



**A REGIONAL SUMMARY OF THE FIJI, KIRIBATI, SOLOMON ISLANDS,
AND VANUATU CHILD PROTECTION BASELINE REPORTS 2008**



Background

As in other areas of the world, children in the Pacific Islands are vulnerable to violence, abuse, and exploitation. Poor economic conditions, political instability, the effects of natural disasters and traditional practices all add to children's vulnerability. The Pacific Regional Framework is a new strategic direction for child protection interventions in the region. It provides the basis for a joint Pacific Governments/UNICEF Child Protection Programme, which runs from 2008-2012. The Programme is being implemented in Fiji, Vanuatu, Samoa, Kiribati and the Solomon Islands.

The Child Protection Programme is guided by the Protective Environment Framework, a child-centred, holistic and long-term approach to preventing abuse and exploitation for all children, and which addresses the social reintegration and recovery of those who have been abused. The Child Protection Programme articulates the following expected outcomes at the end of the programme cycle 2012:

1. Children are increasingly protected by legislation and are better served by justice systems that protect them as victims, offenders and witnesses.
2. Children are better served by well informed and coordinated child protection social services which ensure greater protection against and respond to violence, abuse and exploitation.
3. Families and communities establish home and community environments for children that are increasingly free from violence, abuse and exploitation.

A Child Protection Baseline Report was prepared for Fiji, Kiribati, Solomon Islands and Vanuatu, guided by these results. Each baseline report reviews the current situation, develops recommendations and aims to further promote capacity-building, networking and inter-agency collaboration.

Methodology

The research consisted of reviews of domestic legislative compliance with international child protection conventions, and extensive field research in purposively sampled locations in each country. Interviews were conducted with and questionnaires administered to key informants (KI); 16-17 year old children (child household questionnaires, CHHQ) and adults (adult household questionnaires, AHHQ). Group activities were also undertaken with children aged between 7-18, and young adults, divided by age and segregated by gender, and workshops held with children in the justice system. Key informants included justice representatives; police; religious leaders; education representatives; health workers; civil society organisations; social welfare staff; youth leaders; and religious leaders.



Table 1: Numbers of survey respondents interviewed and locations

	Fiji	Vanuatu	Kiribati	Solomon Islands
KII	192	131	173	93
AHHQ	342	262	199	273
CHHQ	284	248	200	274
Workshops / group activities	315	272	200	278
Total number of people involved	1133	913	772	918
locations/provinces	35/11	30/6	20/5	30/8

Findings

Each report was guided by the overarching expected results (outcomes) above but more specific expected results and indicators for assessing the realisation of these were developed bearing in mind the particular country context. Nevertheless many are related, and for the purpose of this summary related themes are grouped together.

Outcome 1: Children are increasingly protected by legislation and are better served by justice systems that protect them as victims, offenders and witnesses

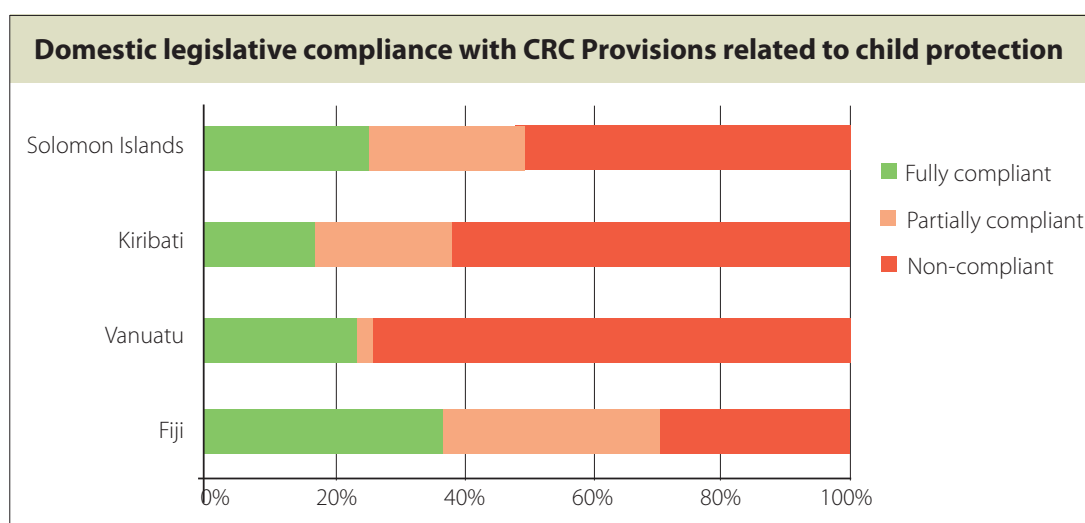
An adequate legislative framework and its consistent implementation will strengthen the protective environment for children in the Pacific.

Domestic legislative compliance with the Convention on the Rights of the Child

The legislative review component of the research identified the articles of the UN Convention on the Rights of the Child (CRC) relating to child protection standards. These articles were fleshed out to their full legal ramifications and a list of over 200 indicators developed, drawing heavily on existing UNICEF tools. In each country domestic law and policy was evaluated against 13 groups of indicators: Child welfare/child protection system; Family separation and alternative care; Violence against children; Sexual abuse and sexual exploitation of children; Abduction, sale and trafficking; Child labour and children in street situations; Child-friendly investigative and court processes; Rehabilitation; Children in conflict with the law; Refugee/unaccompanied migrant children; Children in armed conflict; Information access; and Birth registration. The table below summarises legislative compliance for each country, while the graph gives a comparative illustration.

Table 2: Domestic legislative compliance with CRC provisions related to child protection

	Fully Compliant	Partially Compliant	Non - Compliant
Fiji	95	86	77
Vanuatu	53	6	168
Kiribati	40	49	143
Solomon Islands	61	51	111



Some common themes across the countries include:

- There is little or no specific legislative provision or policy framework for child welfare/protection specifying rights, powers and responsibilities of government services, the courts, traditional authorities, parents and children (except, to some extent, in Fiji).
- In some cases Bills have been drafted e.g. the Rights of the Child Convention Bill 2004, the National Children's Policy and Plan of Action (Solomon Islands) and the proposed 2008 Police Powers and Responsibilities Bill (Kiribati) but have yet to be passed.
- Where legislation exists, stakeholders are unaware of their existence and content, and relevant supervisors do not enforce them.

Despite these constraints the reports could point to some positive developments:

- Some countries have comprehensive provisions for related matters, for instance cases of sexual and assault, minimum marriage age (e.g. Kiribati) domestic violence (e.g. Vanuatu), and regulating child labour (Solomon Islands).
- Existing laws such as Penal Codes (e.g. in the Solomon Islands, Fiji) are currently undergoing comprehensive review and redrafting.

Recommendations include:

- Strengthen existing provisions through reforming such laws as the Penal Codes.
- Many existing laws and provisions (e.g. in Kiribati regulating child custody, trafficking, minimum standards) also require supporting legislation and processes, review, clarification (e.g. of definitions, penalties and age thresholds), and strategies to ensure their operationalisation.
- Proposed and draft Bills relating to child protection need to be redrafted, finalised and approved as a matter of priority.
- Specific legislation should be created for particular groups, such as young offenders.

The Justice System and Good Principles of Child Protection

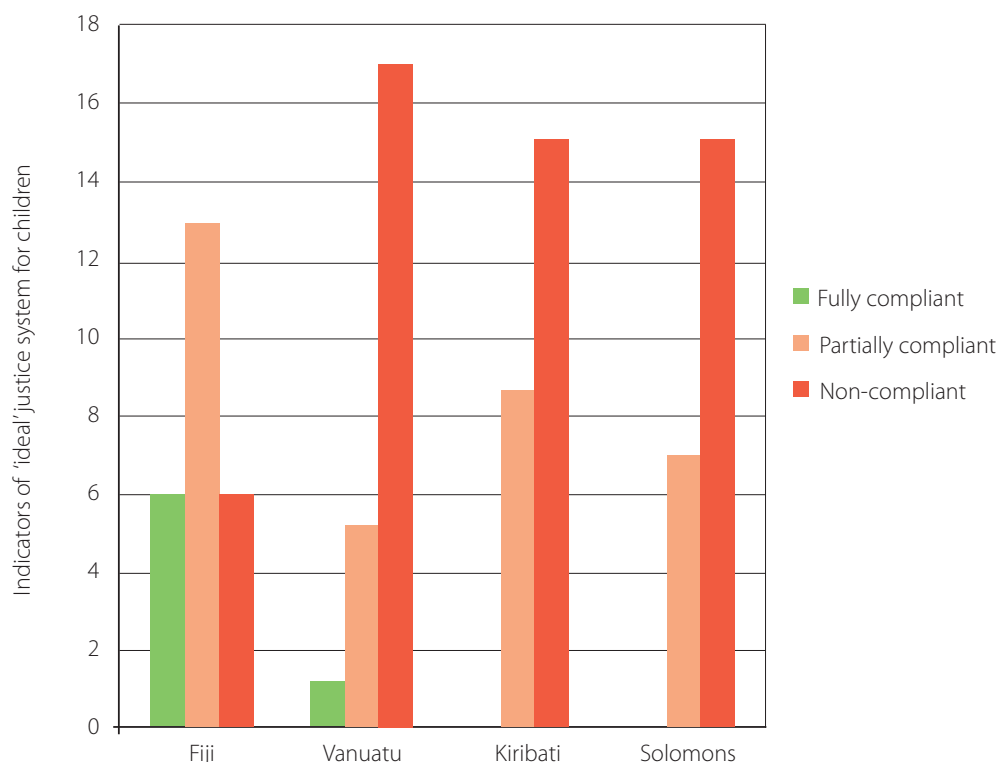
Police

The level of engagement of the Police with good child protection practice varies across countries. In Kiribati, the Police Diversion Policy provides opportunities to improve relationships between the different parties involved in child welfare and both the Kiribati Community Policing and the Family and Sexual Offences Unit (FASO) provide an outstanding example of prevention and awareness-raising activities for children and young people. In the Solomon Islands standing orders (police operating procedures) contain some specific provisions relating to the treatment of children in conflict with the law, including a 'no drop' policy for sexual crimes and domestic violence.

However, in the Solomon Islands and Fiji there are no written procedures guiding how police deal with child victims/witnesses, which is largely true for the other countries. Support services and the extent of referrals to said services are also limited. Further, while very few children in conflict with the law are held in detention or sentenced, greater awareness is needed about the rights of those who are, particularly in Fiji and Vanuatu, where children report experiencing violence while in custody.

Justice system

Similarly, there are few written provisions for guiding prosecutions, courts or public solicitors in their dealings with child victims/witnesses or children in conflict with the law. Exceptions include Kiribati's recently introduced Juvenile Justice Manual, which provides for specialised procedures for Juvenile Court. In any case, where written directions do exist (for instance allowing a witness to give testimony without being seen or closed court procedures), the relevant actors were found to be largely non-compliant with regard to policy, services and capacity (see graph below for a summary of compliance).

Justice system's ability to protect children as victims, offenders and witnesses

The main recommendation for improving the situation is the need to develop clear protocols, procedures and guidelines for police and the wider judiciary system, alongside dedicated training and awareness-raising about juvenile justice and child rights, particularly for standardising referral practices. In addition, inter-agency protocols, some of which are existing but non-operational need to be activated between the Police, health service providers, social welfare units and dedicated services such as sexual abuse centres.

Across the four countries the informal diversion by police of children in conflict with the law back to communities is a standard practice. This speaks for a need to strengthen community-level understanding of good child protection practice and juvenile justice.

Juvenile Justice in the Community

In the Solomon Islands and Kiribati, traditional authorities play a great role in administering community justice and in all countries the majority of matters concerning child offenders are addressed at community level using traditional processes. The needs of child victims/survivors are also addressed at community level. Referrals of children in conflict with the law is very low for all countries, ranging from 6% of key informant responses in Kiribati, to 27% in Fiji. Additionally, police report diverting a great proportion of child related cases (as high as 95% in Vanuatu) back to the community. Diversion itself is good and in line with good practices for justice for children, but children's rights and protections need to be safeguarded and efforts to support the young offender and family must be made.



In some cases (e.g. Solomon Islands) formal community-based reintegration programmes do not exist, but there are informal mechanisms such as church reconciliation and traditional processes, including for sexual assault cases. Some initiatives are underway to strengthen these and make them more child protection friendly. For instance, Fiji's Department of Social Welfare is working with partners to improve the Community Corrections system, whose measures currently include fines, counselling, community work, supervision and worryingly, in a few cases, physical punishment. Given the extent of informal diversion back to the community, a greater programme focus is needed on traditional and non-formal justice mechanisms that protects children.

Outcome 2: Children are better served by well-informed and coordinated child protection social services which ensure greater protection against, and responds to violence, abuse, exploitation and neglect

Child protection systems comprise of the set of laws, policies, regulations and services needed across all social sectors to support prevention and response to protection related risks. These systems are part of social protection, and extend beyond it.

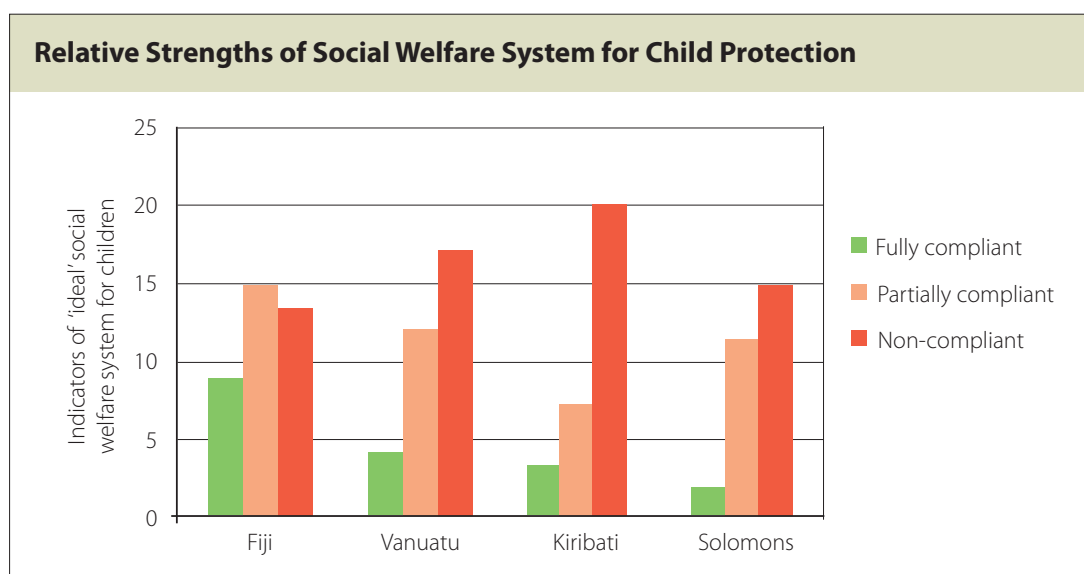
Social Welfare services

The level of consolidation of social welfare child protection-mandated services varies:

- in Vanuatu, at the time of the research, the Social Welfare Division of the Ministry of Justice and Social Welfare was in name only
- The Solomon Island's Social Welfare Division (within the Ministry of Health and Medical Services') is in its infancy
- Kiribati's Social Welfare Division (based in the Ministry of Internal and Social Affairs), though operational has no finalised policies and procedures based on international provisions; directions on care and protection; inter-agency policy guidance; reporting systems; and referral systems for child protection cases.
- Fiji's Department of Social Welfare (housed in the Ministry of Social Welfare, Women and Poverty Alleviation) leads other nations of the Pacific in service provision, with policies even extending to the regulation of out-of-home care facilities.

Constraints on social work include insufficient coverage (in the Solomon Islands social welfare officers are only active in four out of nine provinces); inadequately trained and supervised staff; and lack of uptake, both by referent services such as the police and by victims/families, who instead rely on informal services.

This lack of uptake is featured across all formal social welfare services, which the baseline research identified as whole of government; health services; education services; birth registration; youth services, as well as the social welfare division. The research identified and analysed compliance of these services with indicators of good child protection principles. The results are summarised in the following graph:



Birth registration institutions and the process of registering a child at birth furthers a child's protection from abuse and exploitation. Birth registration gives a child a legal persona including having a name and nationality and proof of age. The benefits of birth registration include the right to be treated as a child in justice processes, access to school with proof of age, and protection from child trafficking and exploitation under false names or identities.

Table 3: Birth Registration in the Pacific Islands

	Official statistics	Adults survey respondents stating children in their household under 5 have been registered	Proportion of adult survey respondents who say children have been registered who can show evidence
Solomon Islands	Approximately 0.1% of all births in were registered formally in 2007	88%	32%
Vanuatu	The Government/UNICEF Multiple Indicator Cluster Survey data from 2007 indicates that 25.6% of children under 5 were registered	31%	58%
Kiribati	Approximately 20% of children under 19 were registered as at 2005	92%	35%

Recommendations for this sector include:

- Inter-agency protocols and memoranda of understanding, with clear guidelines and feedback mechanisms need to be introduced and/or strengthened to facilitate referrals and reporting e.g. abuse cases.
- Social welfare staff and their partners' awareness and ability to take action on standard operating procedures, and operationalising strategic plans should be increased.
- Social welfare staff should receive further training and better supervision.
- Relevant ministries and agencies (apart from Social Welfare) should produce strategic work plans that specifically incorporates child protection principles.
- Collect and produce disaggregated data on child protection, as well as directory services of available services / dedicated helplines
- Improve communication about the importance of birth registration, and integrating registration with ongoing programmes, as well as coordinate better with church groups and schools to get children registered when they are baptised or enrolled in school for instance.

Outcome 3: Children in selected geographical areas grow up in home and community environments that are increasingly free from violence, abuse, exploitation and neglect

Communities are primarily a source of protection and solidarity for children. Working at community level is an effective way of promoting social change, notably through non-coercive and non-judgmental approaches that emphasize the fulfillment of human rights and empowerment of girls and boys.

Village Plans for Child Protection

Most communities in the Pacific Islands do not have child protection plans, or at least, if they do, community members are not aware of them. For instance, 83% of urban Fijians surveyed and 67% of rural residents stated that their community did not have a plan; only 16% of Kiribati respondents were aware of such plans. In any case, even respondents stating awareness of a plan were largely not consulted about them and had not seen written evidence of them. This is true even of countries like the Solomon Islands, where Community Welfare Volunteers (CWVs) are on hand to assist in such activities.



However, the vast majority of respondents (e.g. 88% in the Solomon Islands, 89% in Kiribati) who stated that there are plans in place feel that these plans do help to keep children safe from violence, mainly by clarifying acceptable and unacceptable behaviour towards children and raising awareness of abuse and how to prevent it.

Communities nation-wide need to be encouraged to develop, publicise and regularly monitor plans, with full participation from the entire community and support from relevant actors (e.g. CWVs in the Solomons and the Social Welfare Department in Fiji). The plans should reflect communities views and be age- and gender-inclusive. Roles and responsibilities should be clearly stated, as well as appropriate actions and roles for the formal sector. In communities where plans are available/developed, community-wide awareness needs to be raised about their existence.

The role of parents and caregivers



Parents and caregivers (particularly male relatives) are overwhelmingly the first port of call for children who have been badly hurt. In Fiji, 72% of respondents are confident about what to do if a child in their care were badly hurt. However, 18% are not confident and other evidence shows that their reactions, especially in relation to actual cases of inappropriate touching, may not be appropriate or consistent with good child protection practice.

In each country adult caregivers are more likely to take informal actions (e.g. 83% of respondents in the Solomon Islands) than seek formal assistance if a child in their care was hurt by someone. This includes talking to the child, confronting the perpetrator, involving traditional authorities. Additionally, the majority of these informal responses tend to focus on the perpetrator.

Awareness of formal services available (whether they are used or not) varies across countries. For instance, in Vanuatu, adult respondents listed more informal than formal services as being available, while Kiribati respondents listed the Police and health services.

Within households in each country the majority of caregivers admit to using physical punishment. In Kiribati this figure is 81%, in Vanuatu 78%, and in Fiji and the Solomon Islands 72%. Child responses indicate that figures are even higher than caregivers claim. Despite this, the majority of caregivers display a high level of awareness of positive discipline techniques (although this awareness is somewhat tempered by actual practices, such as name calling) and children still list home as the safest place.

One feature of Pacific Island life is the fostering of children away from home (25% of adult respondents in Kiribati, 17% in the Solomon Islands and 11% in Fiji had biological children living outside their households). It is important to note that while the majority of respondents felt their children are safe, this is based largely on assumptions, rather than information from the children themselves.

Recommendations:

- Communities would benefit from awareness-raising on the range of services available, including formal ones, and exactly what they can offer in relation to child protection.
- It is crucial that caregivers understand the importance of always remaining approachable so that children of all ages, including older children, are encouraged to talk freely to them.
- Greater awareness-raising is needed specifically on the negative impact of verbal and emotional abuse and neglect on children. Safeguards should be taken to ensure that alternatives forms of discipline do not include verbal or emotional abuse.
- Siblings and other members of households also need to be involved in awareness-raising on the range of child protection services available and cultivating responses that are child-centred and in the best interests of the child.
- As children tend to seek help from male relatives when threatened with violence or bullying, programmes should explore ways to increase the engagement of male caregivers in positive, proactive parenting which includes responding to children's emotional as well as physical needs.
- Greater awareness is also needed to understand the risks associated with children living away from home as well as the negative impact of verbal and emotional abuse.
- Community initiatives with sufficient community input in positive parenting.

Teachers and the education system

According to both the Child Household Questionnaire and Education Key Informant Interview respondents, the role of teachers is paramount in making children feel safe in schools, but this is also the area least regulated by formal rules. Bullying, poor physical environment, lack of effective policies and understanding about child abuse also feature as things which make children not feel safe in schools.

36% of education key informants in Vanuatu admit teachers administer corporal punishment. At the other end of the scale is the figure of 75% for Fiji. School-going CHHQ respondents also report experiencing physical harm and verbal insults from both teachers and other children at school and inappropriate touch by other children and adults, including teachers. Bullying, poor physical environment, fear of teachers and lack of understanding about child abuse also features as things that make children feel unsafe in schools.

While child and key informant respondents widely agree that existing school rules help to keep children safe but these tend to be 'general school and discipline rules' regulating children's behaviour rather than separate or explicit 'child protection policies'. Children have had limited involvement in developing the rules. Also, there is much less emphasis on the role of teachers.

Teacher education and curriculum development should include non-violent forms of discipline. Policies prohibiting teacher misconduct should be strictly enforced and school rules and policies should include child protection measures that are mutually agreed upon with all stakeholders, including parents and children.

Developing teacher's awareness about alternative forms of discipline and making children and teachers aware of their roles and responsibilities in relation to the school rules are further recommendations.

Children and their own protection

Children in the Pacific Islands appear to speak out more freely in informal spaces (with friends or at home) compared with more formal spaces (at school or in the community). However, even within the home children are somewhat limited in what they can say freely; in the Solomons only 61% of CHHQ and AHHQ responses combined indicate that families create opportunities to raise and discuss problems through family meetings. Further, only 49% of CCHQ respondents agreed that they could say what they wanted to their parents without fearing punishment. In Fiji, caregivers appear to be more confident than children themselves about children's ability to speak out; for instance, 95% of AHHQ respondents compared with only 62% of CHHQ respondents agreed that they have regular family meetings.

The research also found that consistently, across all types of violence, children are experiencing more violence (including 'inappropriate touching') than they are reporting. In the Solomon Islands, only 43% of CHHQ respondents who had experienced violence within the past month told someone about it. Although the majority of child respondents (aged 16-17 years) claim to understand appropriate and inappropriate touching; however, some children do not fully understand what constitutes acceptable and unacceptable touching and when they should speak out, which renders them vulnerable to sexual abuse. Both children and adults were apparently the perpetrators of inappropriate touching (e.g. 60/40 split in Vanuatu). In Fiji, 74% of incidents were perpetrated by other children rather than by adults.

Overall, children would seek 'informal' assistance when badly hurt by someone (overwhelmingly CHHQ respondents stated they would talk to their parents, except in Kiribati, where friends top the list). In Vanuatu, only 11% of responses included 'formal' (state) services such as the police, a medical practitioner or teacher. In general the majority of children know who to talk to if they are badly hurt by someone, although children are only aware of the existence of a small range of formal services. In countries where awareness of the formal sector is higher, e.g. Fiji, the most known service (i.e. the Police) is the least trusted, with 50% of negative responses.



Recommendations:

- The reliance on informal contacts emphasises the need to make sure that these key groups, including peers, are empowered to best help children in need of protection.
- Given that responses about measures to take if hurt include hitting back and confronting the perpetrator (15% in Vanuatu), there is the need for awareness-raising on non-violent conflict resolution techniques, particularly amongst peers.
- Children also need to be further empowered to know about the full range of services available in their area.
- The development of a Communication for Social Change Strategy that would actively involve children in child protection advocacy would encourage the empowerment of children about their own protection at home and school.
- The fact that much inappropriate touching and physical abuse is perpetrated by other children raises the importance of directly engaging with children themselves and further awareness-raising regarding child protection issues.

Conclusions

Legislation

In each country (perhaps with the slight exception of Fiji) legislation promoting child protection is wholly inadequate. However, there are promising initiatives in the pipeline, such as the National Child Protection Policy in Fiji, the National Children's Policy and Plan of Action in the Solomon Islands, and proposed and ongoing Penal Code reform, but proposed Bills need to be passed and existing laws need to be expanded, updated, operationalised.

Justice and Social welfare

In the Justice and Social Welfare Sectors, there are some positive developments, with the introduction of dedicated welfare departments and some inter-agency referral and collaboration between services related to child protection evident. However, protocol guidelines need to be clarified and operationalised, staff require greater awareness of procedures, as well as more training and institutional support. Social welfare departments, the Police, justice systems and other agencies related to child protection also need more specific guidelines, standards and processes. Social welfare services need to work more closely with communities to foster positive parenting skills, build protective environments, and develop and implement community child protection plans.

Community attitudes towards child protection



Greater awareness about what constitutes abuse is needed, in schools, in the community, and among children themselves. The reliance on traditional processes and informal contacts, even among formal services such as the police, emphasises the need to make sure that key community groups, including children themselves, are empowered to help children in need of protection and aware of the full range of services available in their area. It is imperative to develop policies that consider traditional practices, ranging from police practice and court sentencing to compensation and community rehabilitation, while recognising their potential shortcomings (e.g. to discriminate against women, or the use of corporal punishment). Communities could be assisted to set up their own Child Protection Committees at community level, with the appropriate training on child protection procedures.



The Child Protection Baseline Research has identified the status of Child Protection issues in Fiji, Kiribati, Solomon Islands and Vanuatu which are often sensitive topics and at times are 'hidden' in communities.

This report is a valuable resource for policy makers in government, academics who want to conduct further research, project and program planning of NGO's, as well as for individuals as a reflection for behaviour change. The given recommendations should also serve as a cornerstone to help shape the 5 year respective Pacific Governments/UNICEF Pacific Child Protection programme on how to move towards a more protective environment for children.

With UNICEF Pacific's commitment to the protection of children and its endeavour to work with strong partnerships at all levels, the children of the Pacific should, within the next five years and beyond, develop to their full potential in an environment that is free from abuse, neglect and exploitation and soundly protected by family, community and government effectively working in collaboration. This is our vision. It is our hope that the findings and recommendations have encouraged you to share our vision and take action in your own capacity to change and contribute to building a protective environment for our children in the Pacific.

