making decisions in the VC is based on the whole story including context. The final outcome is validated via consensus with three VC magistrates presiding at the VC sitting. In Bougainville some Chiefs are also VC magistrates reinforcing their status as leaders.

Discussion with youth raised concerns about "some VC Magistrates being too old to do the job", "out of date" or "less educated than they should be". This phenomenon with generational differences of opinion is probably not too dissimilar between youth and elders in many countries. Youth values for important service elements were not too dissimilar to other customer groups and there was no validation that they actually had used the VC or understood kastom or the formal court system.

Bougainville Council of Elders Act was passed in December (1996) but only refers to male customary leaders not female Chiefs. The name "Council of Elders" (COE) was chosen to include leaders other than customary leaders and enable villagers to elect council representatives because in parts of Bougainville customary leaders were not solely identified by hereditary links. This has in some ways perpetuated the gradual loss of status of Village Chiefs and undermined kastomary traditions however chiefs in rural and remote areas remain highly respected and hold significant status in VC operations and within their community.

This information is important to consider in the context of the VC leadership in relation to the powers and function of the Council of Elders (COE) as set out in Section 24 which include:-

'To work for improvement and protection of the quality of life in the council area; to maintain security in the council area; to encourage dispute settlement and reconciliation in accordance with both traditional and other methods; and to exercise powers and functions of village courts' (Regan, et al., 1998, p12).

According to a Bougainville Administration Officers Working Group Report written in 2003 (after the Crisis) the effective roles for COE in terms of dispute resolution and mediation was seen as one of the main foundations for an effective law and justice system in the region.

VC Magistrates are villagers selected and appointed by their village Chief. Many Chiefs endorsed by community norms work in the leadership role as VC Magistrates. Chiefs predominantly are fully aware of what is occurring in the village and provide mediation mentoring and guidance when applying kastomary law.

From a western perspective this would normally highlight a potential problem for divisiveness of leadership where some Chiefs may not be in the COE whilst other Chiefs are VC magistrates. Despite these leadership implications and challenges, culture, tradition, kastom inclusive of indigenous societal structures and functions appear to override major conflict and are routinely used toward continuously and consistently working for the common good of village communities. This validates the high rating for leadership in NZBE and confirms the interrelatedness of history, culture and kastom with Chieftainship, COE legislation which specifically refer to the VC and VC leadership, peace and harmony.

The introduction of the VC Act in 1974 could have been seen as indirectly undermining the authority of the chief and clan leader by the fact there was no requirement VC officials should be customary leaders.

The Bougainville VC Training Course manual indicates it was because the Chiefs or village elders did not have any legal mandate to enforce decisions that the government decided to incorporate kastomary law into modern law via the VC Act, providing an avenue available for those laws to be enforced (Tasikul, 2001).

Many functions required of the VC and referred to in the VC Act, due to government resourcing and support issues were identified by the customer as not consistently available, not available, remote and or irrelevant to them. The LLG VC Division confirmed it is hampered to provide support to the VC due to limited funding, logistical support, resources and a small number of employees. There was willingness from employees to do the work but frustration and embarrassment voiced at the inability to deliver services effectively.

Into this gap indigenous leadership, strategic development and operational management has been provided by Chiefs, COE, VC officials and church elders. This has enabled the VC to evolve under the guidance predominantly of Chiefs as societal leaders and for them to integrate into the VC enabling functions to enhance customer integration under the guise of kastom. What has occurred is this practice has ensured the VC can continuously adapt to meet customer and community needs more easily without conformance to the VC Act.

Leadership is critical to kastomary justice, peace and harmony as evidenced during the Crisis when Chiefs stepped into the vacuum created by war and no government control. The Council of Chiefs (COC) were encouraged to apply customary rules in making decisions such as dealing with disputes that would have previously been regarded as criminal cases prior to the conflict. In many areas after the Crisis kastomary leaders are still seen as the most capable and skilled to resolve local level disputes and broker reconciliation amongst people divided by the conflict and disputes. In this research Bougainville Chiefs were viewed by the majority of respondents as an integral part of the VC and society because of their ability and capacity to provide leadership and to influence others. The majority of Chiefs were supported and respected for their knowledge about kastom combined with

their mediation and communication skills considered to provide effective holistic approach to decision making. VC Magistrates deferred to Chiefs for guidance about kastom and possibly as a sign of respect for their selection as officials to the VC.

A very small minority of respondents criticised VC officials and Chiefs leadership practices and this was in VC locations close to government services and by respondents who had been exposed to western influence, elite and or tertiary educated. Despite this small minority of concern overall this research found leadership and good governance a critical strength and important service element to the VC particularly in relation to the VC ability to function impartially and fairly in the interests of the whole village community.

All aspects of community life inclusive of organisations and leadership such as the Chiefs, VC and VC Officials work is interrelated, integrated and supported with a focus of meeting customer needs (community needs). The majority of people work amicably together to return the village to peace and harmony.

Currently in Bougainville it is common for COE representatives and Chiefs to be VC officials (AusAID Law and Justice Sector, 2011). This is in direct contravention of the VC Act (1989) for Chiefs to officiate or adjudicate in VC operational activities. The reality is the Chiefs work in these roles indicative of the strength of indigenous cultural leadership to do what is required despite the law, policy or procedures because they obtain support from VC customers with recognition of society infrastructure.

This could be considered reflective of the degree of sustained influence indigenous structures can have upon introduced systems and processes particularly when there are credibility issues, limited funding and support from government.

What has been described provides an alert to external organisations of the power of indigenous societal structures, culture and also potential opportunities available for an organisation to tap into.

Over time there is potential risk for traditional chief and VC official leadership practices to be influenced or subverted by: -

- Western management practices and the influence and affluence of the west,
- a focus on what, how, where and when issues and to miss the why question with attempts for the Bougainville VC to be modernised by expatriates, urban people, town officials, professional and 'elite informants' remote from the people who are the real customers living in rural areas who may have differing needs and access to minimal government services,
- the 'lost generation' of upcoming leaders who did not have stability, education or deep cultural traditional learning about kastom to value the VC because of the Crisis,
- younger generations becoming more educated and challenging 'old ways,'
- Government attempts to enforce conformance to standards, generic practices, standardisation and legal requirements to give uniformity to VC and kastom without addressing VC issues (no pay for VC officials),
- Loss of a multi-perspective and holism approach that is encompassing of customers to maintain the continuance of the VC to be a 'learning' and 'wise' organisation (Gottschalk, 2011).

Characteristics of chieftaincy leadership required to support VC magistrates and VC officials to be successful were identified from the VOC as having elements of strong supportive leadership and governance that has provided added strength and stability in a fragile post conflict environment with limited government resources.

Key words highlighted in bold are essential elements of service customers believe are important to the VC service delivery. Leadership recognised by respondents is one that

provides purpose and holistic direction for members of the village, the VC and wider society (governance).

The research revealed the Chiefs as leaders were seen as a fundamental service element with significant importance placed on them having the best interests of the village community at heart through listening to and meeting customer needs and requirements within kastom, norms and rules of the community. This was valued as having an overriding holistic intent of maintaining peace and harmony in the community (societal trust) with involvement of people through active participation as both internal and external customers.

The societal trust aspect required Chiefs to remain close to the people through active communication that filtered across all levels of societal structures right through to government leaders (continuous contact). All actions and activities were expected to be managed in an orderly calm manner that was transparent and visible to the people. The reason for this was interpreted as being because the process unwritten, transparency and visibility of action was important to reinforce the VC norms and rules according to Chief Daniel Timpa. All processes were integrated and linked to activities in the VC and external to the VC avoiding a 'silo effect' however this was not seen as anything special or of value by respondents perhaps because it was the norm in their society. The absence of written rules enables flexibility and responsiveness to changes in the environment and customer needs.

According to one respondent "care has to be taken the selection process is not abused".

Time is not an issue because the VC mediation process encourages opportunity for clarity and non reactive decision making. Actions taken by the VC is of mutual benefit for the offender and complainant, family, Clan and the whole community. The decision is guided and supported by the Chief and planned through consensus by three magistrates and followed through by Chiefs, VC Peace Officers, CAP and people in the community. Incremental small step approaches to quality improvement and change as the VC modernises was recognised as occurring but only relevant to each VC kastom, community and people's needs.

Of note the VC results for respondents in close proximity to town held slightly differing views of what were important service elements to the VC compared to those customers remote from government support and other allied services.

Through leadership, the VC and the community are tightly bound by a meshed psychological contract between society and VC functions that ensures mutual accountability and responsibility to meet customer needs. Support through the Bougainville Peace Agreement, Bougainville Constitution, PNG Constitution, VC Act and Council of Elders Act and via national legislation has legitimised indigenous societal leaders, structures, kastom and traditions to empower leadership activities in Bougainville communities to work.

Many of the western attributes of quality are innate within Bougainville society structures and culture and were captured via participatory NZBE qualitative data gathering and through informal discussions.

Strategic Planning rated 70 out of 85 points

Historically the VC was established in such a way as to ensure that villages continued to use their own kastom laws to settle disputes and was also a strategy to reduce the rise in resistance by indigenous people to the western introduced state laws a year prior to PNG independence.

This requirement validated kastomary methods of settling disputes that were being used in rural areas before the introduction of the VC. In some areas people sought assistance from family or clan members and for others they would ask village Chiefs or elders to preside over problems and decide the best solution.

The original design of the VC endeavoured to recognise positive aspects of kastom and bridge the gap between the introduced western based law and justice system and indigenous customary and traditional systems and remove the negative aspects of kastom.

For example it has supported the chieftain leadership systems by requiring they select VC officials for their VC area, although the final approval is authorised at the Village Court Secretariat in Port Moresby.

Gradual assimilation was expected by colonial powers overtime with the evolutionary premise of the colonial 'civilising mission' the indigenous population would remain subject to their 'traditional practices' until such time as they had 'advanced' sufficiently to be integrated into a more modern legal system, (Dinnen, et al., 2003, p8). There is a clear expectation indicated from western research information that kastom will eventually die out under the impact of 'civilisation' and 'modernisation.'

In 2000, the National Parliament enacted the Underlying Law Act 2000 which mandated even greater attention to kastom and the development of kastomary law as an important component of the underlying law. Nevertheless PNG Statute law has been adopted from various overseas jurisdictions with the Criminal Code from Queensland; the Rules of the Court from New South Wales; the Matrimonial Causes Act from England (1857) and Companies Act (1997) was adopted from New Zealand. Despite this action according to the former Chief Justice of Papua New Guinea (Honourable Sir Mari Kapi), official written orders by the National Courts has not been eagerly embraced by the community, and despite attempts to formalise kastomary laws into the VC, the more remote villages have continued to use their indigenous informal law and justice and ignore western introduced laws. (This is a historical example of convergence - divergence theories in action).

More significantly under the VC Act, the VC may only apply kastom according to the norms of each village community. As each VC responds to outside influences and changes to the community environment they have become dynamic and at times very different as they constantly change to meet VOC requirements. The VC vitality perhaps a reflection of TQM with continuous improvement, ownership by all involved in outcomes, active participation with all customers and effective chief leadership. The direction in which the VC evolves is largely contributed to and driven by village leaders and VC official activity in response to customer needs of returning the village to peace and harmony. This is evident with variations of VC practice with VC officials stating there were unwritten, but 'known' systems and processes. Many adaptations reflect the differences in community norms and

kastom, age, expertise, respect and education of chiefs and leaders. This was validated during cultural analysis by Paramount Chief Wanepo and Chief Havini.

Chieftain leadership by keeping close to village activities, providing assistance in decision making and continuous reinforcement of kastom, culture values and beliefs to VC magistrates provides a framework of decision making and policy enforcing systems and processes from the VC to the community. This reflects the equivalent of western quality with management commitment being a critical issue in pursuit of quality.

The leadership and VC responsiveness to adapt by listening and taking action in response to village community needs provides an example of contemporary practice with the organisation being responsible for its actions and integrated with society. Quality is not a word used by customers or VC officials. There is an implicit expectation VC officials will do what is right for the community with significant trust, freedom and power given to them by the Chief and the community.

The Bougainville VC appears to have accomplished a great deal considering it is reported to be managing between 85% and 90% of disputes and offences in rural communities according to Senior District Court Magistrate Peter Toliken (2011). Currently there are 96 VC operating in Bougainville. In remote areas the VC is the only avenue of maintaining security, justice, stability and order for the community according to a former ABG politician from Pinipel Island. Some respondents considered this was a similar issue for some villages in closer proximity to town because of lack of response by regular police to serious offences.

Comments through out discussions with VC officials and customers were the VC's were vital to their village community for peace, stability, order and security. If the VC was removed in many instances there would be customer access to 'wanbel kot' (chief managed kastomary court) only. Strategic planned progress for the VC was not specified by Chiefs or the VOC however succession planning for VC officials was evident with newer officials being mentored and coached by long term officials.

This suggests strategic planning is occurring but western terminology, context and time frames with anticipated formality of mapping a strategy or improvement plan does not happen as we would expect and as said by one chief “things may change.”

The VOC including VC officials could not explain concisely the ‘rules’ of kastomary justice, the systems and processes, nor was there a prescription about how each VC developed to continuously improve services to meet their requirements. Several answers were ‘it depends’ and ‘it just happens’ however customers would recount personal stories as examples of how kastom worked.

Each dispute would provide a slightly different perspective and response from VC officials toward kastomary practice, rules and norms of the community toward maintaining peace and harmony. This suggests the Bougainville VC is flexible and malleable, recognises the need to actively engage and involve the customer, and is inclusive of the community and wider societal needs by taking into account ‘context’ of each individual case.

Through this ‘informal contextual analysis’ system change occurs and the VC undergoes minute incremental alterations in practice however it was difficult to determine use of a particular method, or a date or time the directional change occurred.

It could be construed that organisations function best when they can take some things for granted. In the case of the VC it is the total strategy held in the mantra with the constant focus toward keeping peace and harmony that immediately resolves the issue of strategy enabling the VC to get on with the basic detail of serving its customers (Mintzberg, Ahlstrand, Lampel, 1998). The effectiveness of the combination of the strategy and small incremental change steps appeared largely dependent on the capability and skills of Chiefs, VC magistrates, the relationship with customers, VC location, demographics and exposure to western and institutional influence in the village communities.

At an individual VC level there is no long term strategic plan other than to reduce conflict and ensure peace and harmony returns to the village through amicable means. With the customer having an active interest in ensuring this occurs this assists in placing pressure on Chiefs and VC officials in providing an informal ‘strategic direction’ to meet the needs and values of the VOC. This falls down where there is poor leadership, VC responsibilities

and accountability to the community is inhibited by poor role models, lack of accountability or corruption at leadership levels such as Chiefs, VC officials, elders, the church or 'big men' influencing the fairness and impartiality of the VC. This information is reflective of many discussions with customers living in different locations of having differing perspectives about service elements important to them and is also supported by quantitative data previously provided in this chapter.

The outcome of this information indicates the importance VOC methods must have in valuing and capturing contextual issues and causal factors contributing to respondent answers. The VOC methods should be careful to include potential biases influencing the respondents. The whole situation makes for a complex puzzle not easily untangled through western management strategies and practices.

There were a small number of VC Officials (3) verbalising the requirement to be provided with resources similar to District and National Courts and other government departments. These were in VC areas close to the Buka Township and District Court. Of note it was three women VC official's as respondents who were requesting increased formality, buildings and equipment for the VC. This was partially validated through the RATER model where 40% of females rated tangible and reliability as important elements to their VC. This is reiterated in the Garvin-SERVQUAL survey where females in VC locations close to government services rated features higher (at 4.55) compared to VC officials (4.46), male (4.44) and youth (3.57). Reliability rated higher for females at locations close to government services (at 4.87) than male (4.6) and youth (4.14).

When explored further through qualitative discussion the three female VC officials stated their primary aim in saying the "VC needs to be more formal" was to obtain prestige and status for their VC, they believed the formality would ensure they received uniforms and materials, increased pay and overdue recognition for the work they were doing. They wanted validation their work was valued as important by the government especially as they had not been paid for over one year. This suggests a presumption increased formality would bring features and support similar to the formal court system but no-one wanted a requirement for qualifications or change way they were working or service outcomes they

were delivering to the community. They did want legal validation and formal authority for the work they were doing outside of the VC Act such as managing serious offences and requiring higher compensation fines from offenders.

VC officials in all locations claimed frustration at not being paid and considered by being linked to the Law and Justice Sector and the state judiciary there was an increased likelihood they would be paid on time and receive regular support and training.

Seeking a Law and Justice building similar to another recently built in the MID location was requested in an attempt to make things more equitable between VC locations, village communities, and to provide status and a place for Chiefs and VC officials to hold paperwork and meetings.

From a VOC strategic direction opportunity one respondent living in a close location to town mentioned the possibility of changing the name 'Village Court.' This he said would be necessary "mainly to gain status and respect from youth as the term 'Village Court' sounded old and old fashioned". Another respondent from the Tinputz area (MID location) suggested "before 'doing' any change for the future VC officials and Chiefs needed to look at what they had first, what they were doing currently, keep the good and not put a sticking plaster over problems and make changes without fixing the cause of the problems in the first place."

Many VC officials requested an increase in the number of VC due to an increase in population, to provide better coverage in certain regions where the terrain was rugged and remote, to increase accessibility to justice for their people, reduce the distances VC officials were required to travel, reduce the frequency of travel. They also suggested an option to increase the number of VC officials assigned for each VC because of the increasing amount of mediation and work. This was witnessed by the researcher at the AusAID VC review meetings during September to November 2011.

This type of information gathering indicates the critical value of finding out contextual and possible causal factors of the respondent's experiences that contribute to the rationale behind responses.

For example: - A VC official's explanation for managing serious offences outside the VC jurisdiction was because police did not respond to village community needs when crimes occurred. VC officials suggested legal training and more VC officials would overcome the increased work load.

From an alternative perspective some Chiefs in Buin suggested problems could easily be managed by ensuring when CAP took suspects to the police station the regular police responded to the serious offences in a timely manner with the investigation and prosecution occurring appropriately through the District Court or National Court. This in turn would reduce pressure on VC official's workload, reduce travel requirements and reduce the number of VC working outside the VC Act. They suggested it would strengthen VC government service relationships.

A draft of Village Courts Act (Amendment) Bill 2010 with an explanatory memorandum has been viewed as a proposed current strategy for all of PNG VC. Its intent is to 'strengthen and modernise the VC legislation and to protect a 'restorative justice focus' across PNG (PNG Minister of Justice, PNG Attorney General, 2010). Within this limits are proposed on the number of VC officials due to the increase in VC and to manage costs. Since 2000, gazetted VC's over the whole of PNG have increased in a total number by 40% and correspondingly of note the PNG population has increased according to the latest PNG census (2012) by 36%. Bougainville is not too dissimilar in its growth. Pre-Crisis in 1989 56 VC were gazetted.

Now there are currently 96 VC working inclusive of un-gazetted VC). This may be reflective of community need with over 97% of the population of Bougainville located in village communities and fragile limited government institutional services (Tulaha, 2010).

In the researchers opinion a reduction in the number of VC as proposed in the AusAID Bougainville VC Review Draft, and delivered to VC officials at a workshop in December 2011 without a corresponding rise in effective government support and action from other divisions to maintain law and order risks community security and stability in an already fragile environment.

There is a small number of un-gazetted VC operating. These are not legal, are unauthorised, informal and the 'VC officials' working are unpaid, untrained and theoretically the rulings they make are not legitimate in law. In this research the one community where an un-gazetted VC was operating the survey respondents considered their VC was just as valid ('perceived quality') as a gazetted VC. This is despite their VC operating without resources such as uniforms, training, funds or payment.

The value of a hybrid justice system such as the VC is it enables increased efficiency and works well with scarce resources. VC officials are always ready and available and because they know kastom. The VC increases the chances of customer satisfaction because of its reliability and immediate responsiveness using village community norms and rules that people are already aware of. This reflects the service element 'serviceability' identified of high value and importance through VOC quantitative assessments. There is flexibility across roles and responsibilities with support from the village Chiefs assisting the VC officials to manage problems quickly without delay. This has enabled the VC to evolve to meet customer needs. With the gradual reintroduction of government court services and western influence there is potential for another conflict for VC officials to manage with regard to 'lines of authority' and who is providing VC leadership.

Correspondingly with more formal requirement there is potential for increased administration and bureaucracy. This may affect the serviceability element identified as important by the VOC.

According to Paramount Chief Joseph Wanes (Selau - Suir VC area), "the VC provides a powerful and useful conduit for justice between the kastomary court and the state court" with certain risks if the pendulum swings too far one way or the other for customer service and satisfaction to be diminished.

NZBE VC Measurement and Results

When reviewing the VC Act (1989); VC Manual and VC Training Manual it was found many of the issues faced by VC officials in implementing kastomary practice and 'doing their job'

is the continuous and constant requirement to adapt and be flexible in a rapidly changing environment with ever changing customer needs. There is a myriad of relationships and connections. More exposure to the outside world potentially brings influence and affects VOC requirements and expectations of what can be delivered. In many instances support and guidance was provided by outside mediators and Chiefs to the VC magistrates. Much of this work is not recognised in the VC Act or VC Manuals or via payment arrangements.

Within the VC Act (1989), VC officials have been given specifically prescribed administrative functions and responsibilities and tasks they must adhere to.

Throughout the documentation, policy and procedure manuals there is a strict and rigid requirement to follow specific practices in a methodical way, apply kastomary justice practices (not explicit) to each individual case and complete documentation on generic forms. Despite these functions being enshrined in legislation there is minimal government support and resources to achieve these requirements.

Most VC Officials do not have the training manuals; copies of the relevant VC Act; official forms and documents, or any other relevant information to refer to complete their work to 'the required inspection standard'. As a result many of the practices of the VC researched for this thesis are not standard, have evolved, become diverse in many areas and the majority of VC are non compliant with the VC Act and its associated policies and procedures.

Measurement of the VC processes in the form of inspection reveals an expectation that the VC is made of a set of very different and separate tasks and is expected to operate like a "well oiled machine." This possibly is indicative of the requirements of other similar organisations established during the 1970's era when quality was orientated to statistics and quantitative measurement. The inspections of the VC are rare due to scarcity of funds to enable VC Inspectors to visit VC and when they do occur often they cannot capture what VC officials are doing from a customer satisfaction perspective.

Mainly there is gathering of statistics and noting what they are 'not doing' so far as documentation and quarterly reports are concerned, however there is the very rare

exception and this relates to an individual inspector having the expertise to recognise issues and having access to transport (Takuna, 2008).

AN example of this form of measurement is shown in Appendix Fourteen: - Independent State of Papua New Guinea Village Court Inspection Report Document page 260.

Initial examination of forms of performance measurement indicates a model of inspection via a check list as the main form of quality management with a focus on quantitative measurements and the documentation of such activities as:-

- “Was the inspection made on the date notified to the official?
- Did the Inspecting Officer witness a full court hearing?
- Comment on the procedure of the full court?
- Enter in the following schedule details of all fine monies paid to the VC since the last inspection.
- List the serial numbers of the receipt books held by the VC for compensation.

Despite reports of lack of conformance to the inspection audit there is nothing tangible to confirm that anything has been activated to rectify any problems problem indicating quality improvement at government levels is not occurring to enable improvement at VC level.

These issues hamper the ability of the inspection programmes to be functional even within this audit model particularly when they are repetitive and rarely acted upon. This indicates many of the quality activities are paperwork activities providing no action or added value to the VC or to the internal; external or extended customer or to improve quality.

The inspection style of audit adds nothing to the overall quality of the VC nor does it seek to ask the VOC their experiences or requirements. The actual operational practices of the VC at grass root level does not appear to have been closely examined from a design, development or business perspective using both quantitative and qualitative information or using quality excellence tools. The VOC is largely absent as the inspection is undertaken with the VC officials.

Anecdotally the basic success of the VC is largely the result of kastomary law linked intrinsically between the customer; VC and society. The observations and reality of the VC in action and practice in rural areas of Bougainville presents as a vibrant, dynamic group of boutique courts made up of a mix of complex and simple systems with systems and processes interrelated with the community none of which can be observed in isolation from another.

The very fact the VC is used so extensively managing over 85% - 90% of offences is possible testimony to its accessibility, responsiveness, reliability and success. VC officials not conforming to the VC Act (this reflects the problem with the VC Act being a fixed set of rules and rigid) and responding to village community service needs it has led to the VC Act being superseded into a loose framework of systems and processes enabling each VC to evolve to reflect VOC requirements in each individual VC location.

VC sittings are rare particularly in remote locations as most problems are managed through active mediation. This is validated by the researcher who has made numerous arrangements to view a VC sitting to find by the time it is due to occur the matter has been resolved through mediation. This is further confirmed after viewing the VC Inspectors report and letter from John Takuna, Acting Director Department of Justice and Attorney General Village Courts & Land Mediation Secretariat, (20 December 2008) to the Bougainville Chief Administrator where Inspectors found even on days when a VC sitting should have occurred there were frequently no VC sittings to witness.

At LLG levels, inspection verification of procedural activity is being reported when observed, however there is no criterion to check against to confirm a VC Inspectors approach or are seeking identical information. Repeatedly through out the reports there are notations stating the requirement that only authorised forms should be used by VC officials, yet frequently it is reported by the VC officials there is "lack of stationery" with the forms not available for supply. This means each VC fails to comply with the inspection requirement.

In most instances the VC fits a metaphor description of an organic organisation. It does this through its actions by providing the facilitation of active participation with internal and external customers; encourages commitment and loyalty through a form of psychological contract by nurturing and enabling people to aspire to achieve for the group and the good of all their society. In particular there are no bureaucratic rules adhered to as evidenced by the fluidity of its operational function to meet kastomary practices and return the community to peace and harmony.

Perhaps because kastomary practice is unwritten it is able to change gradually step by step and modernise in a coordinated way with other interrelated community systems and processes without major upheaval or restructuring activity.

The VC is responsiveness shown by its action, the frequency of mediation; negotiation; restorative justice and reconciliation toward meeting the human needs by a non adversarial approach to justice (Flood, 1993). This validates the earlier findings under NZBE criteria for leadership and strategic direction with integration and seamlessness of processes internal and external to the VC.

The VC is a learning; political and intelligent organisation in that it seeks to be viable and sustainable in the future. This occurs innately or subconsciously through informal systems and processes of the VC with the ability to continuously “perceive, interpret and respond” to its environment and customers (Gottschalk, 2011). In most instances there is transparency and openness through shared language such as Tok ples (local village Tok pidgin dialect); and with customary justice and tradition linked into village relationship structures.

The overall respect for indigenous leaders and associated societal structures creates a strong sense of belonging; reciprocity and this appears to have cemented relationships. (This is validated via earlier qualitative information from respondents and Chiefs, also through cultural analysis of this research).

VC officials and senior members of the community show commitment to meeting the people’s needs through customary justice to achieve peace and harmony in their village.

They submerge their own personal needs to contribute to community needs. The work is by the people for the people indicative of ownership, control, participation and internal leadership.

The majority of VC Officials work as a cohesive team and each member respects each role and they work together to coordinate to meet both team member needs and to ensure peace and harmony is maintained in the community. Each has a role and responsibility and each interacts and works together for a common purpose to provide a seamless service.

The VC provides an important service to the community in that it manages cases many of which if taken through the formal court system would overwhelm that system and contribute to major delays and significant cost and in turn fail to provide justice in a form the community prefer. Described by senior members of the community the VC is a simple system that is flexible, adaptable and meets villager's needs through kastom. The most complex aspect is the mediation and conflict management process which is used extensively.

VC officials provide a responsive service and can commence to mediate disputes with out delay any where, any place. It is also highly cost effective as it operates with minimal funding according to LLG VC CEO Kimai.

Mediation is used extensively before resorting to more formal VC sittings as the last connection with the VC before referral to the District Court systems and processes. The VC's primary aim is through mediation and use of customary justice practices to promote and reinforce community responsibility, rules and norms and to return peace; harmony and stability within communities by amicable means of settlement. The success of the VC from the VOC perspective is the majority of people in their village understand and are familiar with the kastomary laws of the village community. Customers actively participate because it is informal and accessible within a familiar and comfortable environment to them. People do not have to travel long distances, therefore there is no major cost to access and achieve outcomes for justice.

The VC processes are open and transparent. Kastomary practices of mediation and restorative justice generally reflect the needs of the people (inclusive of compensation).

The VC practices enable justice to be seen to be done in a timely manner without undue delay. It's core values foster transparency; create local ownership through use of indigenous civil society leadership structures; commitment and accountability through direct public scrutiny of local customary justice systems. It is in the majority of instances responsive to the people it serves. There was an expectation that the VC officials were trained and knew the VC Act. NZBE criteria cross referenced information verifying interpretation and facts therefore is a valuable method to capture information.

Cross cutting issues specifically gender was considered during this research. An issue identified with regard to the strategic direction of the VC is a proposed amendment in the 2010 draft VC Amendment Act (PNG Minister of Justice and Attorney General, et al., 2010, p6) where it states *"as far as practicable that at least one Village Magistrate must be a woman"* to encourage compliance within the rights of the Constitutions so that women will have equality in decision making. This suggestion may relate to the ongoing national and international debate and discussion about limited justice for women in the VC.

At November 2011 there were 96 VC operating in Bougainville. Currently there are 59 female VC Magistrates with only 30 VC with no female Magistrate representation (AusAID Law and Justice Draft VC Report, 2011). The majority of female roles are VC Clerks (over 70 in number) and a few work as VC Peace officers. This proposed amendment fails to consider Bougainville traditional norms (matrilineal society), competence or understanding of kastomary justice as being a pre-requisite to hold a VC magisterial role and is to be an imposed legal amendment with the anticipation it will improve outcomes for females.

What is missing is evidence of current baseline data to reference to validate the assumption that the introduction of a directive for each VC to have a female magistrate would actually improve outcomes for women.

Evidence from this research suggests this is important because Community Auxiliary Police (CAP) officers in Central and southern Bougainville have indicated their experience is female VC magistrates are harsher when sentencing females. A female VC magistrate in a location close to Buka confirmed she is likely to be harsher on females.

CAP officers state in their observations female victims are more likely succeed in a wife beating case when a male is the magistrate. Similar findings were found in other regions of PNG through similar research (Goddard, 2004).

Tradition and culture in central Bougainville was identified as strong. The main potential barrier to females being magistrates was that women whilst able to be equal to men could not be located in positions above senior men. This relates to all things traditional including the design of houses where most are built at ground level. An example of kastom being strong was the request the VC uniform have the sacred 'upe' (headpiece) removed from female uniform as this was a male symbol for the Bougainville flag.

Almost 100% of all respondents preferred women VC magistrates to preside over cases involving women's issues to enable females to listen to concerns raised about that are "tambu" (private and sacred) and not meant to be spoken about in front of men. This reflects cultural norms. 100% of respondents suggested it did not require legislative change for women to work as VC Magistrates. Some respondents suggested a women's only court however the majority of respondents said "the VC had to be seen to be fair and equal to everyone".

The information about gender issues and the VC is not new. According to in a south pacific discussion paper kastomary justice does not perpetuate discrimination against women despite frequent external promotion that it does (Goddard, 2004). There are suggestions of discrimination and lack of human rights for women in the VC (Goddard, 2004). Discrimination is difficult to validate given the lack of rigorous research analysis and by the fact women are frequent users of the VC.

As found in the measurement systems used by the VC administration at higher levels there is a total absence of VOC formal baseline data at national or regional levels to verify

allegations made by external agencies, to make culturally appropriate changes and informed strategic decisions. What is obvious is the lack of the VOC data to verify customer outcomes that meet customer (community needs). To also confirm what is expected is reliably delivered and will be sustainable and continuously resourced to ensure each VC meets its mandate of returning the village community to peace and harmony.

Clarity about the choice of measurement criteria and assessment tools utilised would also be necessary to determine if information was from an individualistic perspective or collective society perspective. This would need to be inclusive of all contextual, causal contributing factors relevant to customers and communities (a very difficult task).

Given there are suggestions it is important for the VC system to have women magistrates to support women's customer rights surely should it not also be a pre-requisite this should extend and be applied throughout the state court system to be inclusive of the Provincial; National and Supreme Courts and other government divisions. Bougainvilleans during this research interviewed generally accepted for their village community and society to operate effectively, to be secure and stable it required some form of laws that would be adhered to and enforced.

Other findings in this research included the following: -

Two disadvantaged groups were recognised with regard to access to VC justice and fair and impartial justice. The first group were males who marry and as is common in Bougainville culture they move to the village where their wife resides. The husband is immediately disadvantaged as he does not know the local community kastom, rules and norms or tok ples (local dialect). The discussion held with both female and male respondents indicated these males were unlikely to gain status and would always be considered 'outsiders'. Male respondents in this situation individually and from separate locations both close to town and in remote locations indicated frustration at their predicament as "second class citizens," and considered they were discriminated against by the VC. However the same respondents said they still respected the status of the Chief and the VC and accepted the Melanesian way of submerging personal needs for the greater good of the community. This situation could equally apply to displaced people

living in village communities where they are not fully accepted. This raises again the applicability of quantitative VOC methods to capture accurate information from indigenous people in a country foreign to western beliefs and value systems.

The second group of disadvantaged are urban Bougainvilleans who do not have access to VC justice as they do not live in a village community. This is identified from VOC where Bougainvilleans said they valued particular service elements in the VC. These included kastomary restorative justice practices, informality, responsiveness, accessibility, language, empathy, understanding and serviceability. The formal court systems and access to investigation and prosecutions and regular police services is meant to be available in the towns. There needs to be further inquiry and research based on these findings, particularly as each has the potential to reduce access to law and justice and increase family violence due to stressors such as frustration and anger.

A recommended strategic guideline taken from this research is for the Bougainville VC strategies in future to encompass the customer and measure in priority the service elements they say they value and consider the overall worth of the VC service delivers to them. This should be based on how the VC meets village community meets current needs.

Any change must include full active consultation with indigenous Chiefs, as underpinned in the Bougainville Constitution, Bougainville Peace Agreement and Council of Elders Act with action inclusive of the Chiefs and senior members of the community to reinforce local leadership structures, community trust and confidence. This particularly relates to stability, peace and harmony.

Any strategic direction of the VC is currently governed by the way VC officials (supported by Chiefs) restore peace and harmony to the village. The VOC (village community) as relevant to Melanesian society should be the major determinant of how VC systems and processes operate to return their village to peace and harmony. VOC should be the major driver and reason for VC change. Measurement of use of the VC services by the community (inclusive of mediation and other processes) needs to be combined with VOC

measurement and used to validate successful outcomes (with the return to peace and harmony in the community).

Analysis of rural village community referrals for serious offences reported to the regular police, must confirm police are investigating and successfully prosecuting in the formal court system. There needs to be confirmation the formal court system is functioning as well.

All should be measured and reported on a regular basis as all are interrelated. This would identify improvements by these services to ensure they are providing support to the VC by managing more serious matters (under PNG legislation). Action needs to include VC complaints processes and actions taken. All is required to be explored factually rather than relying on unsubstantiated rumours.

The VOC tools applied to the VC for this research did have value in identifying the following for customers: -

- Disadvantaged groups in research should be extended to indigenous 'outsiders' who have moved to reside in a village community where they don't belong and do not know local kastom or language.
- Urban Bougainvilleans do not have access to VC justice yet Bougainvilleans interviewed generally preferred VC kastomary justice and informal processes.
- VOC methods revealed different customer opinions and requirements about what are important service elements between VC in remote, MID and close locations. Remote areas were more traditional in their approach to VC actions reflecting less western influence and accessibility to government services.
- VOC because of subjectivity will reveal differing customer opinions about what are important service elements based on gender, VC officials and youth, context and experiences.
- There was a service gap identified between VC officials and all other customers. Serviceability was deemed more important to external customers.
- There is diversity of VC practices, systems and processes – all operated differently.

- Change evolves in small incremental steps in a variety of directions resulting in diversity in VC operational activity. Drivers of change were the VOC, environment and proximity to government services.
- Chiefs, the church and other groups have significant influence with the VC officials, the way the VC functions and with kastom, cultural norms and rules.
- The use of the individual interviews - then connecting them to collective society perspectives enabled this research to reveal that when the respondent as an individual considered a specific element important or a VC activity unfair, **without exception** that response was amended to indicate the VC was fair as it met **'group needs'** and **'village community needs'** by ensuring peace and harmony was returned to the village community. This was seen as of paramount importance and valued by respondents.
- The VOC methods used in this study, required adjustment, additional discussion with respondents to meet cultural and local requirements therefore the finding in of this research is these VOC methods cannot be generically applied into the VC as an indigenous organisation in a developing country without adaptation. This reflects the divergence theorist's beliefs.
- Preset top down questionnaires developed from a western perspective and cultural paradigm appear to have limited value in effectively capturing the indigenous people's voice and perspectives.
- Indigenous cultural analysis by indigenous customers, being those that use or have recent familiarity with the services and live and belong to the rural village communities where there are VC services provide the most significant insight into the 'real life' customer perspectives of service and customer requirements.

Chapter Seven

Discussion

A contributing factor to the ten year “crisis,” (1989 – 1999), in Bougainville was the PNG Government and mining company failure to understand or acknowledge processes for customary law that were important and valued by the local people and society (Havini, Johns, 2001, Howley, 2002). During that time and since most communities in the Bougainville have taken charge of their own destiny; and in some instances reverted back to traditional consultative and mediation practices and remain reluctant to hand over to government institutions and other agencies for fear of history repeating itself and the customer losing ownership; active participation and control of their resources; land and future (Howley, et al., 2002, p191).

The VC represents as a learning organisation. It changes as a result of its experiences and from the best circumstances of each change it makes results in improvements primarily via small steps (not necessarily in a linear direction or to follow any plan).

An example of this is the introduction of female VC magistrates at different times by each VC in response to kastom (tambu - personal and private matters) and women’s needs.

Each VC operates as an individual entity with its chief overseeing operational practices. (Within VC areas in relation to kastom, chieftaincy leadership style, demographics and location to name just a few). VC practices can’t be extrapolated to be appropriate to other VC as each has its own contextual issues related to history, kastom, leadership style, experiences and customer needs (Gottschalk, 2011).

The value of the VC as a service organisation relates to its ability to adapt and learn; how it diagnoses problems and manages village communities as individual and collective customers. Many of the issues the VC officials deal with are on a case by case basis and although problems raised are often ambiguous and unstructured via a self managed approach supported by Chiefs the ‘work’ the VC officials do ultimately returns the village community to peace and harmony.

Whilst some elite Bougainvilleans may embrace change there is risk that without VOC assessment and full customer participation and consultation, change that is forced in urgency, perhaps against will and without full consensus and cooperation, or without inclusion of Chiefs will leave people feeling disenfranchised, or manipulated in the interest of outsiders (similar to the contributing factors for the Crisis).

Aspects of TQM discuss the importance of the involvement of the customer and use words like ownership, active participation and continuous improvement yet equally within those words are the expectations of shared leadership, control now and into the future and empowerment (Rao, Carr, Dambolena, Kopp, Martin, Rafii, Schlesinger, 1996).

As discussed previously in a developing country scenario 'partnership' and 'ownership' can be easily delivered as tokenism in words, not action especially if a superior approach is applied using western methods that do not recognise the voice of the indigenous customer.

Representation of the customer's voice is vital for any organisation to understand its purpose and strategic direction. This is where the value of NZBE is exposed as an excellent tool to develop learning for an organisation (in the case of the VC this was used for both the internal and external customer – community).

As an organisational assessment tool working in partnership the NZBE method of assessment is non-threatening in its approach as it encourages development of rapport, learning and understanding for the VC, LLG and research. This has led to more effective insight and assessment of organisational history, possible 'systems', 'processes', and identification of many informal practices including possible causal factors for internal and external problems in relation to justice. Information from the quantitative data was also discussed to provide objective information toward refuting myths and to direct qualitative exploration. In many instances the NZBE process created clarity and extensive discussion for all parties.

For instance NZBE identified the diversity of VC activities at grass root level. Those people involved in direct discussion with the research validated the service element value of VC to village communities and the way they operated particularly in relation to responsiveness, accessibility, reliability, language, kastom, compensation and serviceability. It also exposed new service elements and information.

Local analysis and evaluation via indigenous diagnosis affirmed the VOC results from cultural perspectives and the VC at the front line operational level. It was considered essential to validate interpretation of data and findings of the research. Indigenous people provided a huge untapped reservoir of information about the how, what and why factors of the VC as part of their village communities.

NZBE criteria and approaches are reflected in modern research recommendations.

The theory of organisational assessment has evolved greatly over the past twenty years to contemporary practice where assessment is part of a co-learning exercise. There is widespread agreement that involvement of organisational members in the discovery process, diagnosing their own organisational situation, its health and its dynamics and then where the organisation needs to go is a vital element of a successful change process. The more people own the diagnosis of the past, the present, and the desired vision of the future and have input with the changes required to get there; the more likely they will be to support an emergent change process and implement the plans. The important factor is the people undertaking change management processes must always consider the reason why the organisation is there and especially in service organisation have the customer at the forefront of the design and participating throughout the process (Armstrong, Pont, et al., 2011, p15).

Within the Bougainville Peace Agreement under Autonomy and the Bougainville Constitution it is noted there should be expression and development of a Bougainville identity and that Bougainvilleans should be empowered to solve their own problems and manage their own affairs (Ministry of Bougainville Affairs, 2001).

These key points reinforce the importance of ownership, participation and control by Bougainvilleans for Bougainvilleans and possibly reflect lessons learned to the issues that contributed to the Bougainville Crisis with failure to listen to the indigenous people.

As stated previously the concept of valuing 'the customer' directly relates to western contemporary management thinking and toward strategic quality aspects of very modern organisations. Each VC as an organisation is held responsible, and required to have a 'consciousness' to pay attention to the VOC environment and the society in which it operates. It has the additional requirement to continuously maintain close contact with the customer, community and be accountable for the social and environmental consequences of the decisions and activities it undertakes. This 'contemporary' quality aspect is evident with the VC being an integral part of the community and having an almost seamless interrelationship and interrelatedness with all aspects of village activities, customers and society.

For example the interaction and interrelatedness between mediators, VC Officials, Chiefs, the church and community is evident when mediators and chiefs include the church to assist with counselling as occurs on Petats Island near Buka Island. According to the Paramount Chief at Petats Island (December 2011) there is a focus through the collective community and VC officials to promote amicable settlement of offences and disputes that affect the village stability and harmony. Everyone including the VC officials who live in the village community has an interest in ensuring the village returns to peace and harmony.

This approach is best described in modern terms as a form of 'corporate social responsibility' that is related to behaviour and conduct with actions not necessarily required by law but with actions that attempt to consistently further social good and extend beyond the explicit transactional interests of the organisation as written in VC training manuals and the VC Act, (Gottschalk, et al., 2011, p105-107). This strongly resonates with contemporary quality management and is ingrained within aspects of Melanesian traditional society and kastom that is hundreds to thousands of years old. It is just as relevant today as it was in the past.

Mediation; restitution, forgiveness, reconciliation, rehabilitation and restorative justice is considered relatively 'contemporary' to the western judiciary, yet has been around for thousands of years in Melanesia and Bougainville (Howley, 2002).

In relation to justice a significant ongoing problem in the south pacific for law and order is a lack of fit between western-style organisational design and functions and local institutions. This could be attributed to the systems and processes being too complex for local people to easily manage due to prolonged government neglect and under-resourcing, a lack of participative practices and ownership limited customer focus and integration into societal structures and in some instances as in Bougainville an almost total absence of community trust and respect for foreign imposed structures (Cole, Shanahan, Fluri, 2010).

Ignoring indigenous peoples values and beliefs comes from an attitude known as 'ethnocentrism' where an organisation measures their worth against western standards of culturally defined patterns of development and modernisation perceiving themselves as superior, ignoring the uniqueness and opportunities to listen to the VOC and enhance organisation success (Benn, Bolton, et al., 2011, p155). As more organisations and countries become part of the emerging global economy and begin to interface, interconnect and establish themselves in culturally diverse locations, factors such as identifying and understanding similarities and differences between local traditions and culture with their own local culture and that of their organisation and customers is of major strategic importance (Inkson, Kolb, 2004).

Currently the VC as an organisation works from an older western management paradigm of theory, assessment and task evaluation and an outmoded manufacturing measurement of quality. This combined with the diversity and large number of VC has created bureaucracy at POM. Bureaucracy produces sluggishness to respond to local customer demands and limits adaptability and flexibility to adjust in a timely manner.

System thinking is nothing new with principles and techniques evolving from the 1930's with a mix of theory and methodologies. The VC appears locked in the 1970's model of inspection measurement criteria with attention paid to focus on what occurs internally administratively and externally to the VC as a customer. For example empirically measuring VC sittings, compensation and receipting of this information. It focuses on the VC as a machine with the structure based on formal rules. It inspects and checks the systems the VC should use and how they work, not the relationships and contextual factors that shape the behaviour of the systems and processes with regard to kustom.

As a result the VC Secretariat as a faraway 'external player' finds it difficult to track why each VC operates the way it does because the tools used to assess are based on western contexts of a court with associated explicit formality it cannot easily capture the humanistic system aspects of the people as customers that drives the VC, to make it what it is and rationale behind the changes it makes.

One example of a western based management assessment tool is the regular use of long questionnaires by international agencies; national censuses and other organisations to obtain data. (The World Bank is one example). Many use a traditional preset model, with a 'fill in the blank' page of questions or utilise a framework toward a diagnosis that is not always value free, nor objective and originate from developed world economies. A cruel irony of large questionnaires is the longer they become; the more prone to fabricating garbage; to longer processing and to arrive at inconclusive findings. Most are pre-set, top down and impose fixed realities belonging to fixed things rather than the paradigm of the people (Chambers, et al., 2008, p 18-19).

Questionnaires as described are generally without any interactive learning processes and discourage information outside of the parameters of the question therefore they fail to gain cause or understanding of the local context. The risk is the interviewer may not know enough about culture or the working or social environment in a developing country to respectfully ask the right question, in the right way, to gain the important details or information they are seeking. This was a risk using the quantitative VOC tool Garvin-SERVQUAL.

Another factor with questionnaires is it is not unusual for researchers to go wider taking bigger samples rather than going deeper. It is very doubtful if taking a bigger sample would have contributed any further information about VC's or the applicability of VOC methods. This research has specifically gone deeper in pursuit of scientific rigour using Garvin - SERVQUAL, RATER, QFD and NZBE criteria.

Elements of service evident in the Bougainville VC identified through NZBE qualitative criteria information from Appendix results Appendix ten page 231 indicate core VC service strengths are: -

- Its adaptability because the VC uses local processes underpinned by kastom. They are constituted by local people for local people and they adapt to the customer needs of the village community they serve;
- durability is evidenced by its endurance since inception 1974, respect it had pre-Crisis and as it is re-introduced how it continues to operate and expand despite poor funding and attempts to restrict its activities to conform;
- the VC are accessible and locally based, open to all customers in the community, disputes are responded to promptly and VC processes are commenced without delay because the customer does not have to travel long distances for assistance;
- VC officials are responsive and will go to where the VC operational activity is needed; (Respondent comments were "justice goes to the people.")
- kastom is accepted and respected by the majority of people as a means to settle disputes to ensure peace and harmony is restored to the village (85-90% of people settle disputes and offences through the VC);
- customer understanding and communication is encouraged though all VC actions and carried out in a language and manner they understand (there is no language barrier and processes are not rigid);
- the non – adversarial approach reflects kastom and normal societal methods of resolving matters in the interests of the customer as VC processes are not restricted by rules of evidence, strict time frames;
- mediation is the primary means of resolving disputes;

- there is respect for VC officials as they are selected by village Chiefs and community as being knowledgeable about kastom, respecting others and impartiality;
- the VC officials have a vested interest in ensuring their actions work to the benefit and outcomes required by the community as their customer; (they are customers too);
- VC sittings were infrequent and rare in some areas due to the effectiveness of mediation. VC sitting when they did occur were a formal occasion and used as a last resort because if unresolved the matter is referred to the District Court. The number of referrals was not able to be identified;
- Chiefs are a major strength of the VC and provide governance to the VC and community;
- Continuous multi dimensional contact, communication, visibility and transparency of interaction by VC officials and Chiefs with customers.

Cultural aspects of justice and traditional methods used are potentially an untapped resource that external individuals and organisations or government could utilise across Bougainville and PNG as a quality strategy to work toward achieving improved outcomes for the people by promoting indigenous ownership and active customer participation to meet customer needs at all levels in society in all location, no matter how remote. Improved connections between the formal District Court and VC could be enhanced with better support of regular police to serious offences through investigation and prosecutions.

This study confirms that service attributes of the VC were best measured in subjective qualitative terms based on observations and comparisons with quantitative information providing a base to work from. Both the quantitative and qualitative tools gathered information about an identical topic (the VOC) using different methods and when compared were complementary to finding out the VOC reflective of recent research (Tenner, De Toro, 2008).

The VC does not have defined measureable quality customer objectives. It currently relies encouraging VC officials to participate and believe what they are doing is vitally important to their community therefore they will want to contribute. This relates to reciprocal interrelatedness which is part of collective societies.

The Chiefs select the VC officials therefore recognition of status and respect is given. In turn there is an expectation that on selection by Chiefs the VC officials are to be trusted and will work for the good of the community. The VC officials then experience meaning; purpose and validation of community status and self esteem by this selection. In turn they will make significant contributions over and above what is required of a normal employee toward ensuring the VC function properly to keep peace and harmony in the community. This contribution could be likened to a psychological contract where there is a culture of trust and reciprocity between the Chiefs; VC official and community. This connects to the customer and is indicative of the integration of VC employees, systems and processes with community structures

The VC officials should receive an allowance for their work through LLG and this usually collected and paid by the COE and Chiefs to the VC official reinforcing the psychological contract. Trust being the critical factor. (There is a delay in payment at the present time).

The trust as described is further maximised through the VC working as a team rather than through individualistic effort. The team through these systems and processes consider they have a social responsibility and moral obligation to ensure the outcome of their work focuses on returning the village to peace and harmony. All combine to contribute toward the sense of affiliation, ownership, power, belonging and accountability which assist toward delivery of quality services by the VC officials to the customers. The VC and VC officials in turn receives favourable support from the community because the work is valued as it directly meets society needs and interests and this positively reinforces their behaviour and attitude. Due to long term lack of government infrastructure and support the VC effectively are self-managing teams lead by the Chief and supported by COE. They are integrated into the community and as a result as a team can be incredibly strong and coercive.

When this is combined with the frequent use of mediation and other VC work outside of VC sittings there is a grey area between what is 'personal' or 'work' related.

Other positive aspects of the VC is respected kastomary leadership, VC stability and cohesiveness through Chief selection and succession planning; VC officials having close working and personal relationships with the community they live and work within, shared trust and confidence leading to further learning and empowerment, and a cemented partnership with the community and entanglement with each other including allied stakeholders. All of these are essential elements enabling and contributing to the overall ability of the VC to function effectively and efficiently. They are reflected in contemporary western management thinking where there is direction to recognise socially responsible management practices toward employees, customers and society which in turn has a positive impact on an organisation and its performance (Gottschalk, et al., 2011, p94).

The sense of ownership and control of the VC by the people was strongly expressed as an important characteristic of the VC by respondents (VC officials, male and female groups and Chiefs). It is very clear the wish for ownership and control is deeply embedded in Bougainville society when it states in the Bougainville Constitution: -

“What we are proposing here is not just a matter of blind acceptance of the white-mans laws. No – instead we need to develop our own laws, based as far as we can on our own values and culture’... ‘Our people make it clear that their autonomous Government must have highly consultative and participatory structures so that their concerns are fully understood by their government’... ‘We want to see kastom built into and recognised as part of the justice system – including police, courts and prisons – reflecting the values of our communities. They (the people) want a justice system that is not solely focused on punishment of crime, but also on reconciliation and restoration of relationships damaged by disputes” (Report of the Bougainville Constitution Commission, et al., 2004, p53).

Common barriers to customer service and quality in western service organisations are generally not evident in the VC.

Rationale for this inference is the VC officials in almost every instance had the concerns of their village as customers at heart, were responsive to customer needs (collective needs), and wanted to provide fair impartial leadership visible by the outcome of mediation and VC sittings and all wanted to learn with the freedom to adapt. Commitment and direction to this purpose came through Chiefs and the VC Chairman to provide holistic direction and improvements. Customers overall were satisfied with VC services.

Quality although not explicit, documented or formally measured effectively is set inside kastomary practices. Accountability is visible being reliant on the village being returned to peace and harmony – (the base measurement). Each VC has adapted the original VC design and systems and processes. The original design provides a guideline but it is the use of kastom, VC officials and Chiefs who instil the serviceability, reliability and repeatability to service delivery to the customer. They appear to have purposefully connected and integrated functions of the VC and blended them within the daily workings of the village community.

Management activity is not totally separate and appears to be fully integrated into the structures of society particularly for those VC operating in the mid range and remote areas. There is a strong focus by all parties involved on the purpose and vision of the VC about what is an important outcome of almost all operational activities to return the community to peace and harmony.

The effective use (without time parameters and rules) of mediation, conflict management strategies, reconciliation, rehabilitation, compensation and traditional rituals and practices with open transparent continuous communication assist in ensuring justice outcomes are met for customers by supporting and enabling the VC officials to complete their work effectively and efficiently as appropriate.

The Bougainville VC survival according to Paramount Chief Wanen and Chief Havini is reliant on leadership supported through Chiefs and VC magistrates.

It is evident in most instances that the leadership, knowledge and skill of village Chiefs, with their practical wisdom, holistic approach and foresight to recognise the consequences of VC decisions in the long term for the community is considered important and vital to 'how' the VC functions within the village community. These leadership traits bring support and strength to the VC and village society in general. It may often mean leaders take time to make final decisions because they are weighing up risks. Sometimes by being cautious in making choices it may be perceived by the less experienced, or less knowledgeable that Chiefs, elders and VC officials are indecisive, lack strong leadership, and are too old or too strict as voiced by some youth and younger VC officials.

It has basically been through continuous contact and communication, dedication, and goodwill of the Chiefs and VC officials (with the support from the community and with out pay) that has ensured the ongoing maintenance of peace and order and maintained a semblance of the original vision of the function of the VC. The skills the leaders offer is innate wisdom with most customers respecting their indigenous traditional leaders.

The recognition and commitment to indigenous leadership through the Bougainville Peace Agreement, Bougainville Constitution and COE Act with rebuilding the autonomous region post Crisis has given control to the Chiefs and in turn assisted the VC to deliver effective services particularly in areas where there is limited or no government services, administration, funding or resources (PNG Justice Advisory Group, 2004).

Chiefs who have taken their responsibilities seriously and been respected within the community they serve have created a safe and peaceful environment and developed teams of VC officials who are positive and committed to 'go the extra mile' to meet the needs of the community.

A Chief who steers the decision making process through mediation and customary justice practices whilst balancing obligations and loyalties (wontok) will create greater levels of trust and a positive public image if fair and impartial. He or she by virtue of organising, delegating and selecting VC officials supports the community environment by working collaboratively with them toward shared community objectives of peace and harmony.

Johnson states *'Leadership should not be confused with position, although leaders often occupy positions of authority..... ethical leaders earn the label when they act morally and carry out their duties and shape the ethical contexts of their groups, organisations and societies'* (Johnson et al., 2012 pxx-xxi).

The researcher suggests the successful ethical leaders in the villages are those who put the community before their own selfish interests and this may be a factor with the direction and success of the VC where VC officials follow this lead and copy this practice.

There is a danger when individual VC officials by being selected by their Chief feel extra special and when belonging to a powerful group in the community will obey and follow directions and be influenced by the Chief, even if it is against their ethics and morals. They will do this to maintain status and sense of belonging and this is likened to a psychological contract. The difference in collective societies generally is the community as a whole balances this risk of extreme influence and power. This is validated through cultural analysis.

Cultural analysis from this research validated societal trust in the VC as an important service element yet this was not an element defined or captured easily through the Garvin- SERVQUAL tool. Societal trust and good governance is recognised as an attribute in modern business excellence and is best described in the VC as a form of psychological contract. (This attribute was found through the NZBE assessment appendix ten on page 231).

The psychological contract relates to a feeling of obligation, collective responsibility for the good of the community, a sense of belonging with everyone in the village community having a focus of ensuring there are balance, peace and harmony in their community. Perhaps because it is so embedded in the village community and part of the normality of daily living it is not recognised by the customer as having worth or value to the ability of the VC to function effectively. This possibly reflects customers value of what is important based on VC communication and its continuous contact with the village community as its customer.

Critical to this research is the VOC assessment tools used seeking quantitative information cannot gather the substance, relationships, causal factors or depth of interrelatedness between the VC and the community. They cannot capture aspects of culture, language and societal relationship information NZBE was the tool to discover this information.

The Garvin – SERVQUAL and RATER models provide a simple platform to enable qualitative inquiry to seek further information. The usefulness as a VOC tool is limited without prior cultural input and an understanding of the power of interwoven networks and undercurrent of influence in tradition, culture, history, politics, societal structures and social issues to understand the way they interact to mould patterns of customer behaviour to write the survey questions using correct language and terminology recognised easily by the customers to be interviewed.

Service quality is reliant on what the customer feels and cannot be measured easily. Each customer may have different perspectives of what service elements are important to them.

Customer responses will be shaped by the outcomes of VC activity and community life. For Bougainville as a post conflict region the VOC in assessing service elements will be moulded by the ability of Chiefs and the VC to maintain stability, security, and safety to retain peace and harmony in the village.

Table Thirteen: Leadership - management comparison Melanesian – Western Traditional.

Traditional Melanesian Perspective	Traditional Western Perspective
Management mainly administrative based on colonial Influenced style – bureaucratic and mechanistic Day to day operation – mainly short term strategy One key goal to be attained – peace and harmony	Management based on western theory and practice – Strategic both short and long term. Influenced by multinational companies and international Agencies. Several strategies and goals to be attained
Time – generally as long as it takes ('it depends')	Time – generally as fast as possible
Leadership – long term / chief/ holistic	Leadership – short term / variable style
Reciprocity (Won tok – local term)	One way
Outcome focus responsive toward stability yet flexible to meet changing needs in small steps Interrelated internal and external aspects with and for the customers	Effective / Efficient / change orientated to future – fluctuations high and low. Silo - separating internal and external environment + customer + society.
Support, experience, knowledge, role model A partnership / strong psychological contract Relationship both inside and outside work	Human resource criteria, qualifications An employee/ work unit Relationship if any based inside work
Improvement for good of society service orientated Stability	Economic and financial / profit Industry, manufacturing product orientated Change orientated – restructure, re-engineer
Intuitive and emotional	Logical and Analytical
Decision by consensus	Decision by vote or majority
Respond to obligations	Assert rights
Community is priority People / participation / transparency Delegated responsibilities by Chiefs	Individual takes priority People asked for input Directions by management
Kastom, tradition, respect and personal relationships Important	Laws, rules, standards, certification, following procedures, contracts are important / conformance (Crosby, 1979).

Quality gurus such as Deming, Ishikawa and others emphasis the benefits of ownership, leadership, continuous improvement, trust, participation and empowerment. These elements as discussed above are evident in the VC in Bougainville.

Although VC officials have defined roles there is individual cooperation between each function which enables a seamless process to operate meshed in community functions to meet the final strategy of peace and harmony. All VC officials are personally involved in the goal of ultimately resolving conflict and ensuring this strategy is met.

The flexibility and creativity the VC offers in relation to kastom combined with this 'interdependence' and 'collaborative' approach has enabled the VC to innovate and adapt to meet the rapidly changing environment. This is particularly relevant as Bougainville rebuilds and develops post conflict. If there is any potential dysfunction of the VC it is possibly due to weak governance and leadership, inflexibility, with perhaps the imposition of external ideas, leading to a poor focus on meeting customer requirements and in turn contributing to deterioration of VC system and processes and indigenous village structures. Two respondents (one male and one female) in VC areas close to the Buka Township raised this as a problem in their village.

Domestic violence is commonly believed to be viewed as a 'family problem' and is a 'private matter' in the PNG rural village setting; yet international human rights place violence against another person (except in self defence) in the realm of a criminal act.

All aspects of violence and abuse of human rights (particularly women's rights) is enforced internationally by the United Nations and highlighted in their statistics as unacceptable. From the perspective of many the victim is potentially victimised further by the judicial proceedings of the Westminster law and justice system. From a western perspective the Melanesian kastomary and VC approach a victim's situation could be construed as having the potential to be minimised by customary justice, because the focus is on mediation; restorative justice; reconciliation and compensation and by the primary needs of the whole community are at the forefront to return the village to peace and harmony.

The assumption that domestic violence is not treated with the respect it deserves was not validated as correct during this research as during discussions with customers it was found VC officials treated the matter seriously and respondents indicated outcomes where women were assaulted were frequently in favour of the complainant. However it needs to be noted in a VC setting the context of the domestic violence it is not viewed as purely a 'who is right' and 'who is wrong' nor is it solely about 'who is to blame.' Contributing factors are taken into consideration, but it is still treated as a serious matter according to VC officials. Enforcement of the law is unlikely to address the contextual issues or causal factors that contribute to family violence.

This research specifically uncovered the issue of matrilineal society practices with males stating when moving to village areas where their wife belonged and lived they were treated as outsiders. This could be considered as a potential trigger to family violence.

Through the Garvin-SERVQUAL assessment tool seeking the VOC the individual indicated as sometimes being dissatisfied with justice received, however as a member of the community they then contradicted their original value rating saying as a member of the village community they understood the need to return the village to peace and harmony so their final answer expressed the higher value of the outcome of the VC processes in returning the village to peace and harmony. It is therefore clear there are potential conflict, tension and misinterpretation issues when using western VOC tools, pre-set questions which may by questionnaire sequence or use of a western paradigm influence customer answers. It does flag issues for external organisations about the choice of assessment tool and methods used to analyse research and cultural interpretation.

This validates the decision by the researcher to consider using a combination of VOC methods including recognising the cultural and humanistic aspects in providing respondents time to reflect on their original answers and clarification of answers particularly to preset survey questions. Informal conversation gathered information of the importance of serviceability for women where one respondent said she “lived just near the mountain and if she had to walk for hours she would not bother with seeking VC justice.”

The problem with the application of the VOC assessment tools, particularly QFD has been the diversity; fluidity and nebulosity of trying to decipher the VOC to determine what elements are important to them in the VC. Contributing to this has been the variances attributed to the use of *kastom* relevant to each village, vagueness about certain VC practices in village areas which was difficult to decipher as an outsider evidenced by statements from respondents of ‘it depends.

There was varied adherence to VC systems and processes as written in the VC Act. Much of this is related to the proximity of each VC to government services and resources; cross

cultural communication and language issues; demographics; the skills and expertise of Chiefs and the literacy issues prevalent in the community as a result of the conflict.

Chapter Eight

Conclusion

Quality management is a philosophy within which certain values and practices are held and has dominated management thinking for over fifty years. It focuses on systems and processes and the people who contribute to make an organisation work as a whole (Inkson, Kolb, 2002).

According to Beckford, there are many quality gurus who describe management theories stating the need to include the customer as part of an organisations quality strategy, however there is no explicit approach with most describing what an organisation should achieve. There is limited description of the actual 'how' to achieve these ideals (Beckford, 2005). For quality strategies to work for an organisation there is a reliance on the effectiveness of its design, systems, and processes and reliance on all people working cohesively and collaboratively together as a total approach.

Western culture has remained at the forefront of quality management with its theories and research providing understanding of organisations (Hafsi, Taieb, Farashahi, Mehdi, 2005). With the application of management practices into product and services industries, technology design and in development initiatives it seemed only natural to expect management methods used to assess the VOC commonplace in western organisations would be applicable to developing countries perhaps with minor adjustment.

Customers primarily determine the quality of services therefore there was the possibility indigenous people may value service elements in different priorities to a customer from a western developed country but overall it was expected requirements would be similar.

The term 'voice of the customer' (VOC) is used when organisations seek to assess and understand the specific characteristics and features in their organisations that are important, valued and required by the customer and despite development in technology customers always want service.

Most organisations generally when seeking the VOC look at perceptions of service already delivered and do not ask customers of their expectations as to what service elements they

value. In this instance the research has specifically focused on exploring service elements customer's value and the numerical value they placed on them. Gaps between groups of customers (males, females and youth) and VC officials were then to be used to identify design, system or process areas for further investigation. It could also direct assessment activity to go deeper to understand the common base needs of the VC functions, customers, indigenous people as collective customers and aspects of culture in a developing country scenario.

There has been limited concentration on suitability of methods, yet much debate on the validity of western developed practices as to whether they are as effective as anticipated. The research endeavoured to understand if a selection of VOC assessment methods were universal and would work in diverse and unfamiliar cultures. It also tried to 'get under the layers' of the VC, society and the community voice to identify unique values, beliefs and important characteristics of service.

The VOC may not easily be understood or captured from the methods used as they are western developed and designed from a western context perhaps limiting their ability to provide a culturally authentic framework to interpret non-Western cultural context correctly. They may only interpret and validate through a western culture 'lens.' Added to this is the frequently missing factor in advancement and promotion of western practice in developing countries is the indigenous local 'voice of the customer' in the selecting the methods and tools to be used, in analysis and final decision making process (Branine, 2011).

The global focus driven by convergence theorists believes organisations will eventually become part of a giant integrated, seamless management approach with technology; economic policy; standards, management education and managerial functions able to be transferred across the world, learnt and used by anyone.

From this perspective there would be limited activity toward acknowledging local culture to enable indigenous people to contribute alternative perspectives to management practices for VOC assessment. This suggests it is also possible limited consideration is given to the applicability of the methods or tools chosen to be used because everything is

based and analysed on an ethnocentric - self perception of what the customer will want or will require. Research suggests experts often fail to recognise culture and the associated culture and subcultures and frequently there is no effort to find out from customers what they value and need to ensure the organisation will succeed.

Sometimes there is a belief western developed theory and management practices are superior (Armstrong, Pont, 2011, Branine, 2011). This has potential to set standards, systems and processes significantly above the economy; resources and capacity of the people and the organisation and not adding value or service to the customer. The western experts ideas of the reality of a situation or the service delivery can be very different to the real living, working and social environment. Compounding there is limited consideration as to the applicability of the methods or tools they use to assess an organisation.

The bottom line is quality should always be defined from the indigenous customer perspective - the person or community that receives the service, because without their input there is limited value in the quality performance outcomes for the organisation (Garvin, 1988). In the case of the VC if service is not defined from the customer perspective it could reduce use of the VC by customers, affect conformance to legislation or direct customer to seek alternative avenues to achieve justice.

The divergence theorists suggest as the effects of international globalisation occur, the cultural differences and the way an organisation is required to operate and manage to meet customer needs will become more explicit. They argue management practice is reliant on culture; human relationships and structure of society (example collective society perspective), along with factors such as a country's economic situation; legislation; industrial relations and political stability (Branine, et al., 2011, p49).

A major problem for consultation and research particularly for a service organisation such as the VC is they are not simple to assess or evaluate. Service organisations are complicated because they comprise of people providing services to people in response to peoples needs. In this study the VC is endeavouring to comply with legislation without the

accompanying quality processes to improve and change in a timely manner with VC training and resources. As a result the VC systems and processes have become multi dimensional, informal and formal, non linear and comprise of many layers that are interacting with meshed connections influenced by kastom, diversity and contextual factors. This directly impacts on the tangible and intangible aspects of service and the subjective interpretation of service elements considered important by customers. Service quality is therefore difficult to measure in the Bougainville VC as a service organisation (Beckford, 2005).

Measurement of service normally consists (from a western perspective) of customer perceptions and expectations of service delivery and outcomes (the VOC), the expertise, skill, knowledge and delivery of service (performance) by employees and visible features such as buildings, equipment or uniforms.

Service quality in the Bougainville VC is difficult to measure as it cannot be verified or audited because it depends not on what actually happened but about how the customer feels about what happened through validation of individual and collective stories (Beckford, 2008). This suggests (as validated by this research) there will be variances with customer's perceptions about service elements they value as important to their VC dependent on age, gender and location, chieftain leadership, VC official ethics and morality, expertise, resources and contextual factors.

From the findings in this research the basic philosophy of the divergence theory was found to be valid. This suggests many potential answers for international and national research surveys may still be awaiting appropriate methodologies; language and interviewee approaches to capture a real understanding of kastom, culture, diversity, community, society and the environment to obtain accurate data. If VOC assessment methods are used for research; for consultation and then evaluated purely from western cultural perspective they have the potential of causing more harm than good. Similarly these finding could apply to other western developed management theory and practices, and research methodologies.

The research exposed commonality in values of importance for specific service elements, commonality between some groups of customers and by location.

VOC survey questionnaire using Garvin - SERVQUAL quantitative tool was more effective with adaptation to each VC location and after cultural input at community level to support the terminology of the question to capture information. Additional time to explain each question was an important enabler for people to consider their final responses, ensure accuracy and understand the rationale behind the questions being asked.

The research uncovered one of the central concepts missed by the quantitative VOC methods was the failure to capture humanistic elements and contributing causal and contextual factors for responses because of rigid preset questions.

Another major concern was described service dimensions came from a western paradigm and the customer in the Bougainville VC could not easily distinguish between each elements as easily because they were viewed as blended. This was interpreted through cultural analysis as the VC not being a separate organisation external from the customer but working inside the village community and in close contact with the customer.

Quantitative data from Garvin-SERVQUAL and RATER could not provide understanding of indigenous systems, societal knowledge and culture, people or processes however it did provide a platform of objective scientific information to enable comparisons to be made between locations and groups of customers. The method did identify VC customers rated serviceability higher than VC officials. Serviceability encompassed aspects of speed, courtesy, competence, accessibility, responsiveness, security. Quantitative results found customers living in different locations placed differing values of importance for VC service elements The more remote the village the more traditional and supportive of the VC kastomary practices. There were differences between customer groups. This provided 'the gap' between customer values but was erroneous without contextual information to provide the rationale behind customer answers.

Therefore a purely scientific approach cannot capture the intangible aspects of a service organisation to determine customer reality and the reasons behind responses to questions asked. The Garvin-SERVQUAL and RATER quantitative methods merely provided basic objective information to indirectly focus the qualitative investigation toward.

Cultural analysis from indigenous people to interpret data needs to be recognised as a prerequisite and standard part of VOC methodology. An outsider or non customer would find it difficult to understand the layers of culture, relationships, indigenous processes and historical contexts that determine why customers may choose certain service elements as important to each VC. Similarly a Bougainvillean from the south may find it difficult to interpret aspects of VOC from a customer perspective for a person living on an atoll. This suggests VOC assessment and analysis based solely on western methods and statistics does not accurately capture the VOC and risks failure to acknowledge the real voice of the customer and the causal factors contributing to the responses.

The NZBE criteria exposed the VC cannot function effectively if VC leadership and governance is poor. Societal trust is essential for the VOC and is part of the psychological contract formed when customers are born into the village community. A vital characteristic of the VC is not just accessibility and responsiveness but continuous contact. The customer is in constant contact and communication through daily living with the VC and VC officials and through the interconnection of VC informal systems and processes with other aspects of community life. Leadership was therefore found to be a vital service element to the VC.

Service elements peculiar to the VC found through NZBE criteria were specifically **governance through Chief leadership, societal trust and continuous contact**. These service elements are not part of the Garvin-SERVQUAL or RATER method. These 'new' service elements were described via stories from the customer as highly important. It validated the difficulty this research found when endeavouring to use QFD to define VC systems and processes.

The gradual re-introduction of state services in Bougainville has been fragmented resulting in customers being delivered inconsistent services and receiving varying quality service (Kimisopa, 2007, Nelson, 2006). In remote rural areas with limited access to sustainable formal justice systems many traditional societal and leadership functions and structures have continued to operate separately and effectively. The highlighting of governance, chief leadership, societal trust and continuous visible contact as important elements identified by the customer suggests the VC works inside the community norms and rules and village structures and almost functions as a 'division' of the village community and not an arm of the state.

The VC operational processes were not strictly adhered to as described under the VC Act when VC officials were provided with the VC Act and list of offences. Kastom has been enabling to the people encouraging flexibility, local ownership and adaptability to change in response to VOC requirements and the environment. This had empowered Chiefs to integrate the VC Act within village communities and to also use 'kastomary methods' to find home grown solutions that fit within societal beliefs, values and structures. Empathy, understanding and full participation with the customer encouraged by strong leadership gave credibility to the human side of customer service.

Change and improvement generally occurred through chieftain governance via a transitional gradual seamless step by step method and ensured the VC and the village community in which it works retained stability and control.

A key finding was the difficulty to make comparisons between each VC location due to variants and separate contributors impacting on VC activities however the format and approach of NZBE criteria because of its participative - non prescriptive processes was a more successful VOC method. The practical approach and structure it uses provided for organisation self diagnosis, developed rapport with the customer and provided the opportunity to gain clarification about VC services, the VOC, context and causal factors impacting on village communities.

Qualitative tools were significant to finding out the VOC because the quantitative information failed to provide understanding to the thinking or rationale for the customer responses. Cultural context in the form of history, environment, tradition, community and societal indigenous relationships and structures plays a vital role in determining what the customer considers are important service elements.

Information was more effectively transferred via qualitative participatory exploratory research (through open transparent engagement with indigenous customers) and provided perspectives of underlying relationships, systems and processes not easily identified by an 'outsider'.

This research strongly recommends organisations, businesses or government agencies, and those seeking to capacity build, establish or investing in a developing country seriously consider when uncovering the VOC they developing rapport and relationships before taking initial steps. What is important is they are careful to select a 'tool box' of methods that will provide a multitude of opportunity to gain information from customers. Many organisations put the VOC to the back of their minds while they attend to operational matters and efficiency forgetting the customer and their voice is an important asset (Gottschalk, 2011).

The use of a mix of surveys and questionnaires, NZBE criteria, and QFD principles in this study brought depth to stories to understand the context of responses to the fixed quantitative questions. Responses did have to be drawn out through development of rapport and trust through an ethnography approach.

It was important and valuable to have information clarified through a blended method using a Bougainvillean cultural perspective to validate the analysis and then translate this back through a western lens and organisational language. Without translation and knowledge of Melanesian cultural issues it is highly likely the documented responses would have been based mainly on the quantitative data and would have missed the many cultural layers underpinning leadership, kastom and relationships that define the true meaning of the VOC and what the customers were actually trying to say.

Every method carries a set of strengths and weaknesses. Success requires understanding the full effects—and side effects—of each tool, then creatively combining the right ones in the right ways at the right times. Organisations have to learn which set of tools or methods to use, how and when to use them and appreciate they will not fit every situation. Methods should be judged by their applicability to effectively capture accurate information. People are the main players who contribute to the success or failure of organisations therefore the methods selected should work for the benefit of the people as customers to meet their needs and the outcomes they require (Mintzberg, Ahlstrand, Lampel, et al., 1998, p86).

In summing up it is possible by using a mix of quality tools (inclusive of participatory methodology); an ethnographic approach; followed by indigenous analysis of context, cause and affect that credible and accurate insight might be gained to identify the VOC (Rangahau, 2009).

The benefits of developing rapport, co-diagnosis and co-learning captured the following information from Chiefs, VC officials and village communities.

That the Bougainville VC is highly valued and there is a strong sense of ownership by both internal and external customers. Over 97% of the population of Bougainville live in village communities and those with access to VC areas prefer kastom, mediation, Melanesian restorative justice and informality. VC officials adjudicate over 85 – 90% of minor and serious crimes to ensure their village community returns to peace and harmony by amicable means. For the majority of people this is the only form of justice and management of law and order and security to retain stability in village communities.

The VOC is central to and the key driver for everything the VC does. The VC is not perceived by customers to be a separate state run organisation because it is central to and considered to belong to the village community it serves. The VC is predominantly led by Chiefs and managed by the people (VC officials) for the people (village community). The VC according to respondents is used extensively, is trusted by the majority and plays a vital role through serviceability elements in maintaining safety, security and stability in Bougainville as it rebuilds.

VC officials raised concerns about increasing workloads, limited resources, and inequity of uniform distribution and non payment of allowances for over a year. Morale is low with increasing frustration and threats from VC officials to no longer work under the VC Act (1989). Requests have also been made to fix these basic problems before discussing any change to the VC.

This study recommends the primary goal of the Bougainville VC in its strategic quality management goals for the future should continue to be defined from the customer's point of view (Garvin, 1998), with systems and processes designed to recognise service elements important to the customer linked to the overall strategy of a return to peace and harmony in the village by kastomary means. This mantra has served the VC well in the past and provides a strong platform for the future.

Service elements can be identified through a combination of VOC assessment methods similar to NZBE, through Chiefs and the local people (the customers). Service should not be defined from legal, external advisory and VC official representative perspective that could be classed as 'elite informants'.

Ignorance of the VC, its past, its current position and Bougainville history has the potential to undermine the development of strategies for its future. Ignoring the past is perilous for an organisations future, especially if the customer is relegated to the periphery of organisational design, its systems and processes (Mintzberg, Ahlstrand, Lampel, et al., 1998, p16).

Respecting local Bougainvillean cultural protocols; seeking permission and receiving authority; encouraging participation and partnership recognised people, acknowledged the historical issues of colonialism and the Crisis. This approach of respect streamlined the research process and provided learning outcomes of benefit to the Bougainville people and to the researcher. Additionally and importantly guidance from senior Bougainville representatives assisted in interpreting information from a Bougainvillean cultural, traditional and kastom perspective and ensured information provided in this thesis is through both a western and indigenous lens.

By taking this stance the thesis endeavoured to minimise potential harm to participants, groups and institutions. Cultural input from customers, users of the VC and Chiefs addressed variation. This showed respect to indigenous protocols, provided insight on issues, and increased accuracy, rigor and reliability of conclusions in the final analysis. Appendix three on page 209 highlights the endorsement research findings.

In conclusion this research uncovered that a holistic approach using a mix of adapted and re-designed western developed VOC methods can assist in determining VOC perspectives in an indigenous culture - developing society. Choice of tools, the methods and combination of methods, and interviewer techniques require careful selection to ensure the accuracy of the VOC is captured.

The research also noted variances between VC locations because of different styles of chieftain leadership and tradition, different kastomary systems and processes and associated clan structures that were unique to each village. This suggests significant risk and challenges particularly where there is diversity of culture and language because overarching recommendations may not fit the needs of customers and society.

The original thesis statement proposing principles of contemporary quality management theories and practices, (particularly customer centred services, committed leadership and connection with society) are often already deeply embedded in communities and have been used successfully by many indigenous groups ('organisations') for hundreds to thousands of years appears accurate and worthy of further research.

This research suggests organisations are careful in the selection of tools from their western 'tool box' to ensure the VOC they capture includes contextual aspects and indigenous cultural analysis from the people as customers of the services being assessed.

It is important to note that organisations developing systems and processes in developing countries fail to recognise the importance of culture and context. They do not adequately elicit the VOC – to find out what the people really want.

Questions about colonialism, development and international aid and management practices in developing countries are not new. Lessons can be learned from the past however answers for the current situation will be complex and may never be fully understood by outsiders.

Thomas Munro, Governor of the East India Company (1786) reminds the western world these problems are not new when he is reported as saying: -

“You are not here to turn India into England or Scotland. Work through, not in spite of native systems and native ways, with a prejudice in their favour rather than against them; and when in the fullness of time your subjects can frame and maintain a worthy government for themselves, get out take the glory of the achievement and the sense of having done your duty as the chief rewards for your exertions.”

APPENDIX ONE: - Map of Papua New Guinea.



APPENDIX TWO: - Map of the Autonomous Region of Bougainville, Papua New Guinea



APPENDIX THREE: - Endorsement of research by Bougainville Cultural Advisors.

(Letters received from Paramount Chief Wanés, Chief Havini and CEO of Law and Justice, Chris Siriosi).



Administration of Bougainville
SELAUSUIR DISTRICT OFFICE, KOKOPAU
Autonomous Region of Bougainville

Date: 22/11/2011
Ref:
A/Off
Phone / Fax: 973 9144

2nd May 2012

TO WHOM IT MAY CONCERN

Joseph Wanés

Position-Paramount Chief, Chairman Village Court and Cultural and Custom Advisor to chiefs and village court magistrates on Buka Island and upper region of Mainland Bougainville in the Autonomous Region of Bougainville.

Janice Lewis has been in regular contact with me and my village court officials and community auxiliary police officers as part of the voice of the Customer research study for her master's Thesis for Massey University in New Zealand.

I am a Bougainvillian, 72 years of age with significant knowledge, experience and expertise on Bougainville culture, custom and its village courts. I am in a position to provide context and understanding of local society structures, village community life and Bougainville to external researchers such as Jan.

I have met with Jan to discuss Village Court sittings and this occurs. With my team we have held three meetings with Jan to discuss the intricacies of customs, tradition and culture and how Bougainville Village Court meets village community needs. In particular we have had deep discussions about elements that important to the customers in our villages and the different focus the officials have compared to customers. As Paramount chief and Chairman for Selau Suir, I have significant responsibility to ensure our Village Court works to support our community to live in peace and harmony. Our Village Court Officials are selected by the chiefs and are chosen as respected members of our community with knowledge about our local customs and the needs of our people.

We have learned from this study too. We are pleased with the meaningful discussions (consultation) interest Jan has shown for our people's traditional protocols including recognizing the importance and value of the Bougainville Village Court to us and the way it works to keep our community safe, peaceful and settled.

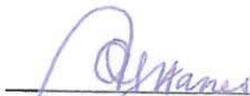
I have seen the draft copy of the thesis Jan has produced and fully support the cultural analysis and statements about customary practices that have come from the answer to questions.

I agree there will be differences between customer needs dependent on how traditional the village is managed for all the reasons of location to government services, history and personal infrastructure damage contributed to the crisis. The village court is conduit between the informal customary court (wanbel kot) and the formal District and National Court justice. It is held in high regard by the majority of people in my village and in many villages in Bougainville. They use the village mediation and reconciliation systems extensively because there is a response available to them in a manner that they know will the village to peace and harmony properly.

I am quoted in this research and confirm the statements attributed to me directly particularly those about the Village Courts being a conduit between two courts, difference of customary practices between Villages, the importance of team work and reliance on excellent chieftain leadership who work for the greater good of their communities. Other aspects reflect the meaning of the village court to the people.

I look forward to receiving the final copy to show to other members of our community. I consider this to be a useful piece of research that will help others understand what is important to the people and the restorative justice practices the way we do it in Bougainville.

Yours sincerely,



JOSEPH WANES
(Paramount Chief & Chairman)



**AUTONOMOUS BOUGAINVILLE ADMINISTRATION
DIVISION OF LAW & JUSTICE**

Tel: 973 9454
Fax: 973 9270
Email: csiriosi@yahoo.com

P O Box 322
BUKA
Autonomous Region of Bougainville
Papua New Guinea

O/Ref: Law-33/12-2
Your Ref:
Date: 26th April 2012

Mrs Jan Lewis
Kiwi House
BUKA
Autonomous Region of Bougainville

Dear Mrs Lewis,

**RE: THE VALUE AND APPLICABILITY OF VOICE OF THE CUSTOM
METHODS TO UNFAMILIAR AND DIVERSE CULTURES –
BOUGAINVILLE VILLAGE COURT, PAPUA NEW GUINEA**

I refer to the above thesis and the work that you have completed.

Thank you for providing the Thesis to me. It is important that the relevant Departments are informed before, during and after about the research being completed and the outcomes. So that fact that you kept the Law and Justice Division informed is appreciated.

The work that you have completed is of benefit to all levels (community, village court, relevant government divisions, and the Autonomous Bougainville Government) in Bougainville.

I am looking forward to the completion of the Thesis and the presentation.

Yours faithfully,

CHRIS SIRIOSI
Chief Executive Officer

GAGALHAUS, NGALKOBUL VILLAGE, TANREKI,
HAKO CONSTITUENCY. P.O.BOX 699, BUKA, AUTONOMOUS REGION OF BOUGAINVILLE.
Mobile: +675 717 611 61. Email: singaski_kenasa@yahoo.com.au.

Monday 30 April 2012.

TO WHOM IT MAY CONCERN.

**'The 'Value and Applicability of "Voice of the Customer' Methods To Unfamiliar and Diverse
Cultures: - The Bougainville Village Court, Papua New Guinea'; MASTERS' THESIS –
Researcher Ms Janice Lewis**

I am Chief Moses Havini of the NAKAS Tribe, one of four tribes of Buka Island and North Bougainville.

I verify that during the early stages of this research work I was consulted as part of Ms Lewis's acculturation into Bougainville society. I congratulate Ms Lewis for observing and following traditional, cultural norms and protocols in the pursuit of her research work within Bougainville society.

I have viewed this final draft and wish to confirm that Ms Lewis has thoroughly captured the VOC's (communities in Bougainville) needs, aspirations and visions for the future. And her strong concerns about the 'value and applicability of western management theories to the developing world'. And in attempting to prescribe such 'quality systems' from the western 'lens', to indigenous communities.

Her work reflects the culture, custom ("kastom") and the current aspirations and issues of village courts officials and customer issues. Service elements identified are correct and accurate as in VC, urban, VC, outsiders and that VC requires strong Chieftain Leadership and the strength of VC in terms of morality, good governance, etc., to work.

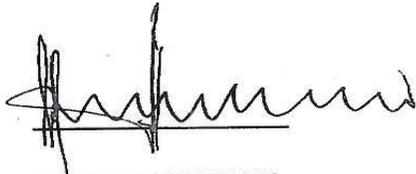
Page 1 of 2

Indigenous Peoples need ownership control for indigenous organizations to operate effectively and efficiently. In the same manner that there must always be 'free prior and informed consent'; before any project, concept or methodology, etc, are introduced in indigenous societies.

Let me confirm that in her research work Jan has captured the essence of our VC organization in Bougainville. And I, Moses Havini, on behalf of other Buka Chiefs fully support and endorsed this Thesis Submission to the University.

For any further information/queries please do not hesitate to contact me at the above address and contact telephone number.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Moses Havini', written over a horizontal line.

CHIEF MOSES HAVINI

APPENDIX FOUR: - Offences the Village Court officials may preside over.

Below is the list of Offences that can be heard by the VC under the Village Court Act (1989).

“The following are prescribed offences for the purposes of Section 22(a) of the Act:-

- a) Taking or keeping without the consent of the owner, the property of another to a value not exceeding K100.00.
- b) striking another person without reasonable cause;
- c) using insulting words or conduct;
- d) using threatening words or conduct;
- e) using offensive words or conduct;
- f) intentional damage to trees, plants or crops belonging to another person;
- g) intentional damage to trees, plants or crops belonging to the defendant and another person;
- h) intentional damage to any other property belonging to another person;
- i) making a false statement concerning another person that offends or upsets him;
- j) spreading false reports that are liable to cause alarm, fear or discontent in the village community;
- k) conduct that disturbs the peace, quiet and good order of the village, or of a resident of the village
- l) drunkenness in the village court area
- m) carrying weapons so as to cause alarm to others in the village court area;
- n) failure to perform customary duties or to meet customary obligations after having been informed of them by the Village Magistrate;
- o) failure to comply with the direction of the Village Magistrate with regards to hygiene and cleanliness within the Village Court area;
- p) sorcery, including-
 - (i) practising or pretending to practice sorcery; or
 - (ii) threatening any person with sorcery practised by another; or
 - (iii) procuring or attempting to procure a person to practise or pretend to practise, or to assist in, sorcery; or
 - (iv) the possession of implements or charms used in practising sorcery; or
 - (v) paying or offering to pay a person to perform acts of sorcery.

As required with the Westminster justice system under the Village Court Act (1989) a person is always considered innocent until proven guilty by the Village Court.

APPENDIX FIVE

Copy of letter seeking permission from AROB Government Divisions to undertake research.

Jan Lewis,
C/- Superintendent Murray Lewis,
New Zealand Police - Bougainville Community Policing Project,
P O Box 120,
Buka Police Station,
Buka Island,
Bougainville.

4th April 2011

Mr Peter Toliken – Senior Provincial Magistrate - Chairman of the Bougainville Village Courts Review Steering Committee.
Mr Puara Kamariki - CEO Division of Local Level Government
Ms Mana Kakarouts - CEO Division of Community Development
Mr Chris Siriosi - PLO and CEO Division of Law and Justice
Mr Ephraim Eminoni - ABG Special Projects Officer
Mr Hubert Kimai - Local Level Government
Mr Daniel Timpa - Provincial Village Court Officer - Local Level Government

Purpose of letter: - Seeking authorisation for research toward a Masters Degree of Philosophy endorsed Quality Systems. The research and thesis is to be evaluated by Massey University Science and Engineering Department, Palmerston North, New Zealand.

Background; - As part of a Massey University Research Paper last year I was granted permission and undertook research investigating the Bougainville Police Service response times to serious offences in locations where Community Auxiliary Police were located. The focus of the research surveyed Council of Elder expectations and perceptions of the full time Bougainville Police Service officers to reported serious offences by the rural part time Community Auxiliary Police. Possible contributing causal factors for poor police response were also surveyed from both an internal and external customer perspective. All regions of Bougainville were included in the research.

On completion of the 2010 paper a final report was provided to the Bougainville Police Service; the Autonomous Bougainville Government Special Projects Officer and the Bougainville Administration Principal Legal Officer and CEO of Law and Justice Division.

While carrying out the research I observed the significant role the Village Courts are playing in rural communities with respect to kastom, tradition, safety, security, law and justice. Of note was the continued use of kastom during the crisis and ownership of justice systems run by the people for the people. Many comments by members of the community and leaders during the research identified the Village Court as providing an important and valuable service for many rural villages.

Proposal: -This year I am seeking authorisation from you and your organisation for permission to undertake further research that I believe will be of value to the Autonomous Region of Bougainville.

In this regard I propose to focus on the Village Courts from a Total Quality Management (TQM), business excellence and customer service perspective.

Many of the positive attributes of the Village Court organisation are directly related to many of the international Business Excellence standards. An example of this is the Village Court works closely with local leaders and rural communities and has a close holistic relationship with the "customers" they serve.

The design of the systems and processes are of particular interest to the research exploring the synergy between the Western formal system and the informal Kastom justice system. A special focus will be looking at the customer and community services provided by the Village Courts and its role in society.

To ensure accurate consistent information gathering I propose when undertaking to apply an international Business Excellence assessment tool; investigate customer satisfaction via standard questions and visit, meet, and talk with people and stakeholders connected with the Village Courts.

This approach would ensure the research contributes to an understanding of the operational and organisational aspects of the village courts from a "customer voice" perspective and provide clarity for the business excellence assessment tool.

The information gathered should provide documentation about Village Courts, the Village Courts activity in relation to the Village Court Act and represent views from the customer (both and internal and external customers) in the form of quantitative and qualitative data. The thesis would also discuss whether the core values and vision of the Village Courts are still relevant thirty six years after it was introduced and if the village courts have retained the expected flexibility and adaptability to changes in kastom, society and legislation. International Business Excellence standards would be used to assist with the quality assurance planning and evaluation.

To ensure a broad view all regions of Bougainville would need to be part of the research and remote village courts and those closer to provincial courts surveyed.

The research, analysis and final report are totally free. As this Masters is the final part of my study it is anticipated the results and report will be available to you by April 2012.

A prerequisite for authorising this work would be the understanding any information would be shared during the research and the final results will be made available to your organisation.

After speaking with Kate Saxton I am aware that there is a Bougainville Village Courts Review underway this year. My research takes a slightly different approach therefore will gather information from another perspective. I believe the research I propose to carry out would complement the Bougainville Village Courts Review.

I require a letter of authorisation to commence this study. To assist I have attached a draft letter which provides a framework for this letter. Please amend as you wish. Should you have any queries, advice or comments about the direction of the Masters thesis please do not hesitate to contact me.

Kind regards

Jan Lewis

Verbal Authorisation received April 2011

Mr Peter Toliken Senior Provincial Magistrate
Mr Puara Kamariki CEO Division of Local Level Government
Ms Mana Kakarouts CEO Division of Community Development
Mr Chris Siriosi PLO and CEO Division of Law and Justice
Mr Ephraim Eminoni ABG Special Projects Officer
Mr Hubert Kimai Local Level Government
Mr Daniel Timpa Provincial Village Court Officer Local Level Government

Date _____ 2011

To Whom It May Concern

I have read and understood the thesis topic Janice Lewis proposes to undertake during 2011 for her Masters Degree.

I understand the research will look at the Village Court Organisation from a model of quality excellence; quality assurance and customer satisfaction perspectives.

I believe it will be of value to the Law and Justice Sector and Local level Government and other stakeholders both in Bougainville and Papua New Guinea.

The information gathered will provide information and factual data about the Village Courts and operationally how they work and meet people's needs whilst integrating into the formal justice system.

I understand this research is free and the final part of Janice Lewis's Masters Degree in Quality Systems (Science and Engineering Department, Massey University, NZ).

I therefore provide written authorisation for Janice Lewis to undertake this research.

Yours faithfully

Signature

Name
(Print)

Designation

Organisation

Address

Autonomous Region of Bougainville

APPENDIX SIX: - Copy of letters of authority from AROB Divisions giving permission



BOUGAINVILLE ADMINISTRATION

Principal Legal Office

Tel: 973 9996
Fax: 973 9797

P. O Box 322
BUKA
Bougainville

15 June 2011

Mrs Jan Lewis
Kiwi House
Buka Bougainville

Dear Mrs Lewis

Re: Village Court Research – Masters Degree in Quality Systems (Science and Engineering Department).

Further to your request for written approval to complete research into the Village Courts in Bougainville as part of your Masters Degree in Quality Systems (Science and Engineering Department, Massey University, New Zealand).

I have considered your request and believe that this type of research is essential and has important value for Bougainville and its people. It is important for the Village Court systems to be reviewed and for the information to show where there are positives and negatives in using the Village Court systems compared to using the formal court systems. I also believe that the outcomes will be of benefit when we are considering impacts of the Village Courts for the community and whether there should be changes for Village Courts to ensure an efficient and effective system for the people of Bougainville.

I therefore give written approval for this research to be carried.

Chris Siriosi
Principal Legal Officer
Autonomous Bougainville Government

Verbal Authorisation received April 2011

~~Mr Peter Toliken Senior Provincial Magistrate~~

Mr Puara Kamariki CEO Division of Local Level Government
Ms Mana Kakarouts CEO Division of Community Development
Mr Chris Siriosi PLO and CEO Division of Law and Justice
Mr Ephraim Eminoni ABG Special Projects Officer
Mr Hubert Kimai Local Level Government
Mr Daniel Timpa Provincial Village Court Officer Local Level Government

Date 20th June 2011

To Whom It May Concern

I have read and understood the thesis topic Janice Lewis proposes to undertake during 2011 for her Masters Degree.

I understand the research will look at the Village Court Organisation from a model of quality excellence; quality assurance and customer satisfaction perspectives.

I believe it will be of value to the Law and Justice Sector and Local level Government and other stakeholders both in Bougainville and Papua New Guinea.

The information gathered will provide information and factual data about the Village Courts and operationally how they work and meet people's needs whilst integrating into the formal justice system.

I understand this research is free and the final part of Janice Lewis's Masters Degree in Quality Systems (Science and Engineering Department, Massey University, NZ).

I therefore provide written authorisation for Janice Lewis to undertake this research.

Yours faithfully


Signature
Peter Toliken

Name
(Print)

Designation

Organisation

Address

Senior Provincial Magistrate
Magisterial Services
P.O. Box 118
Boroko
BVL

Autonomous Region of Bougainville

Verbal Authorisation received April 2011

Mr Peter Toliken Senior Provincial Magistrate
Mr Puara Kamariki CEO Division of Local Level Government
Ms Mana Kakarouts CEO Division of Community Development
Mr Chris Siriosi PLO and CEO Division of Law and Justice
Mr Ephraim Eminoni ABG Special Projects Officer
Mr Hubert Kimai Local Level Government
Mr Daniel Timpa Provincial Village Court Officer Local Level Government

Date 10th Apr 2011

To Whom It May Concern

I have read and understood the thesis topic Janice Lewis proposes to undertake during 2011 for her Masters Degree.

I understand the research will look at the Village Court Organisation from a model of quality excellence; quality assurance and customer satisfaction perspectives.

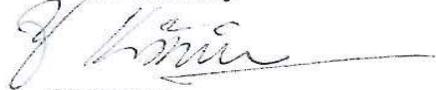
I believe it will be of value to the Law and Justice Sector and Local level Government and other stakeholders both in Bougainville and Papua New Guinea.

The information gathered will provide information and factual data about the Village Courts and operationally how they work and meet people's needs whilst integrating into the formal justice system.

I understand this research is free and the final part of Janice Lewis's Masters Degree in Quality Systems (Science and Engineering Department, Massey University, NZ).

I therefore provide written authorisation for Janice Lewis to undertake this research.

Yours faithfully



Signature

Name (Print) HUBERT KIMAI

Designation A/CEO - LLG

Organisation DIVISION OF LOCAL LEVEL GOVT

Address P O Box 61
Buka

Autonomous Region of Bougainville

Verbal Authorisation received April 2011

Mr Peter Tolken Senior Provincial Magistrate
Mr Puara Kamariki CEO Division of Local Level Government
Ms Mana Kakarouts CEO Division of Community Development
Mr Chris Siriosi PLO and CEO Division of Law and Justice
Mr Ephraim Eminoni ABG Special Projects Officer
Mr Hubert Kimai Local Level Government
Mr Daniel Timpa Provincial Village Court Officer Local Level Government

Date 14th JUNE 2011

To Whom It May Concern

I have read and understood the thesis topic Janice Lewis proposes to undertake during 2011 for her Masters Degree.

I understand the research will look at the Village Court Organisation from a model of quality excellence; quality assurance and customer satisfaction perspectives.

I believe it will be of value to the Law and Justice Sector and Local level Government and other stakeholders both in Bougainville and Papua New Guinea.

The information gathered will provide information and factual data about the Village Courts and operationally how they work and meet people's needs whilst integrating into the formal justice system.

I understand this research is free and the final part of Janice Lewis's Masters Degree in Quality Systems (Science and Engineering Department, Massey University, NZ).

I therefore provide written authorisation for Janice Lewis to undertake this research.

Yours faithfully

Signature MANA KAKAROUTS

Name MANA KAKAROUTS
(Print)

Designation CHIEF EXECUTIVE OFFICER

Organisation DIVISION OF COMMUNITY DEVELOPMENT OFFICER,

Address BOUGAINVILLE ADMINISTRATION,
DIVISION OF COMMUNITY DEVELOPMENT,
P.O. BOX 328,
BUKA

Autonomous Region of Bougainville

Verbal Authorisation received April 2011

Mr Peter Toliken Senior Provincial Magistrate
Mr Pura Kamariki CEO Division of Local Level Government
Ms Mana Kakarouts CEO Division of Community Development
Mr Chris Siriosi PLO and CEO Division of Law and Justice
Mr Ephraim Eminoni ABG Special Projects Officer
Mr Hubert Kimai Local Level Government
Mr Daniel Timpa Provincial Village Court Officer Local Level Government

Date _____ 2011

To Whom It May Concern

I have read and understood the thesis topic Janice Lewis proposes to undertake during 2011 for her Masters Degree.

I understand the research will look at the Village Court Organisation from a model of quality excellence; quality assurance and customer satisfaction perspectives.

I believe it will be of value to the Law and Justice Sector and Local level Government and other stakeholders both in Bougainville and Papua New Guinea.

The information gathered will provide information and factual data about the Village Courts and operationally how they work and meet people's needs whilst integrating into the formal justice system.

I understand this research is free and the final part of Janice Lewis's Masters Degree in Quality Systems (Science and Engineering Department, Massey University, NZ).

I therefore provide written authorisation for Janice Lewis to undertake this research.

Yours faithfully

Signature

Name
(Print)

Designation

Organisation

Address

Autonomous Region of Bougainville

Suggested frame work for letter of authority. Please amend as required

Organisation Logo

Date

To Whom It May Concern

I have read and understood the thesis topic Janice Lewis proposes to undertake during 2011 for her Masters Degree.

I understand the research will look at the Village Court Organisation from a model of quality excellence; quality assurance and customer satisfaction perspectives.

I believe it will be of value to the Law and Justice Sector and Local level Government and other stakeholders both in Bougainville and Papua New Guinea.

The information gathered will provide information and factual data about the Village Courts and operationally how they work and meet people's needs whilst integrating into the formal justice system.

I understand this research is free and the final part of Janice Lewis's Masters Degree in Quality Systems (Science and Engineering Department, Massey University, NZ).

I therefore authorise Janice Lewis to undertake this research.

Yours faithfully

Name

Role

Organisation
Address

Autonomous Region of Bougainville

APPENDIX SEVEN Copy of letter of introduction from local level government to village court chairman



DIVISION OF LOCAL LEVEL GOVERNMENT
P O Box 61 Buka, Autonomous Bougainville Region
Telephone: 9739953 Facsimile: 9739953/9739797

Core Functions: Local Government Support, Traditional Authority, Village Courts, Disaster & Emergency Services, District Administration Support & National Agency Functions

Date: 31st August 2011
File:
Action Officer:
Design:

TOK SAVE IGO LONG OL VILLAGE KOT SIAMAN

PAS BLONG GIVIN TOK ORAIT LONG MS. JAN LEWIS LON MEKIM WANPELA WOK PAINIM AUT LONG OL WOK BLONG VILES KOT LONG BOUGENVIL

Dia Siaman

Mi rait lon yu long toksave olsem Ms. Jan Lewis blong New Zealand imekim wok paipainim long wei Viles Kot blong umi long Bougenvil isave wok long givim sevis long sait blong jastis.

Wok blong Jan em olsem.

Em bai kam long viles kot blong yu na lukim how viles kot ironim kot na lukluk na bihainim hao u karim aut kot. Sampela taim em bai askim kwesten.

Ol wok emi mekim ino blong bagarapim viles kot na tu em bai noken tok autim wanem samting em painim lon viles kot long narapela man.

Mi hamamas long wok emi mekim bikos em bai halivim opis blong mi long ronim gut wok blong viles kot wantaim wanem pepa emi kamapim.

Tenk yu tru

Herbert G Kimai
Acting Chief Executive Officer

Cc: Executive Manager
Cc: District Village Courts Inspector

APPENDIX EIGHT

Circle - Chief, Village Court Official, Male, Female, Youth.

JALEWIS - BOUGAINVILLE VILLAGE COURT QUESTIONNAIRE 2011 16 Sept

Includes:- Field work observations, discussions and survey questionnaire about perceptions and rating of the AROB Village Court comparing Village Court Officials (the organisation perception of what service is **provided and what is important**) and the Community (as the customer their perception of what the Village Court **deliver and what is important to them**). The difference will show areas for assessment and improvement.

Please answer these question and rate them as to what you think is important

<p>PERFORMANCE</p> <ol style="list-style-type: none"> 1. Holding Village Court sittings on regular days and at set times is important 2. Trained and knowledgeable officials and magistrates is important 3 A quick response time between the dispute, offence and mediation and the sitting of the Village Court is important 4, Fairness and impartiality is important 5. It is important customary laws are followed 6. It is important peace and harmony is returned as quickly as possible to community 	<p>Scale 1 or 2 or 3 or 4 or 5 1 = strongly disagree and 5 being strongly agree) DK = Don't know</p>
<p>FEATURES</p> <ol style="list-style-type: none"> 7.The wearing of uniforms by VC officials at Court sittings and in village is important 8 Written reports and receipts for money are important 9 The appearance and behaviour of VC officials as role models is important 10 The use of legal terms and language is important 11 Writing down the court case in documentation is important 12 How the compensation / fine etc is organised / arranged is very important 13 Most of the community participate at VC sitting 14 Restorative justice - mediation first –reconciliation- peace and harmony in village 	<p>Scale 1 2 3 4 or 5 1 = strongly disagree and 5 being strongly agree) DK = Don't know</p>
<p>RELIABILITY</p> <ol style="list-style-type: none"> 15. It is important Village Court sittings are held as soon as possible to resolve a dispute or offence 16.It is important village people know all attempts at mediation occur first by VC officials and other mediators 17 When there is a problem something is done right away about it 18.The VC magistrates always know about local custom and are trained and know what to do 19. Payment for work is important for VC officials 	<p>Scale 1 2 3 4 or 5 1 = strongly disagree and 5 being strongly agree) DK = Don't know</p>
<p>CONFORMANCE</p> <ol style="list-style-type: none"> 20.The Village Court Act is always followed correctly 21. Mediation always occurs first 22 Village Court sittings are a last chance before District and National Court 23. Village Courts complete all required documentation 24. Village Court Officials are selected by their community 25.Village Court officials refer serious offences to formal court 26. Summons and Coordination is followed 27. All Village Court officials are trained 28. All Village Courts are gazetted and authorised 	<p>Scale 1 2 3 4 or 5 1 = strongly disagree and 5 being strongly agree) DK = Don't know</p>

<p>DURABILITY</p> <p>29. The ongoing flexibility and adaptability of the use of customary law is important</p> <p>30 The Village Court is respected by the community</p> <p>31 Do you think most people are happy with the outcome of VC</p> <p>32 The community is safe and peaceful because of VC</p> <p>33 I want the VC and mediation practices and custom to continue</p> <p>34 I like the justice at VC as it belongs to the people</p> <p>35 I worry that the customary justice is not respected like it used to be</p>	<p>Scale 1 2 3 4 or 5 1 = strongly disagree and 5 being strongly agree) DK = Don't know</p>
<p>SERVICEABILITY</p> <p>36 The Village Officials and Village Court is responsive to the peoples needs and expectations about customary justice</p> <p>37 The Village Court respects men</p> <p>38 The Village Court respects women</p> <p>39 The Village Court respects youth</p> <p>40 The Village Court respects rights and needs of children</p> <p>41. Village Court Officials are respected and knowledgeable about custom and the Village Court Act</p> <p>42. There is a knowledge about the complaint process where offenders and disputes can be taken to the District Court for action</p> <p>43 All Village Court Official are courteous / professional</p> <p>44 All villagers are pleased with their Village Court</p> <p>45 I understand the Village Court systems and processes</p> <p>46 I prefer chiefs and mediators first then a Village Court sitting if unresolved</p>	<p>Scale 1 2 3 4 or 5 1 = strongly disagree and 5 being strongly agree) DK = Don't know</p>
<p>ASTHETICS</p> <p>47. I prefer Village Court Officials to wear uniforms</p> <p>48. I prefer the Village Court sitting was held in a court building</p> <p>49. I like the fact that everything is written down and documented about a court case</p> <p>50. I prefer customary justice to the western state system</p> <p>51. I prefer Village Courts being held under a diwai (tree) or informal place</p> <p>52. I prefer a western style of justice in the Village Court with a formal building and rules and evidence</p> <p>53. I prefer an informal approach so all villages can understand (tokples) and what is happening</p>	<p>Scale 1 2 3 4 or 5 1 = strongly disagree and 5 being strongly agree) DK = Don't know</p>
<p>PERCEIVED QUALITY</p> <p>54 Fairness and impartiality comes from trained experienced Village Court Officials who know both western and customary law</p> <p>55. Wearing of uniforms is respected by the Community</p> <p>56. Customary law meets the peoples needs effectively</p> <p>57. I feel safe and secure in the village because customary justice is carried out in a timely manner</p> <p>58. Dispute settlement via mediation and reconciliation through the Village Court is important</p> <p>59. Completing all necessary forms in the correct books ensures the Village Court meets the necessary standards</p> <p>60 .Compensation is managed effectively by Village Court</p> <p>61 Village Magistrates received training with in the past 5 years</p> <p>SERVQUAL score = Identical number of questions completed Score of Village Court Officials - (minus) the Score of the Community = Gives the difference in perceptions of Village Court Officials about services provided and those services perceived as delivered and important by the customer (Community + Victim).</p>	<p>Scale 1 2 3 4 or 5 1 = strongly disagree and 5 being strongly agree) DK = Don't know</p> <p>Example 1= 2 2= 3 3= 1 4= 2</p>

<p>Reliability; assurance; tangibles; empathy and responsiveness Which are the most important elements of the Village Court Rate (Scale by prioritising out of 10 --The total must add up to 10 for the five questions)</p> <p>1) Uniformed Village Court Officials / formality and written receipts and documentation. Tangible</p> <p>2) A quick response to a dispute or offence through mediation or through the Village Court - Responsiveness</p> <p>3) Regular Village Court sittings in a well known location accessible to all Reliability</p> <p>4) On going adaptability and flexibility and use of AROB customary law Assurance</p> <p>5) Trained and experienced Village Court Magistrates who are respected by the community and know about custom –Empathy</p> <p>Would the VC justice be available to you if? Please answer Yes / Sometimes / No / Don't know</p> <p>If there was no building; no filing cabinets; no paper work and forms to complete; no chairs or tables no special legal language ; there was <u>no</u> compensation there continued to be compensation and fines</p> <p>If there was no uniform for VC Officials to wear If any one from the village could participate and speak If only tok ples was spoken If only English was spoken If only tok pisin was spoken VC Officials had to train and learn about custom If no pay was received for VC Officials work The VC was informal or held under a diwai (tree)/haus win The VC activities were held in an open building with no sides or windows or doors just a roof.</p> <p>Would the VC justice still be available to you if</p> <p>VC had to be held in a Village Court building with doors and windows; There were filing cabinets and lots of furniture needed (tables and chairs); lots of paper work and documents to complete; People had to pay for services VC Officials only worked if paid There was no compensation A raised platform where the VC officials would sit above the village people If not all of the people in the village could listen or participate or speak Only special legal language was spoken ..eg contempt of court / IPO form Only Tok Pisin and English spoken People had to travel from their village to go to court sittings and mediation The VC was more formal with special gowns and uniforms If only lawyers and prosecutors could speak or give evidence If VC officials had to pass tests for law and literacy</p>	<p>5= 2 Total =10</p> <p>1= 2= 3= 4= 5 =</p> <p>Yes Sometimes No DK Total = 10 point</p>
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APPENDIX NINE: - COPY OF CONSENT FORM FOR RESPONDENT
Information Sheet and Authorisation from Interviewee for J Lewis Survey

Good morning / Good afternoon

My name is Jan Lewis. I am a New Zealand Registered Comprehensive Nurse and a New Zealander. I have lived in Bougainville for over three years. During this time I have conducted research studies about the Bougainville Community Auxiliary Police and Bougainville Police Service and worked on a voluntary basis in the community.

During 2011 I am completing a thesis on quality management and interested in learning about the Village Court and what has made it successful for so long.

I have been given authorisation by the people listed below to undertake this study.

Mr Peter Toliken – Senior Provincial Magistrate – Chairman of the Bougainville Village Courts Review Steering Committee.
Mr Puara Kamariki / Mr Kimai - CEO Division of Local Level Government
Ms Mana Kakarouts - CEO Division of Community Development
Mr Chris Siriosi - PLO and CEO Division of Law and Justice
Mr Ephraim Eminoni - ABG Special Projects Officer
Mr Herbert Kimai - Local Level Government
Mr Daniel Timpa - Provincial Village Court Officer - Local Level Government

I am inviting you to participate by answering some questions about the Village Court. Immediately after I would like to talk about the Village Court and your understanding of how it works and what you like and dislike about it.
The time required should be no more than 45-60 minutes of your time.

If you are interested in participating in the survey we will continue. (Yes / No).
Would you like further information? Explanation if required.

In particular I am seeking to understand more about the Village Court; how it works; why it is important; and whether you are satisfied with the service it provides to you and your community.

Before we go any further as part of the Massey University Code of Ethical Conduct for Research (2010) I am required to seek authority and verbal or written permission directly from you.

Please note your name will be coded in such a way that you can not be identified and nor can your village or Constituency be identified. I am the person surveying and controlling the data into this research and confirm my confidentiality to you and security of this paper work.

Please note: - If you think that you may feel embarrassment, psychological stress or suffer physical harm by participating in this survey questionnaire you are free to say no at any time and decline to answer certain questions. This is not a problem and has no repercussions for you or the research study.

Part of the research involves me asking a series of questions from you.

Should you not understand any of the questions as we talk there is an interpreter available to assist both you and me to help both of us to understand.

Please be aware there are no right or wrong answers.

These survey questions are based on methods used by many western organisations to identify quality and special features in an organisation and to identify areas of strength and weakness from a customer perspective.

Information is being collected from nine Village Court areas. Some interviews will be carried out in remote areas and others close to government services.

Two men, two women, two youth (16 – 25 years of age) and two Village Court Officials are being interviewed. This is to obtain a cross section of customers and gain their opinion about the Village Court and how it operates.

The data and report from this research is being undertaken to provide a customer focused perspective of the Village Court for the ABG, Law and Justice Sector, Local Level Government, Community Development and to understand quality aspects of business excellence in the Village Court that may not be obvious in some other methods of assessment and analysis.

The results of the research will be available in a summary form in mid April 2012 and can be provided if you wish. (Yes / No).

After we complete the survey questionnaire there are some other questions for you to voice your opinions and talk about things associated with the Village Court, custom and the justice systems in Bougainville. You do not need to discuss any special case. I am trying to find out why the Village Court is so successful.

I am hoping to find out the key elements that you think are important to you as the customer about the Village Court and law and justice in your village area.

If you prefer for the research to be undertaken individually with other participants located nearby as support this is not a problem.

If you participate and later change your mind to being part of this research then please notify me by text or phone to 720-99813 or by writing a brief note to withdraw yourself from the research study. (Jan Lewis at the Kiwi Haus, Hutjena, Buka Island).

Completion of the survey questionnaire by interview implies your full consent.

BOUGAINVILLE VILLAGE COURT RESEARCH - 2011
By Janice A Lewis (Researcher)

This project has been evaluated by peer review and judged to be low risk. Consequently, it has not been reviewed by one of the University's Human Ethics Committees. The researcher named above is responsible for the ethical conduct of this research.

If you have any concerns about the conduct of this research that you wish to raise with someone other than the researcher, please contact Professor John O'Neill, Director, Research Ethics, telephone 06 350 5249, email humanethics@massey.ac.nz".

"Low risk research projects are those in which the nature of the harm is minimal and no more than is normally encountered in daily life".

Topic: -The Customer is intrinsic to the success of the Village Court

PARTICIPANT CONFIDENTIAL CONSENT FORM - INDIVIDUAL

I have read the Information Sheet and have had the details of the study explained to me. My questions have been answered to my satisfaction, and I understand that I may ask further questions at any time. I agree to participate in this study under the conditions set out in the Information Sheet attached.

**Name and
Signature:**

Date:

.....

APPENDIX TEN: - NZBE criteria and results

Bougainville VC – Assessment using NZBE assessment criteria (2011-2012)

The criteria underpinning NZBE heading has been used by several organisations around the world to enable them to assess their capability; identify areas of strengths and weaknesses and areas for improving strategic goals for performance; quality improvement; efficiencies and effectiveness; productivity and customer service.¹

Questions listed below were used as a prompt to gather qualitative information. Not everyone was asked every question because the general rationale was to gain clarity about how the VC functions, its connection with customers and what the service elements in the VC customers considered important.

Particular aspects of service were drilled into covering questions such as: - Do the people of AROB understand customary justice as practiced in the VC system? Would there be a VC with out the peoples respect and understanding of kastom? How do you know if the customer is happy with the service the VC provides?

Can there still be VC justice questions if you remove certain materials, equipment and service elements.

Organisation Profile: - POM VC Secretariat, LLG VC Division followed by: -

Village Court Chairman, Vice Chairman, Magistrate, Village Clerk, Village Peace Officers

Overview of Village Court Generic Processes - Refer Appendix Twelve

What does the VC offer?

The Village Court is shaped by its history being established in the 1970's with a blend of customary and the introduced colonial Westminster justice systems to sit alongside the formal legal system.

In the AROB, VC officials and senior members or the community show commitment to meeting the people's needs through customary justice to achieve peace and harmony in their village. Officials are selected by their village community and appointment is authorised by LLG. Were they employed without village community input and support there is a high probability there would be limited respect, or approval for their appointment.

“The work they were doing is by the people for the people.”ⁱ

¹ The Board of the New Zealand Business Excellence Foundation 2011 Letter to New Zealand Business Community – The Baldrige Challenge. www.nzbef.org.nz.

The VC is accountable; receptive and responsive to the needs and wants of their local community. This reflects good governance practice which is critical to its success.

The VC officials work as a cohesive team and each member respects each role and they work together to coordinate to meet both team member's needs and to ensure peace and harmony is maintained in the community. They take everything into account (context, history causal factors, laws kastom and norms and rules of VC village community).

The VC system provide important services to the community in that it manages disputes and offences, many of which if taken through the formal court system would overwhelm that system and contribute to major delays and significant cost and in turn fail to provide justice in a form the community prefer. The Village Court is flexible, adaptable and meets villager's needs through kastom and associated VC Act requirements. Because the court is located in the community close to the people it is highly accessible; people understand the processes of justice, community norms and rules and know the VC officials as they live within their community. Tok pidgin and or Tok ples is mainly spoken. Everything is interconnected with everything else. System thinking is nothing new. Use of hard and soft systems, informal = formal. Recognise things change so no long term strategy due to uncertainty. A lot of 'human systems interacting' with each other across all levels – this causes unpredictability and disorder with a focus on managing a situation rather than following procedures, structured rules and outcomes. These interactions drive behaviours events and outcomes and because they are so complex there are many different levels of 'service' provided by VC as a service organisation and by the VC officials. (This relates to QFD and Garvin SERVQUAL with comments from respondents saying "it depends".) This creates a dynamic organisation that responds to 'tipping points' events or shifts in the stability and harmony in the village community.

The VC is responsive and can commence mediation with out delay. This encourages communities to use peaceful kastomary mediation and conflict resolution processes, wherever possible, before resorting to the more formal VC sittings. Its primary aim is through mediation and use of kastomary restorative justice practices to promote and return peace; harmony and stability within communities through amicable means.

The VC offers a responsive and respected unwritten, non prescriptive kastomary justice system within each gazetted local village area (although un-gazetted VC's are known to be operating). VC officials are nominated and selected by their Chief and community to the VC Secretariat in POM who validates them to work as VC officials. They are individuals who are respected in the community, are knowledgeable about local kastom; have excellent communication and mediation skills; and are fair

and impartial. The VC is required to work within the legislation of the VC Act (1989). Partnership mechanisms include the Council of Elders; Chiefs; Churches, Divisions of Local level Government; Bougainville Police Service; Community Auxiliary Police; the Law and Justice Sector; Women's Refuges, Counselling Services, Provincial and National Courts.

What is the importance of its success? The success of the VC is the people understand and are familiar with the kastomary laws of their community; they can actively participate because it is informal and accessible; VC sittings are usually held on regular days each week in a familiar and comfortable environment. Sittings do not occur unless there is a need. People do not have to travel long distances, therefore there is no major cost to achieve justice. The VC activities are open and transparent and seen operating in the community. Customary practices of mediation and restorative justice reflect the needs of the people (inclusive of compensation). The VC encourages justice to be seen to be done in a timely manner without undue wait. (It's core values foster transparency; create local ownership through use of indigenous civil society leadership structures; commitment and accountability through direct public scrutiny of local customary justice systems. It is responsive to the people it serves.) The VC kastomary value systems are shaped by religion, ethnic behaviour, context, governance, village society structures for each village community, politics, trust, diversity and collective responsibilities and actions.

What mechanisms are used to deliver the service?

A prompt response to dispute or offences; a strong preference with parties involved is to use mediation through Chiefs; Peace officers; CAP or VC officials such as the magistrates. The VC sitting is the 'last resort' for customers before referral to the Westminster system.

There are formal structures under the VC Act (1989) as to the patterns of relationships, authorities, information flows, decision making and coordination. These are 'loosely' followed in different ways by each VC. (Structure is influenced from VC Act. It is also influenced by an informal 'shadow' system with its own pattern of relationships, power relationships (E.G. Chief) and information and practices. Other mechanisms (combined formal and informal) influence the VC.

For example the Council of Elders Act and chiefs are an informal VC mechanism unrecognised formally in the VC Act. This group form an 'invisible steering' team instilling motivation and empowering VC officials.

What are the VC Vision and Mission? Through local kastomary practices that are respected by the community to provide a prompt response and service to return the village community to peace and harmony.

What are the VC core competencies and areas of expertise central to fulfilling your mission? The VC must provide fair and impartial customary justice within the boundaries of the VC Act (1989). When there is a VC sitting it must be held in a location that is accessible and provides a prompt responsive service of justice for the local people ensuring all people involved have a fair chance to provide all necessary information to the VC before a decision is made. VC Magistrates must have knowledge of kastom and tradition; be of good character and reputation and not have a criminal record. They must reside within the village community area. VC officials are expected to maintain written records on correct forms to enable monitoring of the effectiveness of the VC in their area. Forms are frequently unavailable therefore this is not possible to achieve. Instead locally purchased note books and receipts are frequently used to ensure records are maintained. VC remote from communities find this more difficult to maintain due to lack of ability to hold documents in a safe dry place and lack of access to stationery resources. Effectiveness is based on tasks and procedures (technical aspects) not on outcomes with regard to customer satisfaction. It is assumed customers will be happy with the outcome of decisions made by VC officials and Chiefs as they will have the best interests of the village at heart.

There are no records kept of complaints or referrals going to District Court available for this research. The VC services are semi - formal (VC sittings) and informally there is active interrelationship and integration and interconnection with local society that occurs across all levels.

What is the work force profile? The main assets for the VC are human resources. The people in the community and VC officials provide a reservoir of human resources. Chiefs provide the leadership to support the VC through knowledge of kastom, good governance and high ethics. The VC official's knowledge of kastom; communication skills; fairness; and the fact they are selected for the role means they are usually highly respected in the community. This is essential to the functioning of everything the VC does. Without community support and two way respect with customer satisfaction the VC would not function effectively. There is no set place that the VC operates from and this ensures people have access to justice easily by the fact that the **"justice goes to them"**.

Regulatory Requirements - VC Act; including related legislation and commitments through national government; Gazetted VC; named and trained VC officials.

The VC Manual and VC Act are essential reference material. The official forms and documents are part of the regulatory requirements to meet the Village Court Act and inspection requirements. None were readily available according to VC officials and there were very few who had access to them.

Customers and stakeholders.

At a minimum expect services as described above. Customers expect a trained and supported team of VC officials (supported by the Chief) who are knowledgeable about custom and the village court system; skilled; impartial; respected in the community; excellent mediators who will provide a highly accessible; locally based; cost free service that has the capacity to hear matters without delay to ensure their village is returned to peace and harmony quickly. VC sittings in some areas only occurred rarely. One remote area stated at most they “would sit once per moon” indicating twelve sittings a year as a maximum. This indicates the success of mediation and other conflict resolution methods. One VC close to town said some villagers did not respect the value of the VC kastomary law and were using both the formal court system as a means to circumvent justice.

What innovation and creative practices have been undertaken? Innovation primarily comes through each individual VC as it responds to customer needs in the context of kastomary justice, the changing environment and society around it. It usually changes in small incremental steps and is not really noticed as ‘change’. Some older people said kastom is different than when they were young. Some tradition as they know it has been lost due to the Crisis. They also expressed this was probably the same perspective their parents had.

VC’s closer to town compared with those in remote locations have different practices and this is the strength of the VC system in that it encourages flexibility and adaptability and variation to meet varying customer needs. Innovation occurs in response to the absence of accessibility to formal court services and capacity of policing services to support law and order. The VC has filled this gap and manages serious offences in the community setting. Innovative practices have stepped into this breach to ensure the village community and customers receive justice and there is maintenance of peace and harmony. This is achieved through prolonged and intensive mediation and restorative justice practices between victims; offenders; families and clans. The VC officials have in different areas developed partnerships and reciprocal support with CAP; women’s support; refuge groups, church and welfare officers to assist with mediation; counselling to meet customer requirements. Most change is incremental ensuring stability and balance is maintained in the community.

Are there any key comparative data that you receive as a source of making comparisons about how effective each VC is? The VC is expected to be inspected at regular intervals (quarterly) by officers from the Village Courts and Land Mediation Secretariat.

The three main objectives of VC inspection are:-

To assess the operations of the VC; (mainly tasks occur as per VC Act)

To identify discrepancies and recommend remedial action;

Update VC official's names and VC listings inclusive of the proclamation of VC areas.

There are currently 96 VC. Originally there were 50 pre Crisis. This has affected the ability to have regular inspections and supervision due to limited capacity - restricted funding; transport; human resource and training issues.

Inspection reports viewed for this research consist of the requirement for information regarding recording the names and designation of officials in the VC; a record of whether mediation has occurred; viewing receipts; fines and court orders including if these are noted on official documentation; if there are enforcement issues. They are a pre-set form in which responses are inserted.

Positive comments included the Inspectors stating VC officials performing their duties with loyalty and dedication; that mediation was prominent in all matters brought to the village courts and the whole community was involved especially chiefs and community leaders; that the officials should be highly commended for dealing with cases relating to the crisis by successful mediation and adjudication without any form of counselling skills and knowledge".

Of note in the 2006 - 2008 records there was frequent notation that there should be a "proper building to conduct sittings"; "failing to place information onto correct official documentation" (even though the VC had used a receipt book and written information down); no record of money received; "police failing to enforce Village Court orders" (yet the Village Court Act states under the general function and duties of the Village Peace Officer are to "supervise the performance of any work ordered by the Village Court"²; some Village Court "exceeding their jurisdiction in relation to types of cases heard and ordering compensation for rape; incest; adultery; drug abuse etc" and "Village Court not properly constituted. Sometimes chiefs were sitting with Village Court officials or were acting as magistrates when they are not supposed to and they were not legally appointed".

² Papua New Guinea Village Courts Act (1989) Section 28, Page 11

Reports indicate the level of evidence required by the formal courts; the limited capacity of the Bougainville Polices Service to complete an effective investigation to meet the standard of evidence required by the formal court combined with the delay in going to the Provincial and National Court for justice are the reasons many cases are being dealt with by the Village Court officials and village chiefs.

What limitations are there and does this affect your ability to deliver services?

The remote location of some VC affects LLG ability to support, monitor performance and assist some of the VC's. There are limited resources and funding provided to LLG and VC.

This includes lack of recent refresher course training; transport; documentation supplies and human resources to support the VC officials. Some VC have only a few officials despite the requirement to have certain number in attendance at each court sitting.

Some VC operating in the community are not gazetted therefore they will not have received funding or the necessary training to carry out duties effectively.

Concern is routinely raised about lack of regular VC training; limited availability of Village Court manuals (some not in Tok Pidgin); lack of availability of official forms and documents.

Limited supervision and inspection with more training required for Village Court Inspectors.

How is learning achieved in the Village Court? Learning is achieved through active participation and on going ownership by the community in response to VC officials and Chieftain leadership.

Community awareness is achieved through seeing kastomary justice and village court systems in action, especially mediation practice. Because customary justice is flexible; adaptable and is set up in such a way to respond to each case related to the context of the dispute or problem it is ever changing and therefore can be responsive to meet customer needs. Learning is also supported by good leadership through the chairman and village court magistrates. **What are you key village court operational, societal and human resource challenges and advantages?** There is a western influence evidenced by difference between VC in remote, MID and close locations to government support. This impacts on the operation and practices of VC especially those in closer proximity to the towns. This risks changes to the Village Court systems original vision and focus of returning a community to peace and harmony through mediation and restorative justice as the western influence is more adversarial and individualistic having a win lose approach that may cause conflict.

In this case there is the risk that the VC will become more westernised with the need for detailed investigations, presentation of evidence and exhibits that may affect the underlying strengths of the VC by increasing costs; delaying response and reducing adaptability and flexibility. In some instances

not applying kastomary justice in response to individual needs will become the focus; not community safety, security and harmony needs.

Pressure to meet needs of different stakeholders and not the needs of customers. There is potential for lack of respect and understanding by youth for kastom due to loss of stability, culture, tradition and kastomary knowledge as a result of the Crisis and external influences of western society. The growth of VC and demands from the village community is impacting on human resources causing officials to work long hours for little remuneration to cover costs. (Most say they have not been paid for over a year and have not received uniforms or resources to do their job). Ability of Chiefs to be wise honest and trustworthy leaders to look at community needs and strategically align the VC with VOC needs of the whole community. Urban growth, higher education for those closer to towns therefore more challenges to restorative justice practices and decision making because towns don't have VC practices as an option in Bougainville.

Leadership 120 points Village Court Magistrates - How do magistrates demonstrate their commitment to legal and ethical behaviour?

VC officials are nominated by the Chief's of the village community. The Chief plays a significant role as they are the community leaders who select the VC officials to manage the VC. VC magistrates through their actions; behaviour and attitude when living and working in the community by being good role models and fostering ethical and legal behaviour. They achieve this through active work in mediation to try and resolve a dispute before it gets to a stage that it can't be resolved and requires a VC court sitting and or referral to the District Court. (Provincial Court). By their communication skills and ability to view each case using kastomary and traditional practices in a fair and impartial manner to restore the village back to peace and harmony.

How do magistrates reflect a commitment to village court values? The VC Magistrates are nominated by their Chiefs and community therefore they are seen as respected authorities about custom and tradition and the community holds them to account to achieve peaceful resolution for all disputes or events that may contribute to disharmony. Magistrates work many hours for little pay to ensure the village remains peaceful. **How do magistrates lead and deliver consistent positive customer service?** They balance all the information gathered and the context of disputes to try and achieve mediation first with all parties involved. If this fails then the matter will go the court sitting. The community supports the magistrate to do their work and respects decisions made. Consistency is not necessary as each dispute is managed on a case by case basis. **What fosters customer**

engagement and trust? The ability of the court to ensure peace and harmony is successfully restored to the village quickly. That respect is specifically observable when there is a formal VC sitting. All information received from the victim and defendant; their families; clan and community enabling the VC Magistrates to make an informed fair resolution to a dispute. Reliable; responsive; empathetic and impartial officials and Chieftains who are good mediators and leaders contribute to trust and customer engagement. They must be knowledgeable about kastomary law to promote peace and harmony in the community.

How do magistrates engage and communicate? How do they communicate their key decisions? How do Village Court magistrates accomplish the organisations objectives?

Magistrates as leaders (supported by Chiefs) use their excellent oratory skills; knowledge about custom and mediation and conflict resolution and convey this to the community both formally and informally and in an open transparent forum. The objectives of the VC are accomplished when the village community is returned to peace and harmony after a dispute and the people directly involved feel that mediation has solved the problem for both parties. It does not necessarily mean “justice” from a western individualistic perspective. Chiefs play a vital but indirect role in the effectiveness of VC.

Governance - Who is accountable for VC Magistrates action? The community; The Chief and elders are directly accountable for the magistrate’s action as they have selected them to become a VC Magistrate. All have an active interest in the success and support of the VC to ensure kastomary practices of restorative justice are maintained and dispute resolution through mediation occurs as a first choice. The magistrate is held to account by the village community and the Chief for all action and behaviour whether it is through the VC work or in general day to day living in the village. **Who is accountable for finance?** The Village Clerk is accountable for finance so far as collecting fines and receipting them. In the inspection reports there was a suggestion some Village Court clerks should be given basic accounting training. **Is there transparency in Village Court operations and decision making?**

Yes because all people in the community understand and are familiar with the processes and appreciate the value of mediation before the adversarial aspect of court. The people are “born into the way kastom works therefore they understand”. The community actively participate and because there is no building the process is visible and in the hearing of anyone who wants to be involved. This ensures transparency and everyone knows the outcome of a matter. The Village Clerk documents the

outcome of each VC sitting. Most keep this information in their possession for approximately two years before it is destroyed.

What about mediation? Information provided is that once mediation has occurred; reconciliation / compensation sorted out and people have shaken hands then the aggrieved parties and community consider the matter finished with and resolved.

Is there impartiality; independence and openness to external audits? Yes, although some would question the value of inspection particularly if the Village Court was not sitting and the inspection was “merely looking at the written documents”.

In the reverse some courts may have focused in great detail on official looking documents and be proud to show their work. Access given to the researcher showed openness and transparency to independent and external audits. There was a genuine interest in learning more about VC services and customer expectations. **Who decides whether the magistrate is performing? How is this managed?** Local level Government (LLG) may recommend revocation of appointment of a Magistrate for failure to attend to duty; or for incapacity; or for misconduct; or if he resigns; or if he dies. They will suspend without or with pay for misconduct or failure to attend to duty. Information from the community leaders will have influence in LLG seeking to have a Village Court Magistrate removed for poor performance.

How is adverse impact of illegal behaviour or going against legal and regulatory authority managed? It is reported through the inspection reports and recommendations made. The community may make reports to LLG. Criminal behaviour would come through the District and National Court system and a court official would be disciplined or dismissed once convicted. There appears to be no clear method; system or process to rectify the situation in the case of a VC working outside its jurisdiction in regard to the Village Court Act. This is because the community are happy with the actions of the Village Court officials it is difficult to take action. (Service meets customer needs) or people don't know how to voice their concern. **How is ethical behaviour managed in the Village Court? What sort of monitoring and measuring occurs?** A collective community approach ensures the VC meets community needs. Monitoring and measuring is verified through a basic outcome measurement when a village community is returned to peace and harmony for all. Management of court orders and ensuring these occur is monitored collectively by the villagers who can see for themselves if work is being carried out as stipulated by the VC magistrate or Chief. The VC forms an integral part of a necessary and vital structure within the community and immediate society in each village area of the AROB. It is highly visible and because of this and community participation

and involvement in the VC; the VC and officials are held to account on a daily basis for their actions and behaviour. It is not viewed as a separate entity unless there are “heavy issues” which are serious and cannot be resolved through other restorative practices then there is the more formal VC function of a VC sitting. In turn the village community monitors and measures peace and harmony by seeing for themselves the outcomes.

They confirm this by their own experience of peace, security, harmony and sense of wellbeing. There are no written rules or methodology to measure effectiveness in regard to outcomes however by the fact customers continue to use the VC for mediation and dispute resolution this could be considered a true measurement of customer satisfaction and services meeting the needs of the community.

Societal Wellbeing - How do you consider societal well being and benefit as part of the strategy in daily operations?

The whole focus of the Village Court officials and chiefs is mediation; conflict resolution and restorative justice and only when that is unsuccessful will there be a formal VC sitting. The daily operations of the court are inclusive of the community and all members of the village who can see the VC operating in the village setting. They participate to make it work therefore they own it and have an interest in making it work for the betterment of all in their society. The systems and processes of the Village Court reflect kastom; the processes are open and transparent and reflect relationship and interactive communication; practices are familiar to the customer and responsive to everyone’s needs focusing on returning the village to peace and harmony.

How does the Village Court actively support and actively strengthen community support? Who are the key communities and how are they involved?

Refer to the flow chart. The VC works closely with all community leaders and community members. It is an integral part of the community in that its focus is the safety security and maintaining peace and harmony in the community. It encourages ownership; communication; active participation with everyone and has a strong community customer focus (not an individual focus).

Strategic Planning 85

Strengths – VC receive minimal interference from outside therefore ownership and making the system work is in the interests of the village community as the customer.

Custom and traditions that are understood and familiar to the community encourages participation by the local community. Courts are run at a minimal cost when compared to Provincial and National Courts. By the fact VC activity is right in the heart of the community it creates a sense of belonging and ownership by the customer. The key strength the VC has is its VC officials retain the focus on

Melanesian justice through customary mediation and restorative practices that are locally practiced in each village and respected by the community.

(Please note kastomary justice is not a hybrid of western perspectives of restorative justice which is bound by set criteria and rules that do not adapt on a case by case basis or to context).

VC is adaptable and has the capacity to adapt to the needs of the community they serve. It is responsive and uses an early intervention strategy of mediation to avoid a situation or dispute escalating. Confirmation of VC endurance and customary values and justice practices occurred during the Crisis where in the absence of a formal justice system the platform provided by the original Village Court and chieftain system enabled customary justice to continue (Wanbel kot). Justice is easily accessible to the VC community; is almost cost free; provides an open transparent form of justice that is responsive in a timely manner to dispute problems. People do not have to travel long distances or pay money to use it.

The community accepts mediation; customary law and its use in settling disputes. It dislikes use of imprisonment as it encourages continuation of conflict between parties and does not have a rehabilitative or restorative justice focus to promote peace and harmony in the community. There is no threat with actions; behaviours; unfamiliar activities or legal language to intimidate or isolate people from using the court services such as mediation, conflict resolution, restorative justice, reconciliation compensation.

There is no language barrier so that if Tok ples is the only language understood it can be easily used by both the victim and offender to avoid misunderstandings. VC officials are part of the community therefore can speak the local Tok ples. The kastom of the local VC community is the one that people visiting or living in the area follow. Not unlike a person travelling overseas to another country they must follow the laws of the country they have travelled to. The VC uses mediation as its main form of dispute settlement. VC sittings are the last resort but when used are not restricted by rules of evidence; use of legal jargon; formal processes; prosecuting and defence lawyers or documentation which tend to alienate people who are not familiar with formal justice systems. They can tell their story and the community can participate.

VC officials and the community they work and live within all have an active interest in customary justice traditions and practices; respect; fairness and the success of the court. The customers determine how the VC operates by their responses to VC decisions. There is reliance on the ability of VC Chiefs ability to provide leadership and good governance.

By the Village Court being enshrined legally within the Papua New Guinea and AROB Constitution it expects to receive respect and support from the government judicial court systems and be supported, trained, resourced and officials paid to do the work.

Weakness –

The VC Act is a blend of Westminster and Kastomary law. Largely it has left kastomary law to be interpreted by each VC. Any changes to the Act would need to be carefully negotiated to ensure the successful elements of the Village Court such as kastom; adaptability and customer focus do not become restricted and inflexible because of rules and decisions that reflect western cultural legal influences. (Technical jargon and formal documentation that does not add value to customer services)

Risks - Change thrust on by outsiders who do not understand collective society needs such as mediation / restorative justice in PNG and Bougainville.

If the VC processes becomes too formal, standardised they could lose agility and flexibility to make customary decisions on a case by case basis. (It may isolate itself from customers – refer previous research information).

Risk if there is introduction of change to certain roles and responsibilities for Village Court officials and restrictions upon outside support being allowed (such as chiefs /COE Church) this may inhibit community relationships.

Loss of officials to continue commitment as over worked and not paid or resourced to do the work.

The requirement to have qualifications negating people to be selected who have excellent knowledge about custom and tradition but may not be literate. There are implications for AROB due to the Crisis. Some of the people coming through in the thirty to thirty five age groups will have missed out on formal schooling. They may not be able to contribute to society there were restrictions introduced in the current environment. This could also lead to the Village Court work becoming a job and not a community service.

Potential for the introduction of formal rules; evidence and procedures which may eventually lead to technical systems affecting customary justice and service. (Modernisation). Too much formality may lead to mystification for customers about how the VC works making it a quasi District court distancing itself from the customer leading to lack of community participation and integration of services and diluting Chieftain control. Result could be customer dissatisfaction due to its remoteness from the people.

Opportunity - To ensure Village Court services are available; always accessible and in walking distance for villagers. (Important for women) Create more community awareness of the importance of the Village Court and role and responsibilities of officials and allied stakeholders. Maintain and promote Village Court values and vision – community awareness.

Consider Chiefs being the first to mediate and make referrals to other courts if mediation and village court sittings unsuccessful.

There is opportunity to provide support to the Chiefs and COE of each area - alongside Local Level Government. To expand the role of Village Court to include more offences capable of being managed at Village Court level and provide legislation of these into the Village Court Act to ensure justice is responsive. Provide more education to all stakeholders involved for them to understand Bougainville restorative justice; and community roles and responsibilities inclusive of traditional aspects.

To ensure Village Court officials are appointed without economical; political influence and overly restrictive selection criteria interference such as literacy; formal tests and standards that do not reflect custom; customer and community needs.

To develop and improve the inter connection and relationship between the Bougainville Police Service; VC, District Court and Village Court officials.

To develop a form of quality measurement that provides information back to the Village Court to inform and support them in their work.

To provide Local Level Government with information about how the Village Court are managing operationally and where support and resources can easily be provided within the limited funding available.

Provide training in mediation and those areas that add value for the customer, not necessarily the Village Court official's needs.

Opportunity to legislate so that the AROB has its own VC Act to reflect the work they do, if there is intervention from the formal judicial systems it supports VC performance to reflect VCO needs whilst at the same time streamlining the processes that connect with the Provincial and National Court and Bougainville Police Service for serious offences that have been referred by the Village Court.

Threat - Risk of directions to formalise village courts to be more like western legal system (EG have buildings; other court officials such as prosecutors, externally imposed rules which would discourage the victim and offender (including families) from telling their stories).

Potential for changes to be driven by internal customer needs (VC officials) to extend their role outside of the boundaries of societal structures rather than change being focused on external customer needs.

Increased documentation for monitoring and measurement with no added value

Prolonged response times affecting peace and harmony in the village.

Change from proactive activities to reactive actions by Peace officers and others.

People deciding to take the law into their own hands due to over worked Village Court Officials.

A gradual loss of respect for custom due to the influence of western belief and value systems combined with the expectation of monetary reward for community work.

Little understanding by youth due to crisis of kastom and questioning the collective society approach of focusing on a return to peace and harmony; customary practices and traditions.

Chiefs and elders not acknowledged or asked to contribute when ideas of change are being investigated.

Lack of in depth consultation right through to remote rural levels. Lack of acknowledgement of variations in kastom and tradition between each Village Court by location and chieftain leadership style.

Proposed reduction of the number of Village Courts and as a result reduced numbers of Village Court Officials will affect customer expected response times and service to people it is meant to serve.

Too many Village Courts affect LLG ability to resource and pay Village Court officials effectively.

Lack of resources, budget and refresher training courses for officials.

Increasing pay, accountability and conformance requirements may relegate the work VC officials do to be “a job”. (From VC official at VC Review Arawa)

Literacy, education and cultural issues with a ‘lost generation’ of youth. Risk is they are coming through as the leaders of the future for the VC and other AROB government and business.

Sustainability issues – economy – finances – resources-Poor BPS police response times and ability to obtain enough evidence and prosecute effectively to meet District and National Court standards impacts on the Village Court and is causing stress to the VC

Shifts in technology / laws / customer preferences / international agreements.

Reliant on the ability of Chief and VC officials to execute the plan they need for their Village Court. –

Requirements leadership and management qualities combined with independence to make decisions about kastomary law / fines / etc **What are the key strategic objectives for VC? How do you address strategic challenges and strategic advantages?**

This is managed by each individual VC at the grass root level. They know their needs and can be responsive in the time frames and needs of their immediate community. EG Nissan has different needs to Buka who have different needs to Saposia Island or Buin.

Currently there is a review of VC but it is more involved with what VC officials are doing and their perception of issues. It has limited communication with the village community as the customer.

Customer Focus 85 points? How does the VC listen to its customers?

Does your communication approach differ between LLG and VC and community?

Local Level Government more focused on monitoring and inspection and meeting rules and regulation/legislation and trying to support the village court officials despite limited funding and resources. Local Level Government is more formal and related to government.

The Village Court - VC officials live and work within the community. They mediate and communicate with therefore they are linked directly with the customer and community.

How do you follow up if injustice occurred? It is referred to the Provincial Court however the methods of communication through mediation; negotiation; reconciliation; restorative justice; rehabilitation and compensation means it is a rare occurrence.

Where there is limited to no access to the Provincial Court further mediation through chiefs and other respected community members is undertaken. **How do you listen to former customers and potential customer?** Continuous rapport is available through community participation and use of the village court system being central to the customer (community). **Competition of another court?**

Absence of formal state courts and where they do exist the slow response and lack of ability to ensure justice, peace and harmony returns to the local village community has resulted in the Village Court system filling the vacuum. **How do you determine customer satisfaction?**

No / few complaints; peace and harmony maintained in villages; respect maintained with Village Court officials; few requirements to discipline or terminate Village Court officials.

Customer engagement? (Goal is VC easy to do business with and responsive to customer needs and expectations)

Customer engagement

How do you identify customer; engage; support? The customer seeks assistance from the Village Court officials to mediate. Community participates and show active interest in the outcome of village court sittings **How much effort do you put into mediationwhy? or why not?** Mediation and other

indigenous processes occur and only when every effort has been made to resolve the situation and this fails it goes to a Village Court sitting. The majority of disputes are reported verbally as being resolved through mediation.

How do you build and manage relationships with customers to achieve customer support to use your service; retain them as a return customer; meet their requirements / exceed their requirements. By being part of the community and having strong communication and interconnection / interrelationships with all customers the village community through actions and communication at all levels 24 hours a day 7 days a week

Have you a complaint process? – Yes. How is your complaint management process working? At LLG it is unknown how successful the process is working. VC's manage this through the Village Chief initially. At Village Court level the whole focus is on mediation. If all else fails the complainant can refer to the District Court.

Are matters resolved promptly and effectively? Yes most matters are resolved promptly. When it is a serious offences such as murder or rape or incest that mediation and reconciliation process can take sometime but it is continuously to the forefront to try and return the community to peace and harmony as any conflict disrupts the community and how it functions. **How does it recover customer confidence in VC?** It is excellent in that the customer (community) sees that mediation and reconciliation does work.

Development of partnerships and relationships? This is ongoing and continuous. Through succession planning whether through the chiefs or village court officials changing from more junior roles to senior roles development of partnerships; reciprocal relationships and interrelations with outside agencies such as the police or Provincial Court magistrates occurs across all levels within and external to the community.

How do you select and ensure effective use of “Voice of the Customer” data and information including complaints to support operational and strategic decision making and innovation?

The customer is the community – not the individual therefore the feedback from the community in relation to mediation; dispute resolution; fairness and impartiality; fines and compensation; and returning of the community to peace and harmony in the village through the work of the chiefs; COE and village court officials reflects support for operational and strategic decision making.

Measurement agility – how do you ensure VC performance measurement system is able to respond to rapid or unexpected internal or external change?

How do you use key performance measures to review organisational performance and capability?

Measurement agility and performance is related to indigenous values and beliefs and supported by historical indigenous societal structures; leadership and management practices. This is proven by the capability of Village Court to still operate customary law and justice during the crisis.

How do you determine the conclusions of reviews are valid? So long as reviews are inclusive of all levels of the community; respect is paid to societal leaders and structures; respect of customary systems; recognising cultural and language diversity and we are listened to then the review would be valid. The key problem is reviews are often completed in limited timeframes; often don't allow enough consultation and discussion and don't always have an understanding of Melanesian culture or history.

How is knowledge and innovation transferred to customers and from customers? -

This is automatically part of the VC processes due to ownership and inclusion of the community in all village court activities. **How is rapid identification sharing and implementation of best practices undertaken?** This is shared through the Chiefs; COE and village court magistrates to others through verbal communication and the actions they take at the time. There is a collaborative approach that is responsive and timely.

Members of the community observe, participate and hear about VC activity and are aware or involved directly in mediation processes from an early age so are familiar with systems and processes from a historical and current perspective. How is the work force managed to achieve the work required?

The Village Court officials are required to attend village court and collectively support each other and negotiate with each other to provide cover if someone is away.

What are the VC core competencies?

1. A local person who has close connections to the village and community who is committed to the needs of the community first.
2. Expertise in customary and traditional justice practices in the local village area.
3. A strong ability to communicate effectively.
4. Proven ability to mediate between disputing parties to resolve the matter to the benefit of the community.
5. Maturity and knowledge about the people and community they live within.
6. A reliable, fair and impartial person.

7. As a Village Court clerk they must have the ability to organise and coordinate the court so it functions effectively. Must have the ability to read and write to document summons; evidence and reports accurately.
8. As the Peace officer have the ability to investigate and effectively mediate between disputing parties.

Is there a customer focus?

Yes. All people involved must have people skills and an understanding of customary practice and culture as this is the primary function of the village court. The VC officials have an interest in seeing the outcomes are met for customers as they live and work in the village community.

Is there a business focus? Not there to make money or profits.. **Do they exceed expectations?** It is unclear if they do but by the fact that the Village Court is functioning and expanding it suggests they meet and fulfil expectations of their customers.

How does the workforce address strategic challenges and action plans? VC officials appreciate they are a team and each has an integral and interrelated part to play to ensure the Village court functions effectively. Efficiency and speed of delivery is not important. The importance is the community is satisfied with mediation and restorative justice through customary practice. **How do employees prepare for changing capability and capacity?**

The constant communication and continuous learning environment in which they work through contact with all levels of the community ensures there is increasing learning and capacity to try new ways on a case by case basis. They become more knowledgeable and capable as they use their skills of communication and mediation etc.

How is continuity ensured? All of the community are involved in the Village Court. It is through community selection of people with the skills and shared knowledge there is huge capacity from within the community to step into the different roles. For instance a Peace officer may aspire to eventually become a magistrate and then a chairman. There is a form of career pathway if the person proves themselves worthy to the community that they are capable to take on more responsibility. As the environment changes and youth get older they become the new keepers of custom and this ensures continuity and continuous improvement. **What happens when there are not enough magistrates to run a court session? How is employee reduction managed?**

People improvise to ensure the court continues to operate. They may run a joint court sitting or bring through new people before they are officially trained. The whole focus is on continuity and meeting the village community needs to return the village to peace and harmony. **How is growth prepared**

for? Generally the community appreciates population growth; an increase in the volume of cases and requirements to carry out successful action. Mediation takes time so to overcome this problem in the past they have divided the village area according to need and established another village court.

What are the issues? Lack of legal authority as some VC will not be official. Chief direction is seen by customers to make the VC 'official'. Selected Village Court officials in un-gazetted courts will not get paid; be officially trained or have uniforms.

The court will not have the necessary resources or supplies of the official documentation required to be used under the Village Court Act.

The issue is the community has responded to a need but the method of establishing a new village court is mainly hindered by a slow response from POM; the requirement for formal assessments of the needs with the associated funding and bureaucracy.

Lack of training and understanding of VC vision may impact on the newly established un-gazetted village court working outside its legal jurisdiction.

Training education? Usually there is a 2 – 3 week initial course when selected and formally appointed but after that refresher workshops. These courses are rare. (Last one 2004)

Results 450 points - What are your key service results?

The primary aim of the VC system is to focus on returning the community to peace and harmony through amicable means. External customer satisfaction at community level is evidenced anecdotally by the fact VC are increasing in number (not necessarily gazetted) and the community have preference to use VC systems. (VOC refer qualitative prompt questions. Customers prefer informality and the fact the VC officials go to them.)

Reasons for this is the VC's capacity to respond quickly; its focus on mediation to return the whole community to peace and harmony; important is accessibility in that the VC sitting can be located and occur wherever there is the dispute or need; it uses local language dialects as necessary and kastomary processes familiar and well understood and used by the community. It costs little to run being almost entirely reliant on indigenous structures and human resources. Justice goes to where the people need it. It belongs to them.

There is a broad framework that enables each VC to function in a way that meets the needs of its community as its customer with the common mantra to return the village to peace and harmony.

Risk

If there was formal court oversight this could potentially alienate the people community participation occurs at all levels. This includes selection by Chief on behalf of the community of VC officials. External community support through indigenous structures such as village chiefs and support through introduced Bougainville COE System (1998) has ensured customer satisfaction through ownership; participation and ongoing review of service through case by case action. Fines and compensation reflect each person and families ability to pay and meet reconciliation and compensation negotiated through mediation or a VC sitting. Internal customer requires more support and to be paid. Training; mentoring and coaching covering the VC Act and VC official roles and responsibility information; mediation; conflict dispute resolution; gathering evidence; keeping yourself safe for Peace Officers support with supplies of stationery and uniforms that fit.

How do you measure performance?

At the PNG VC Secretariat level measurement: - It quantitative measurement. It is difficult to do anything with it as the measurement is about basic statistics of what occurs from each task in the process, not performance or outcomes. These issues relate to individual VC not every VC. PNG VC Secretariat focus is to make sure that the process is followed; not how effective it is to meet needs. There is no benchmarking other than within the local village court in regard to compensation and court fines. No comparison is made as each Village Court is unique as to how they apply kastomary approaches to returning their village to peace and harmony. The lack of standardisation and rules surrounding kastom is the VC strength as it has allowed it to adapt to meet customer needs.

How do you measure process effectiveness? How do process results relate to providing good service to customers? There is no connection other than providing documented evidence of fines and complaint.

What are considered key measures or indicators of performance? Conformance is the main current measure with limited to no quality response to meet individual VC needs. The main hindrance is the distance of the head office from the 'front line – grass root VC and the fact there is so much diversity of culture, and fragmented government services across the country. One assessment will not be accurate across the whole country. As evidence in this research there are differing needs for each VC area.

At VC in the VC areas researched: -

Is there acceptance of results by VC and customers? Yes from a community perspective and also from an individual perspective the need for peace and harmony is interwoven with society needs.

The VC as an organisation is not separate from the community - it is part of the village community it serves **Is there acceptance of results by customers?** Yes overall there is acceptance as the focus is for the good of society. VC officials have to consider this aspect when presiding over complaints and disputes. **Does funding affect your service?** Yes with the limited training, resources and support inclusive of VC officials not being paid allowances regularly (sometimes reliant on COE handing over payments). As most customers like to see VC officials wearing uniform funding for this is important so all receive uniforms. All customers like to see resources equally available.

Is there relationship building with your customers? Yes by VC working with the community and all its activities being part of the community systems and processes. Of note comments that in recent times with overwhelming amount of work VC officials are being drawn away from being pro-active in the community so frequently it has become less of a focus of awareness and communication and reactive to situations. This will impact on the customer

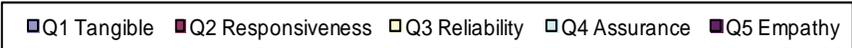
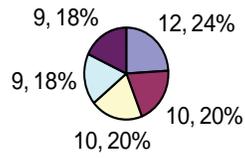
¹ Paramount Chief Joseph Wanes (Selau-Suir District). Dec 2011

APPENDIX ELEVEN: - GRAPH Comparisons - Respondents Location by RATER model

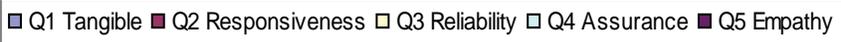
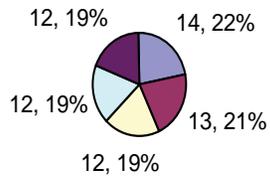
GROUPS OF RESPONDENTS TO RATER MODEL BY LOCATION

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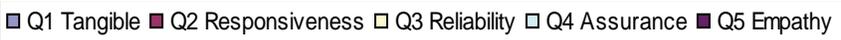
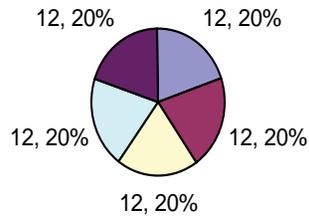
REMOTE Village Court Officials ratings



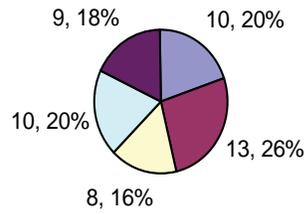
MID DISTANCE Village Officials rating



CLOSE Village Officials rating

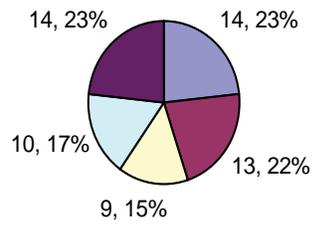


REMOTE Male rating



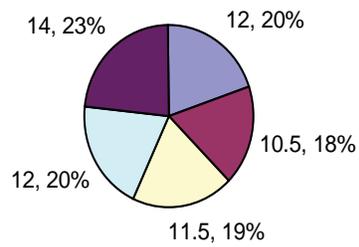
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MID DISTANCE Male rating



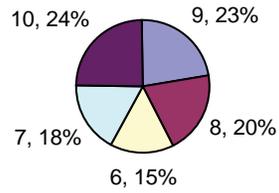
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CLOSE Male rating



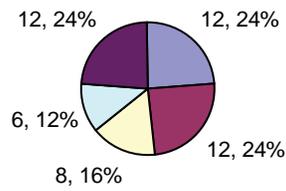
■ Q1 Tangible ■ Q2 Responsiveness ■ Q3 Reliability ■ Q4 Assurance ■ Q5 Empathy

REMOTE Female rating



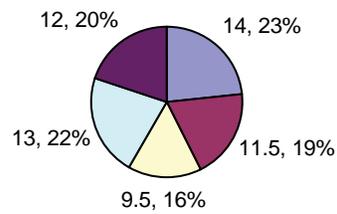
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MID DISTANCE Female rating



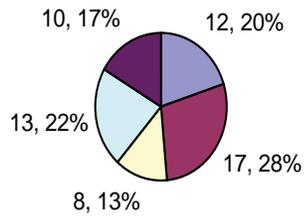
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CLOSE Female rating



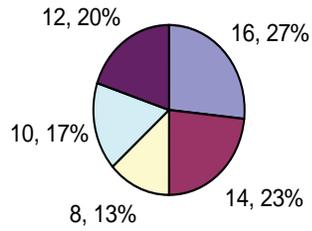
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REMOTE Youth rating



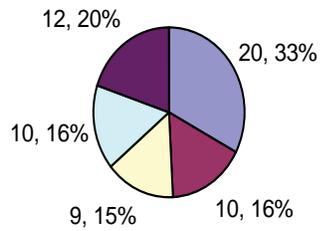
■ Q1 Tangible ■ Q2 Responsiveness ■ Q3 Reliability ■ Q4 Assurance ■ Q5 Empathy

MID DISTANCE Youth rating



■ Q1 Tangible ■ Q2 Responsiveness ■ Q3 Reliability ■ Q4 Assurance ■ Q5 Empathy

CLOSE Youth rating



■ Q1 Tangible ■ Q2 Responsiveness ■ Q3 Reliability ■ Q4 Assurance ■ Q5 Empathy

Village dispute or offence reported to Chief, Village Court Official, Elder or Church representative

Village Court Officials / Chiefs decide whether the dispute or offence is suitable for mediation or should go to the full Village Court.

Should mediation be formal or informal??

(Sometimes this matter is conducted with urgency to preserve peace in the community)

Risk factors are considered

- Risk of community violence - State of mind of parties
- Nature of dispute - Location where mediation will take place
- Who will be involved

- Agreement by parties involved to go to mediation
- Satisfied officials are independent and unbiased.
- Time, date and place for mediation agreed

(Mediation may require each party to be spoken to separately to gain knowledge of situation and to establish true needs.) Successful Mediation

Matter Resolved

The Agreement reached is recorded on VC Settlement form 1 or 2 by VC Clerk.

Decision read aloud at an open court if required by the parties.

Resolution is celebrated by handshake and a meal or kaikai or whatever is appropriate for custom in that village community

Formal mediation requires commitment to the process from complainant and defendant

- Agreement to mediation
- Agreement to mediator
- Security (no weapons)
- Confidentiality
- Agree no insults or name calling – respect
- That both parties want to settle through mediation
- Mediation is held in a location close to and suitable to all parties
- Outcome is documented
- Aim is for return to peace and harmony to community

Dispute or offence UNRESOLVED

When a matter is not successfully resolved through the mediation process then it is referred to the full Village Court. A person may elect to go direct to the District Court if they prefer.

Chairman of the Village Court calls a full court sitting
Custom Law is more important than any law except the Constitution (Village Court Act Sec 57) other related acts e.g. Pikinni Act.
The Village Court should be conducted according to local customary law.

Peace Officer notifies all people concerned with the case via a summons Village Court Act (Sec 81) including witnesses + this is usually delivered the day before court. The time arranged must suit all parties.

There must be an odd number of magistrates sitting and a minimum of three in a full court sitting. The Village Court Clerk and Peace officers should be in attendance All parties should be present.
The dispute or complaint is read out by the Peace Officer, CAP or the VC Clerk.
The community can listen and participate.
Exceptions:- are the person may be represented by someone else (not a lawyer) or a person deliberately is staying away from the VC.

Complainant opens his/her case telling their side of story. Magistrates can ask questions to clarify unclear areas. They can make statements to help parties understand the issues. Witnesses called + magistrates + defendant can ask questions. Defendant calls his/her witnesses + complainant can ask questions. Technical rules of evidence do not apply in the VC (VC Act 59)
Magistrates ask both parties if anything further to add – listen to submissions made by both parties. Verdict is reached by majority vote and is decided by custom (VC Act Sec 57).
Decision is made on punishment/compensation and becomes an order of the VC (Form 5 or 6)

The offender is innocent until proven guilty. Complainant opens his/her case telling their side of the story. Magistrates can ask questions to clarify unclear areas. They can make statements to help parties understand the issues. Witnesses called and magistrates and defendant can ask questions. Defendant calls his/her witnesses and complainant can ask questions.

Technical rules of evidence do not apply to the VC. (VC Act 59)

Everyone attending the court session has a right to say what they want to say. Everyone can ask questions of anyone else.

A person can be represented by someone if they wish but NOT a lawyer (Village Court Act Sec 80)

Magistrates ask both parties if anything further to add – and listen to submissions from both parties.

Verdict is reached by majority vote and is decided by local custom (kastom) (VC Act Sec 57).

A decision is made on punishment, fine, compensation and becomes an order of the VC (Form 5 or 6). Fines are receipted.

VC Clerk records the outcome. VC Peace Officers keep the peace. When necessary the VC is supported by Community Auxiliary Police.

Serious offences (not stipulated in the VC Act) are required to be referred by CAP or community members to be investigated by BPS CID and prosecuted by BPS Prosecution division through the formal PNG District and National Court system.

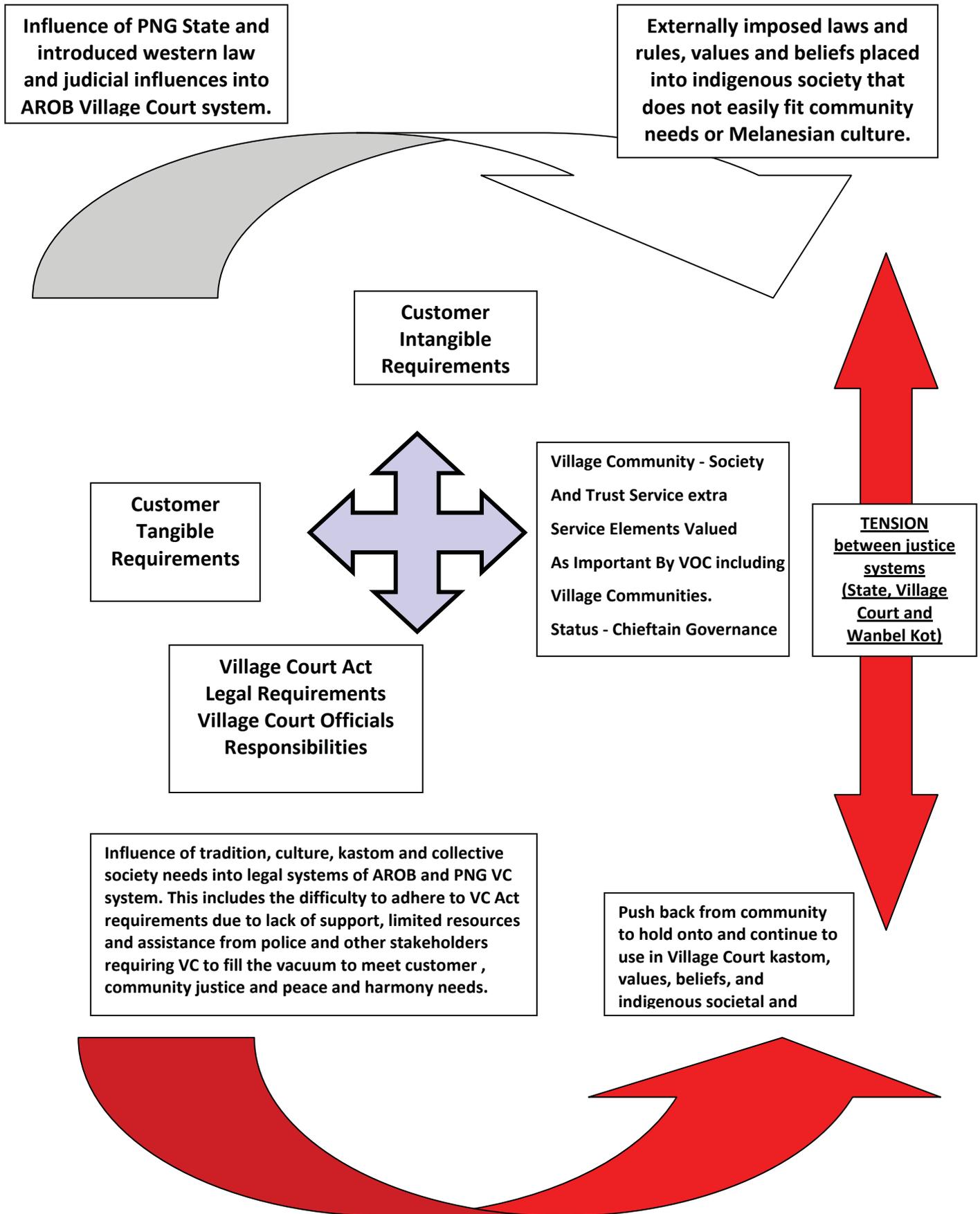
(CAP may arrest suspects /take them to the nearest police station for charges to be laid /BPS investigation / + prosecution.)

The Complaint Process. If the person disagrees with VC decision they have the right of appeal to the District Court.

Appeals have to be made within 3 months of the decision and appeals are not allowed after 12 months.

District Court Judge will invite two VC Magistrates to sit with them and advise them on custom (VC Act Sec 85-95)

APPENDIX THIRTEEN: - The Village Court Customer Requirements versus External influences toward conformance requirements.



APPENDIX FOURTEEN

Independent State Of Papua New Guinea Village Court Inspection form

INDEPENDENT STATE OF PAPUA NEW GUINEA

Village Court Act, 1989

NO.3410

VILLAGE COURT INSPECTION REPORT

(form VCF10 must be completed and attached to this form)

Section 1

Name of Village Court Inspected _____
Name of LLG or Community Government _____
Province _____ District _____

Section 2

Date of Inspection _____ Date of Last Inspection _____
No. of last inspection report _____

Section 3 : List names and designations of Village Court Officials present at this Inspection (eg: Tan, Aka, Village Magistrate)

NAME	DESIGNATION	NAME	DESIGNATION
1 _____	_____	7 _____	_____
2 _____	_____	8 _____	_____
3 _____	_____	9 _____	_____
4 _____	_____	10 _____	_____
5 _____	_____	11 _____	_____
6 _____	_____	12 _____	_____

Section 4 - Collect all used Village Court Order Books and forward to the Secretary, Village Court Secretariat, Waigani. List first serial number of such books below (eg 3231)

(Form 1 or 2) _____ (Form 3 Or 4) _____ (Form 5 or 6) _____
(Form 7 or 8) _____ (Receipt) _____ (Unified Form) _____

Section 5 State number of Appeals/Reviews heard since last inspection and on this inspection: (eg:6)

Section 6 List serial number of last Village Court Forms checked on this Inspection:

(form 1 or 2) _____ (form 3 or 4) _____ (Form 5 or 6) _____
(form 7 or 8) _____ (Receipt) _____ (unified form) _____

Section 7 Has VCF 10 been completed and attached? _____ (Yes or No)
Were the monies correct? _____ (Yes or No)
If NO, was original VCF10 handed to Police? _____ (Yes or No)

Section 8 Together with this Inspection Report & Gazetted Narrative type Report must be submitted. This should include brief details concerning problems, complaints, and other general information of value or interest. Please attach.

Section 9 Note below which day (s) of the week and for how many hours this Village Court usually sits (eg from 10 am to 5pm, Mondays and Thursdays)

(From _____ am/pm to _____ am/pm (day (s) of week) _____

Section 10 Asses performance of Village Court since last inspection.
Excellent/Very Good/Good/Fair/Poor/Very Poor (Delete as applicable)

Section 11

Signature of Inspection Magistrate _____ Print full name _____ date _____

Signature of Provincial Supervising Magistrate _____ Print full name _____ date _____
Supervising Magistrate

APPENDIX FIFTEEN: - Summary of Research Strategy

The research in this thesis gauges the applicability of VOC tools in a developing country – indigenous organisation scenario and tests the research by examining the Bougainville VC in PNG. It is difficult to avoid a westernised approach as the research needs to explain a series of non western protocols and kastom that may be incongruent with western management theories and practices or fit a western ‘lens’.

Summary of Methods

- Garvin – SERVQUAL model explores the effectiveness of using a preset questionnaire survey that reflects western customer orientated service elements and applies these to the Bougainville VC (an indigenous organisation in unfamiliar cultures in developing country scenario).
- RATER model explores the effectiveness of using a method that has already determined service elements important to service organisations to compare if VOC values similar service elements as the Garvin SERVQUAL model.
- The Quality Function Deployment tool attempts to explore the design of Bougainville VC systems and processes, and identify where they intersect with service elements the customer values as important and desires.
- New Zealand Business Excellence criteria are used as a co-learning method to encourage participation and ownership of the assessment process. It is a useful tool as it is non prescriptive and enabling.
- Ethnographical approach with cultural and VC analysis from Bougainville Chiefs to give rigor to the research

Summary of Methodology

- At nine VC locations consisting of three in remote locations, three in mid locations and three close to government services.
- Eight respondents are interviewed using the Garvin – SERVQUAL and RATER and QFD models: - two VC officials; two male, two female and two youth between (16 - 25 years).

- CEO and senior members of LLG; Chiefs; VC Inspectors; VC officials and senior member of community are interviewed using NZBE criteria.

Questions explored during this research included: -

- Is the method effective in capturing the Voice of the Customer?
- Can the method identify unique situations?
- Is the method capturing accurate data?
- Can the method interpret context, culture, causal factors and translate information easily?
- Is the method transferrable and relevant to all VC locations and levels of society in diverse cultures and unfamiliar / developing country scenarios?

**APPENDIX SIXTEEN: -
Photograph One - Pinipel Island – Remote Location**



**APPENDIX SEVENTEEN: -
Photograph Two - Pinipel Island – Remote Location**



APPENDIX EIGHTEEN: -

Photograph Three - Nissan Island – Remote location



APPENDIX TWENTY: -

Photograph Three - Nissan Island – Remote location



APPENDIX TWENTY: - Photograph Five - Tinputz – MID location - Central Bougainville



APPENDIX TWENTY ONE: - Photograph Six - Wakunai – MID location – Central Bougainville



APPENDIX TWENTY TWO: - Photograph Seven - Buka Island Reconciliation – Close location



APPENDIX TWENTY THREE: - References

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