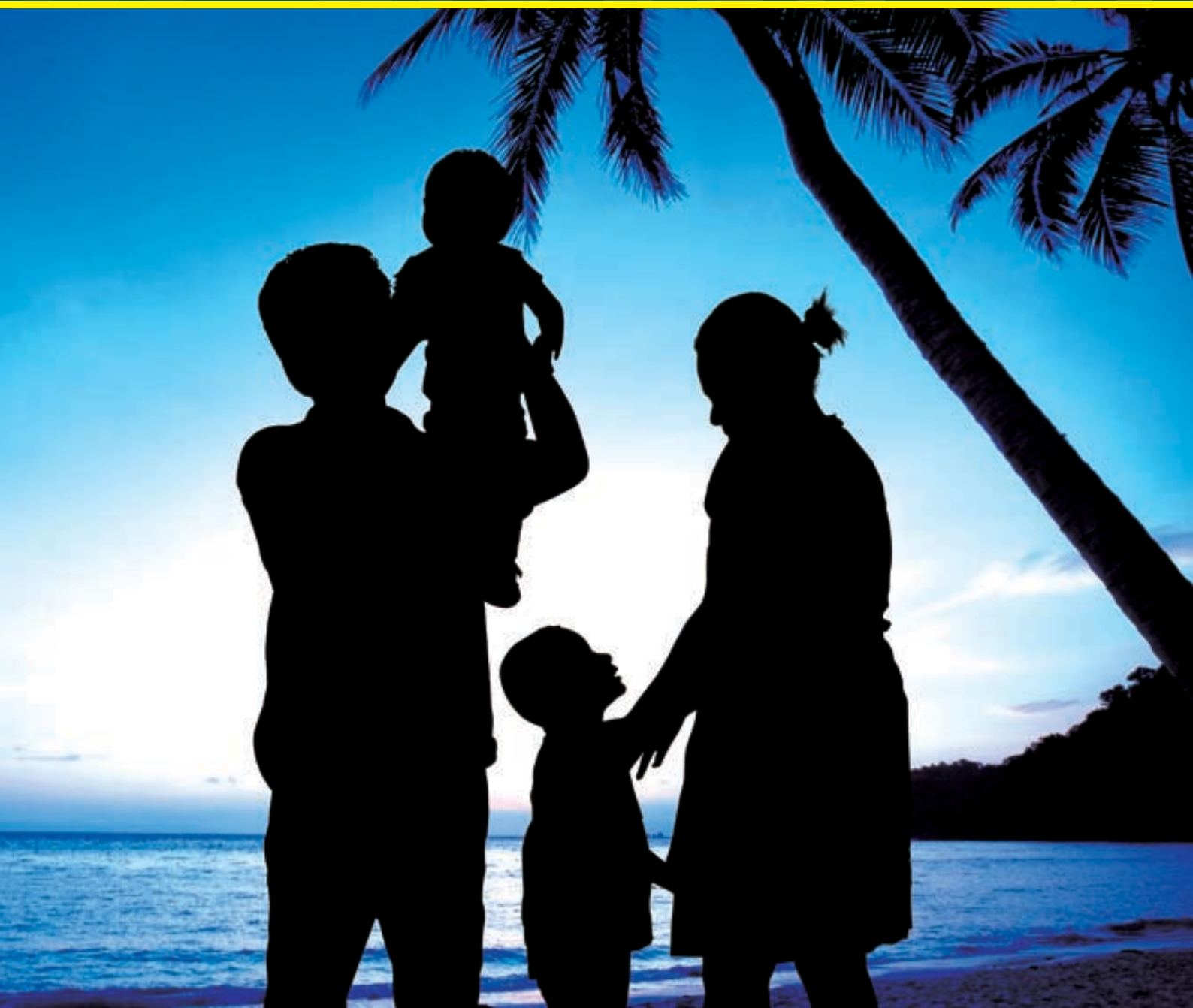




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A Baseline Report for creating
a future free from violence,
abuse and exploitation of girls
and boys in Fiji

Protect me with love and care



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a future free from violence,
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Acronyms

AFCJP	Australia Fiji Community Justice Programme
AHHQ	Adult Household Questionnaire
ARA	Administrative / Research Assistant
CASO	Child Abuse and Sexual Offences Unit
CHHQ	Child Household Questionnaire
CP	Child Protection
CPAP	Country Programme Action Plan
CPBR	Child Protection Baseline Research
CSO	Civil Society Organisation
DPP	Department of Public Prosecution
DSW	Department of Social Welfare
DevInfo	[Name of computer software used for PDA data collection and analysis]
FD	Field Diary
FCOSS	Fiji Council of Social Services
FRT	Field Research Team
GA	Group Activity
ICCANA	Inter-Agency Committee on Child Abuse, Neglect and Abandonment) Sub-Committee of NCCC
KII	Key Informant Interview
NCCC	National Coordinating Committee for Children
NR	National Researcher
OLON	Overall Location Observation Notes
PCP	Pacific Children's Programme
PDA	Personal Digital Assistant
RRF	Results and Resources Framework
RRRT	Regional Rights Resource Team
UNCRC	United Nations Convention on the Rights of the Child
UNICEF	United Nations Children's Fund
USP	University of the South Pacific

Foreword

The 2008 National Report on the Fiji Child Protection Baseline Research is a product of the cooperation between the Fiji Government and UNICEF. An analysis of existing child protection systems and services was the major objective of the exercise.

The Government of Fiji is extremely grateful to UNICEF for the technical assistance and cooperation provided in respect of the publication of this report. The report contains data and information on current practices on child protection in Fiji. Furthermore, it provides a kaleidoscope view of the prevailing conditions in the varied environmental and social spheres that exist.

The National Coordinating Committee on Children (NCCC) in its role as the coordinating agency for the implementation of the Convention on the Rights of the Child (CRC) has been instrumental in the conduct of this survey and the completion of the report. The research exercise provided opportunities for all stakeholders to share information on the development of benchmarks on child protection standards in Fiji, and this subsequent report provides strategies for the protection of children from the scourges of abuse, neglect and exploitation. It also makes numerous recommendations on the protocols and actions that need to be taken.

These recommendations obviously, cannot be achieved without the contribution of all stakeholders, agencies, communities and individuals. There is indeed an urgent need for a concerted effort to institute necessary actions to ensure the development of desired outcomes for a better environment for the development and protection of Fiji's children. The realization of this report will definitely contribute towards Fiji's obligations to the Conventions on the Rights of the Child.

The identification of gaps in existing policies and regulations was a major part of the research exercise, and of this I wish to commend the National Research Taskforce for its commitment to this delicate task. Highlighting all relevant issues that need to be addressed in the effort to provide a secure environment for our children, was also an added dimension to the completion of this report.

As the chair of the NCCC, I implore all parties and agencies working with children to faithfully take note and contribute to the implementation of the recommendations contained herein. This can only happen, if each agency includes these suggestions in their respective plans and deliverables.

It is my hope that all agencies and individuals, who work with children, will embrace this document, and consider it a milestone in our effort to improve on the safety and welfare of Fiji's innocent children, who have been entrusted in our care.

May God Bless and sustain all those who work with and for children.



Govind Sami
ACTING PERMANENT SECRETARY FOR SOCIAL WELFARE,
WOMEN AND POVERTY ALLEVIATION

Statement by the UNICEF Pacific Representative

The geographical scatter of the Pacific Island Countries (covering over 30 million km² of ocean) and the high cost of doing business in this region make development programming a major challenge, particularly when reliable data is scarce. This is why generating good data such as the report “Protect me with Love and Care: A baseline report for creating a future free from violence, abuse and exploitation of girls and boys in Fiji” is necessary to promote evidence-informed programming.

This baseline report answers what is perhaps a more difficult and technical examination, of legal frameworks, formal social service structures, and the various environments provided by our communities and families; to see how effectively each of these circles of child protection, as duty bearers can work alone in concert with each other to keep our children safe.

The report provides an in-depth analysis of the findings of the research and includes strategic recommendations for programme design and direction based on three pillars of the Child Protection Framework, legal and regulatory systems, social welfare systems and social behaviour change system. This research provides an opportunity to build on and complement the existing studies to arrive at a more comprehensive situational analysis of child protection in Fiji that is both qualitative and quantitatively sound. It serves as a marker in 2008 for measuring progress and achievement of the child protection interventions by the end of the Government of Fiji and UNICEF programme cycle in 2012.

I thank the Government of Fiji for its commitment to the protection of children of Fiji to live in an environment that is free from violence, abuse and exploitation and soundly protected by family, community and government effectively working in collaboration.

Let us take lead from the title “Protect me with Love and Care” – derived from the findings of Fiji baseline research that highlights the key response from children stating they wished to be protected with love and care by their parents, teachers and guardians – to work together with partners and stakeholders to utilise the data from this report to make results-focused programming more efficient and achievable and ultimately make progress towards the targets of the Millennium Development Goals.



Isiye Ndombi

Executive Summary:

FIJI ISLANDS CHILD PROTECTION BASELINE REPORT 2008

Background

As in other areas of the world, children in the Pacific Islands are vulnerable to violence, abuse and exploitation. In Fiji, the potential for these outcomes are exacerbated by political instability, active substance abuse and economic difficulties. The Country Programme Action Plan (CPAP) and its Results and Resources Framework (RRF), agreed by the Government of Fiji and UNICEF Pacific, provide strategic direction for child protection interventions in the country. It provides the basis for the joint Government of Fiji/UNICEF Pacific Child Protection Programme, which runs from 2008-2012.

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

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.

Children were at the centre of the baseline survey and their voices included through group activities and as questionnaire respondents (for older children, aged 16-17). The survey applied a comprehensive range of techniques, including desk reviews of the justice system, legal documents and institutional records; key informant interviews (192); workshops with children and other key stakeholders (315); child and adult household questionnaires (284 and 342 respectively) and additional questionnaires with police (116) and magistrates (1).

Thirty field researchers covered 35 locations throughout 11 provinces of the country, purposely selected to represent a cross-section of the population. Their findings were compiled and analysed against outcomes of the RRF. These were presented at stakeholder workshops, which fed into recommendations and the final report.

Methodology

The research consisted of a legislative compliance and desk review, as well as extensive field research in 30 locations throughout the six provinces. This included 131 key informant interviews (KII); 248 child household questionnaires (CHHQ, 16-17 year olds only); 262 adult household questionnaires (AHHQ); and 272 group activities with children aged between 7-18, divided by age and segregated by gender. There were also workshops with children in the justice system, and with key stakeholders.

Findings

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

Output 1.1 Magistrates, judges, police officers, probation officers, social welfare officers, lawyers and prosecutors manage cases involving child offenders, witnesses and victims and make decisions in line with principles of justice for children

Two procedures direct how to deal with young offenders but these are not often adhered to. For instance, despite guidance on interview procedures, which state that parents or other support (such as legal aid) should be present during police interviews, children report rarely having such support and police are reported to use coercive tactics. Children are not always tried in Juvenile Court, and the mandate of 'closed court' has sometimes been used to exclude their supporters from court proceedings. There are no written procedures/ guidelines for prosecuting of children in conflict with the law, or guidelines for dealing with child witnesses and victims/survivors. However, some police and justice representatives (41% and 67% respectively) have received training on preventing or responding to child abuse and neglect.

In spite of inter-agency Memoranda of Understanding (MOU) directives, victims and survivors are not routinely referred to other services, such as the Department of Social Welfare (DSW), the Ministry of Health, or the Child Abuse and Sexual Offences Unit (CASO), as standard practice, apart from rape cases. Child victims/survivors are not familiarised with court processes and report feeling 'inadequately protected' against the defence. Some reported being discouraged from pressing charges.

Standard practices for referrals, training on juvenile justice and child rights along with enforcing existing laws are recommendations that the report puts forward and suggests that with the above implemented, principles of justice for children will prevail for cases in court involving children.

Output 1.2 Appropriate diversion options are increasingly available for children in conflict with the law and are managed at community level with effective inter-agency cooperation and collaboration

Police informally divert (only give a warning to) child offenders at a high rate, preferring to sort the problem out with parents and the victim/survivor directly rather than going through the courts. Formal diversions mainly consist of cautions with or without conditions, rather than charging offenders, but only with the victim/survivor's consent. Formal diversion accounts for 36% and informal diversion counts for 35% of police responses to what they would do when a child has committed a crime. Even for cases that make it to court, imprisonment is rarely considered for children.

Some child offenders are not reported to the police at all; 46% of key informant responses indicated that children in conflict with the law are referred to an administrative or to traditional or religious community leaders instead. Only 27% of responses mention referring the matter to the police.

The DSW is working with partners to improve the Community Corrections system. Current community corrections measures include counselling, community work, supervision and worryingly, in a small number of cases, physical punishment.

Output 1.3 Laws relating to child protection priority areas (juvenile justice, age, sexual exploitation, sexual abuse) are harmonized with the CRC, its protocols and international principles

Existing domestic law and policy was measured against relevant UN Convention on the Rights of the Child (CRC) provisions and international principles. These were: Child protection; Family separation and alternative care; Violence and maltreatment; Sexual abuse and exploitation; Abduction, sale and trafficking; Child labour and children in street situations; Child friendly investigative and court procedures; Rehabilitation; Children in conflict with the law; Refugees, unaccompanied children and migrant children; and Children involved in armed conflict. The review found that legal powers, discretions and interagency protocols broadly fulfil CRC provisions, so far as they are relevant to Fiji: 95 indicators are fully compliant, 86 are partially compliant and 77 are non-compliant.

Initiatives to strengthen compliance further are underway. These include plans by the National Coordinating Committee for Children (NCCC) to create a National Child Protection Policy. However, many of the existing provisions require supporting legislation, review, clarification, and operationalisation. Stakeholders are unaware of their existence and content, and relevant supervisors do not enforce them. Also, capacity for drafting child-friendly legislation is significantly lacking. The law also makes insufficient provision for the rehabilitation and protection of child victims/survivors of abuse, neglect and exploitation.

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

Output 2.1 National Government and other mandated authorities dealing with children's protection have well resourced plans addressing child protection

Relevant authorities (including DSW, and the Ministries of Youth and Education) have plans that address child protection but there are no fully resourced strategic or forward plans.

Recommendations from the baseline suggest that mandated authorities dealing with children's protection including Ministries of Finance and Planning, Social Welfare, Health, Education, Youth and Justice have principles and activities incorporated into the forward strategic plans at to ensure that they are well resourced.

Output 2.2 DSW has the capacity to monitor and assist children's homes and institutions to meet minimum standards of care and promote family-based care as an alternative to institutionalization of children, including those who are victims of abuse and children with disabilities

Fiji's Department of Social Welfare (DSW) leads other nations of the Pacific in service provision. Its policies relating out-of-home care include the 2008 Minimum Standards of Care for Children in Residential Placement (2008), which requires residential care facilities to be registered. All children in certified residential care facilities are provided with long-term case management by DSW Officers.

Children with disabilities and behavioural challenges are not well catered for, and opportunities exist for expanding minimum standards to cover other out-of-home child care arrangements – 53% out of a total number of 181 children adopted and in institutions in 1998 were in formal family-based care in lieu of residential care. Crisis services, such as a children's helpline and psychological services are lacking, as are effective case and information management.

Providing appropriate living arrangements and child psychiatry and psychological services to children who are victims of abuse and children with disabilities are strongly suggested in the recommendations of the report.

Output 2.3 Inter-agency child protection systems and processes effectively manage child protection cases in line with established procedures

Relevant agencies include: hospitals and health centres; schools and early education; birth registration; youth services (many run by civil service organisations); the justice sector (police, courts, prosecution, legal assistance, social welfare); religious bodies and NGOs. There are a few active inter-agency protocols concerning/including child protection in Fiji, such as between the Fiji Police and the Ministry of Health Regarding the Provision of Medical Services but others (like The Protocol between the Fiji Police and DSW Regarding Protective Services for Children and Young People in Fiji) have lapsed. Agencies report referring to and reporting cases of child abuse to the relevant bodies but guidelines are unclear and feedback mechanisms lacking.

Measures are being put in place to assist inter-agency collaboration and provide referrals and links between different service providers. A subgroup of the NCCC, the Inter-Agency Committee on Child Abuse, Neglect and Abandonment (ICCANA), is in the process of finalising its terms of reference and developing inter-agency protocols and guidelines, and the DSW is currently establishing an Online Community Services Directory.

Output 2.4 Divisional Social Welfare Officers have increased capacity to prevent child abuse, make referrals and follow-up on abuse cases in line with established procedures

Of 72 cases dealt with or witnessed collectively by nine social welfare (SW) representatives over the past year, only 26% were referred to another agency for help. Among the ten SW representatives interviewed, six were aware of DSW standard operating procedure guidelines for dealing with child abuse and neglect.

The capacity of social welfare officers to action child abuse cases was significantly increased in 2008 due to training and technical assistance by the Australia Fiji Community Justice Programme and 5 out of 10 respondents had organised prevention activities with the communities you work in specifically for child abuse and neglect

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

Output 3.1 Children (boys and girls) are equipped and empowered to make informed choices to protect themselves from violence, abuse and exploitation

The ability to 'speak out' in general – at home, at school, in the community and with friends – is usually a prerequisite to being able to speak out about particularly sensitive issues such as child protection more specifically. In general children can speak out more freely in informal spaces (with friends or at home) compared with more formal spaces (at school or in the community).

Whilst it is reassuring that some children speak out (43% of CHHQ respondents), there are still many incidences of violence, including 'inappropriate touching', which go unreported by children. In spite of the generally high levels of understanding, some children aged 16-17 years do not fully understand what constitutes acceptable and unacceptable touching and when they should speak out. 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.

Children are at risk in spaces they occupy most of the time (home and school), and around people known to them; 74% of incidents were perpetrated by other children rather than by adults.

Although the police and healthcare professionals are most listed as available services in the 'formal' sector, the police was the least trusted service, with 50% of negative responses. The majority of responses indicate that children would seek 'informal' assistance (their parents) if badly hurt by someone.

Plans have been made to address the above issues with the development of a Communication for Social Change Strategy that would actively involve children in child protection advocacy and encourage the empowerment of children about their own protection at home and school.

Output 3.2 Villages, urban neighbourhoods and settlements implement child protection plans for the prevention of any form of abuse against children.

Overall, 83% of respondents from urban neighbourhoods / settlements and 67% of respondents from villages surveyed stated that there is not a plan in place to help keep children safe from violence or that they do not know about any such plan. CHHQ respondents demonstrated the least amount of knowledge regarding this.

Of those aware of such plans, 41% of respondents claim to have been consulted about it; this drops to only 7% for CHHQ respondents. Nonetheless the majority of respondents feel that the plans do help to keep children safe from violence.

The report recommends that the SWD work with communities to strengthen existing child protection plans and advocate for a nationwide development of community child protection plans that reflect views of the community that are inclusive of age and gender.

Output 3.3 Community and religious leaders promote child protection principles at community level

While education representatives speak out about keeping children safe more than other key informant groups, they are the least confident about recognising sexual abuse of children. The range of responses given in general, however, is nonetheless encouraging as it demonstrates a broad understanding of the many different ways in which sexual abuse can manifest itself.

Community and religious leaders also promote a wide range of messages about child protection, the majority being general messages about the need to protect children from bad influences and to keep them safe.

Output 3.4 Schools are increasingly a child-friendly, safe environment for children

75% of education key informants admitted that 'teachers in this school hit, smack, pinch, kick, drag or pull or twist children's ears'. Children identified 'teachers hit children' as the number one thing which makes children not feel safe in schools. As with physical harm, children state that the majority of reasons for teachers calling them names are related to punishment or discipline (57%) but a far greater proportion attribute this to the teacher getting angry or losing their temper.

88% of CHHQ respondents and 79% of education key informants agree that rules exist in schools which help 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'. There is much less emphasis on teachers' roles and responsibilities.

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 recommendations that seek to address the above findings of the baseline report.

Output 3.5 Parents and caregivers are better informed and practice positive parenting in the home environments

Parents and caregivers are overwhelmingly the first port of call for children who have been badly hurt. 72% of AHHQ 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.

11% of AHHQ respondents had biological children of their own currently living outside their households, 58% of whom are girls with the majority being over the age of 11, and mostly aged 16-18. These children mostly live with other relatives and are mostly away for schooling purposes. The respondents do not seem particularly aware of any risks associated with sending children away from home. 85% feel that their children are safe in their alternative places of residence, but this is based largely on assumptions, rather than from what they hear from children themselves.

72% of AHHQ respondents admit to physically hurting children in their household. CHHQ responses also indicate that it happens more frequently than AHHQ respondents claim. Despite this, AHHQ respondents demonstrate a high level of awareness of positive discipline techniques and proactive ways to show children that they are loved and cared for. However, this is undermined in practice by inappropriate name-calling and making children feel unwanted.

The report recommends that community initiatives with sufficient community input

in positive parenting may hold answers to the social reintegration and protection of children in Fijian communities.

Conclusions

Fiji has made promising strides in child protection. Its Department of Social Welfare is exemplary in the region and many of Fiji's existing laws and policies comply with international conventions. There are promising initiatives in the pipeline, such as the National Child Protection Policy but some of these laws need expanding, updating and operationalising.

Some inter-agency collaboration is evident but collaboration needs to be strengthened: existing memoranda of understanding and protocols have lapsed. Furthermore, protocol guidelines need to be clarified and operationalised, ranging from the ways in which police deal with children in conflict with the law, to how courts treat child victims/survivors. Staff require greater awareness of procedures, as well as more training and institutional support.

In the places where children spend most of their time – school and home – both adults (caregivers and teachers) and children need to be made aware about child rights, what constitutes inappropriate behaviour, and how to recognise and deal with different forms of abuse. The involvement of other community members - church youth leaders, for instance need to be strengthened.



Section 1: Background

1.1 Government / UNICEF partnership

To guide and support the collaboration between UNICEF and the Pacific Island countries working together for the protection of children, a 'Pacific Regional Framework' document was developed in 2006. This document was the result of a consultation process involving partners¹ in Fiji, Vanuatu, Samoa, Kiribati, Solomon Islands, UNICEF and AusAID² from August to November 2006. The 'Regional Framework' emerged as a new strategic direction for child protection interventions to be implemented by the five Pacific Island Countries and provided the basis for the development of the Pacific Governments/UNICEF Child Protection Programme, 2008-2012.

The document draws on global and regional (South East Asia and the Pacific region) experience in the area of child protection, including the

UNICEF Child Protection Strategy of May 2008, and offers a programme strategy for building a 'Protective Environment' for children.

The ultimate goal of the Child Protection Programme is to contribute to the **reduction of violence, abuse, neglect and exploitation of children** in Pacific Island Countries.

The Pacific Governments/UNICEF Child Protection Programme 2008-2012 has identified three key outcomes expected to be achieved by the end of 2012. These have been further articulated in country-specific Country Programme Action Plans (CPAP) and Results and Resource Frameworks (RRF) for the period 2008-2012.³ The three outcomes which are expected to be fulfilled by the end of 2012 are:

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.

Targeting the child's immediate environment, the Programme will work closely with parents, caregivers and other community members such as teachers in preventing child abuse and mitigating risks for violence, abuse and exploitation. The Programme will relate to the socio-economic, political and cultural context by addressing values and norms that have a fundamental impact on children's protection.⁴

¹ Government Departments / Ministries and NGOs who have a mandate to work on child protection issues and/or work or have activities on the issue

² AusAid and UNICEF entered into a Multi-Country Programme Contribution Agreement in March 2005, confirming AusAid's commitment to provide AUD\$7.35 million for a five-year period (2005-2010).

³ See Appendix B for the Results and Resources Framework for Fiji.

⁴ UNICEF's Multi-Country Programme Document (CPD) for Pacific Island Countries.

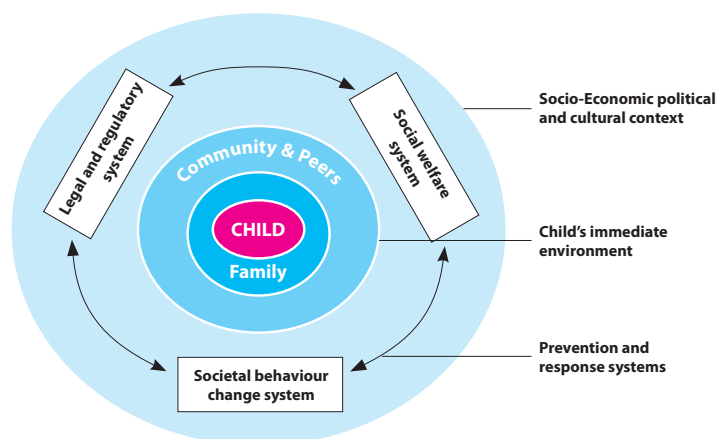
The Programme promotes a systems-building approach that identifies and meets capacity building needs of institutions providing social, justice and birth registration services for children. Lessons learnt from work done previously by the Pacific Children's Programme (PCP) endorse the need to involve a wide range of relevant stakeholders - including civil society and faith-based organizations, as well as those from other programme areas within UNICEF - in exploring synergies and collectively developing rights-based and protective national frameworks, policies and programme interventions.

1.2 UNICEF Protective Environment Framework

Agencies and development partners working in the area of child protection developed the 'Protective Environment Approach' to child protection programming. The 'Protective Environment' was introduced as the key principle in the 'Pacific Regional Framework' mentioned above.

Programmatically, the Protective Environment Approach can be categorized into three broad areas of intervention that build or strengthen systems for protecting children, recognizing the socio-economic, political and cultural contexts in which children grow (see the diagram). These three areas form the basis for the Child Protection Programme as articulated in the CPAPs and RRFs, and as reflected in the three outcome areas highlighted above.

Within these three broad areas, the Protective Environment Framework identifies eight factors that are instrumental in keeping children safe from harmful situations. These factors can all be strengthened, and changes measured, through the targeted support of national and international actors.



The Protective Environment Approach has two key features. Firstly, it seeks to comprehensively address the environment around children and repositions community members as duty-bearers with primary responsibility for children's well-being and protection. Secondly, the Protective Environment Approach aims to provide protection for all children over time, rather than targeting specific responses just for children in need of special protection, for example children who live on the streets. The Protective Environment Approach is therefore a child-centred, holistic and long-term approach to preventing abuse and exploitation for all children as well as addressing the social reintegration and recovery of those who have been abused.

1.3 Country context

Total population	- Fiji is a multi-racial country with a total population of 860,743.⁵ In 2003 the total male population was recorded at 424,187 slightly more than females who recorded 407,363.⁶ - Fiji has a very young population with children aged between 0-19 years making up around 41% of the country's total population.
Ethnic groups	Two major ethnic groups are Indigenous Fijians (478,496) and Indo-Fijians (310,093). Other ethnic communities comprise 72,154 people, including Europeans, Part-Europeans, Chinese and others.⁶
Religions	Fiji is a religious country which is predominantly Christian (52.9%). The main Christian denominations are the Methodists, Catholics, the Assemblies of God (AOG) and the Seventh Day Adventists (SDA). The other major religions include Hinduism (38.1%) and Islam (7.8%). Other minor religions comprise 1.2% of the population.
Languages spoken	English is Fiji's official language and is also the language of instruction in schools. Fijian and Hindi are also taught as part of the school curriculum. Indigenous Fijians in the different geographical regions of the country have their own dialects which often identify where they are from.⁷
GDP per capita (US\$)	Fiji: US\$ 6,049
UNDP Human Development Index ranking	Fiji: 92 out of 177 countries with data ⁸

⁵ 2007 population projection (Fiji Island Bureau of Statistics, 2008).

⁶ Fiji Island Bureau of Statistics, 2008.

⁷ Fiji Government Online, 2008.

⁸ Source: UNDP Human Development Report data for 2005 as cited in 2007/2008 report.

‘Cultural’ factors which impact on child protection

- Children occupy a central place in Fijian society and are identified either by age or social status.
- There are some inconsistencies in the age definition of children. However, recognising their special stage of development, they are protected through a number of state laws.
- Generally children are nurtured and pampered. In Fijian families this treatment is manifested through celebratory rituals like birth, male circumcision and naming.⁹ For Indo-Fijian families and other minority groups acknowledgement and praise are often accorded to educational success and other culturally significant life achievements.¹⁰
- The status of children shifts when they are in a position to work or contribute to the welfare of the household. However, they remain socially dependent and politically passive as a social group without a voice.¹¹
- Culturally Fijian children are freer and at times lack parental supervision compared to Indo-Fijian and Chinese children who are usually more closely supervised.¹²
- The dependent status of children in the home and at school exposes them to the risk of abuse, violence, neglect and sexual exploitation. In this context many perpetrators are known to the children.¹³
- The practice of administering corporal punishment on children derives justification from the cultural expectation of the role of parents and from the religious interpretation of ‘spare the rod, spoil the child’. Corporal punishment continues to be widespread in many homes but has been outlawed in schools.¹²
- The cultural practice of relatives hosting children has become impractical in modern Fiji leaving many hosted children vulnerable to abuse, neglect and the search for an alternative life outside the home.¹⁴

Other factors which impact on child protection

- Fiji’s political upheavals and their accompanying consequences in the form of uncertainty regarding personal security, unemployment and the expiring of land leases have been known to directly and indirectly affect children. The impacts on children have been many and include health and nutrition issues, their inability to access or remain in schools and issues of neglect and abuse at the hands of parents and caregivers experiencing stress and trauma.¹⁵
- Children are known to be actively engaged in substance abuse, specifically tobacco and marijuana use and alcohol and kava consumption.¹⁶ A recent survey with primary school students revealed that kava consumption (52%) topped the list of substances that they have tried and use. This is followed by: alcohol (28.6%); tobacco (16.9%); solvents and glue (12.5%); and marijuana (1.9%).¹⁷ In July 2008 the Fiji Police reported that 74 children under the age of 17 years were arrested for glue-sniffing across Fiji wide.¹⁸
- Economic difficulties and the growth of the tourism industry together increase the vulnerability of children to commercial sexual exploitation.¹⁹
- Child protection education and promotion work was initiated by the Pacific Children’s Programme and continued by Community Project Officers (CPOs) housed within the Department of Social Welfare (DSW) with a view to developing preventative strategies at the community level.
- Children and young people have mobilised themselves and have taken an active interest in the protection of their rights and well-being. Examples of these groups include Kids Link Fiji and Youth Champs for Mental Health.

⁹ Brewster, 1922; Ravuvu, 1983.

¹⁰ Vakaoti and Finekaso, 2002.

¹¹ Adinkrah, 1995; Monsell-Davis, 2000; Vakaoti, 2007.

¹² SCFF, 2006a.

¹³ FWCC, 2001; IDSS, 2003; SCFF, 2006b.

¹⁴ Monsell-Davis, 1986; Vakaoti, 2007.

¹⁵ SCFF, 2001.

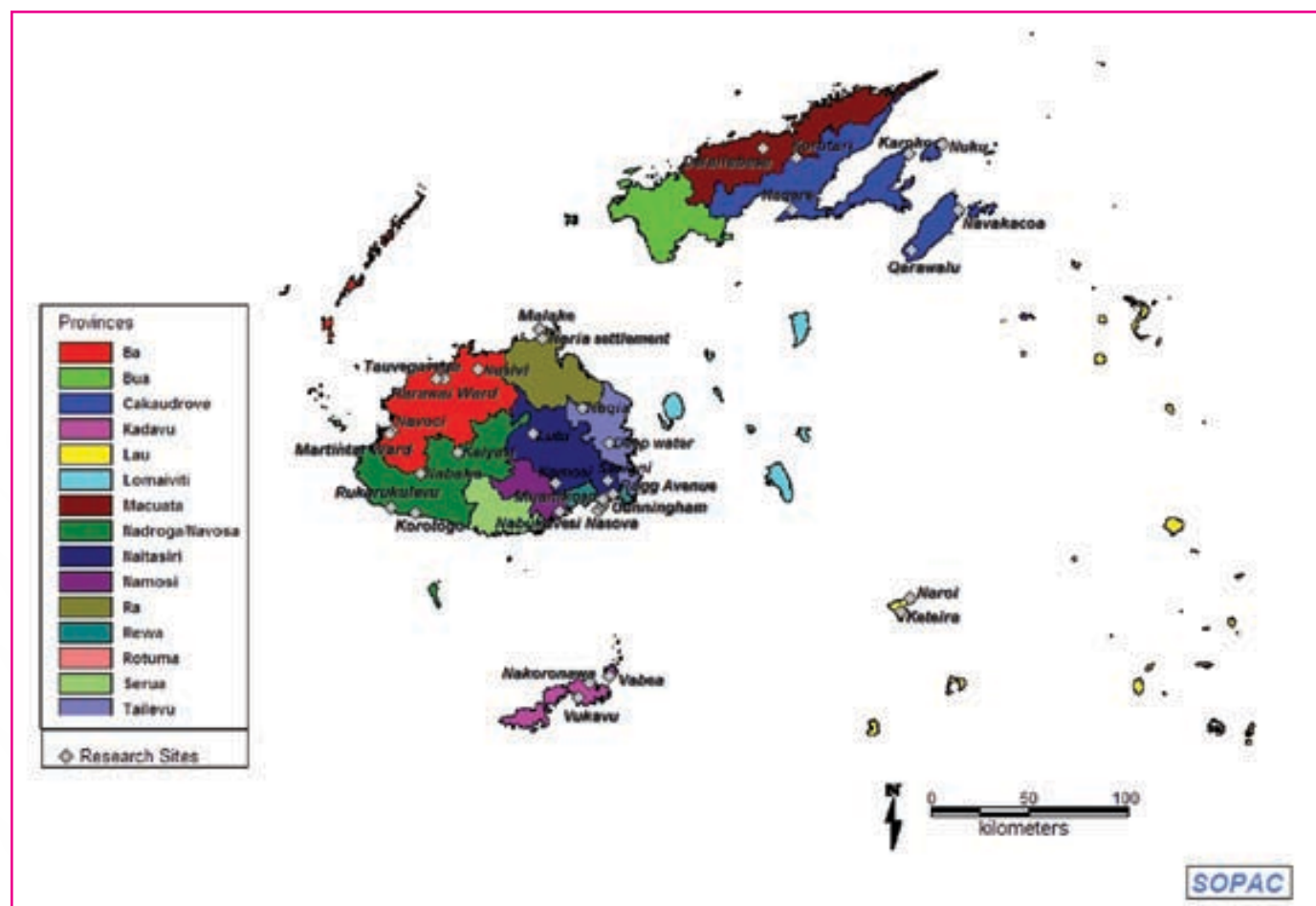
¹⁶ Phongsavan and Movono, 1999.

¹⁷ Ah Sam, 2008.

¹⁸ Raicola, 2008.

¹⁹ SCFF, 2006b

Map of Fiji





Section 2: Methodology

2.1 Aims of Child Protection Baseline Research

The Baseline Research covered all 3 components of the Protective Environment Framework:

- **Legislative and regulatory framework** compliance review.
- **Institutional stocktaking** of child protection social welfare and protection systems in theory and in practice, and inter-agency collaboration.
- Review of societal behaviour regarding child protection, including positive practices, at family and community level.

Aims of the Baseline Research:

1. **To review the current situation** in all 3 Protective Environment Framework areas, including acknowledgement of existing work and strengths.
2. **To develop recommendations** to help shape the 5-year Government / UNICEF Pacific Child Protection Programme: how best to move towards a more protective environment for children.
3. To further promote **capacity-building, networking and inter-agency collaboration through the process of the research**, with a focus on broad ownership of data and the sustainability of any resulting programme interventions.

2.2 Structure and roles ²⁰

• **National Research Team:**

- **National Researcher:** Overall coordination of the societal behaviour component of the research, including planning and managing the field research, inputting and analysing data and contributing to the report findings.
- **Administrative / Research Assistant:** Logistical and administrative support to the National Researcher and Field Research Team.
- **National Legal Consultant:** Research and writing up of the legislative compliance review.

• **Field Research Team x 3:**

- **Field Supervisors:** 1 per team; on-site management, monitoring and coordination.
- **Field Counsellors:** 1 per team; emotional support to respondents and team members.
- **Field Researchers:** 8 per team; data collection.

- **National Task Team:** Advisory group of government and civil society representatives [specially formed sub-committee of the Fiji National Coordinating Committee for Children (NCCC)].

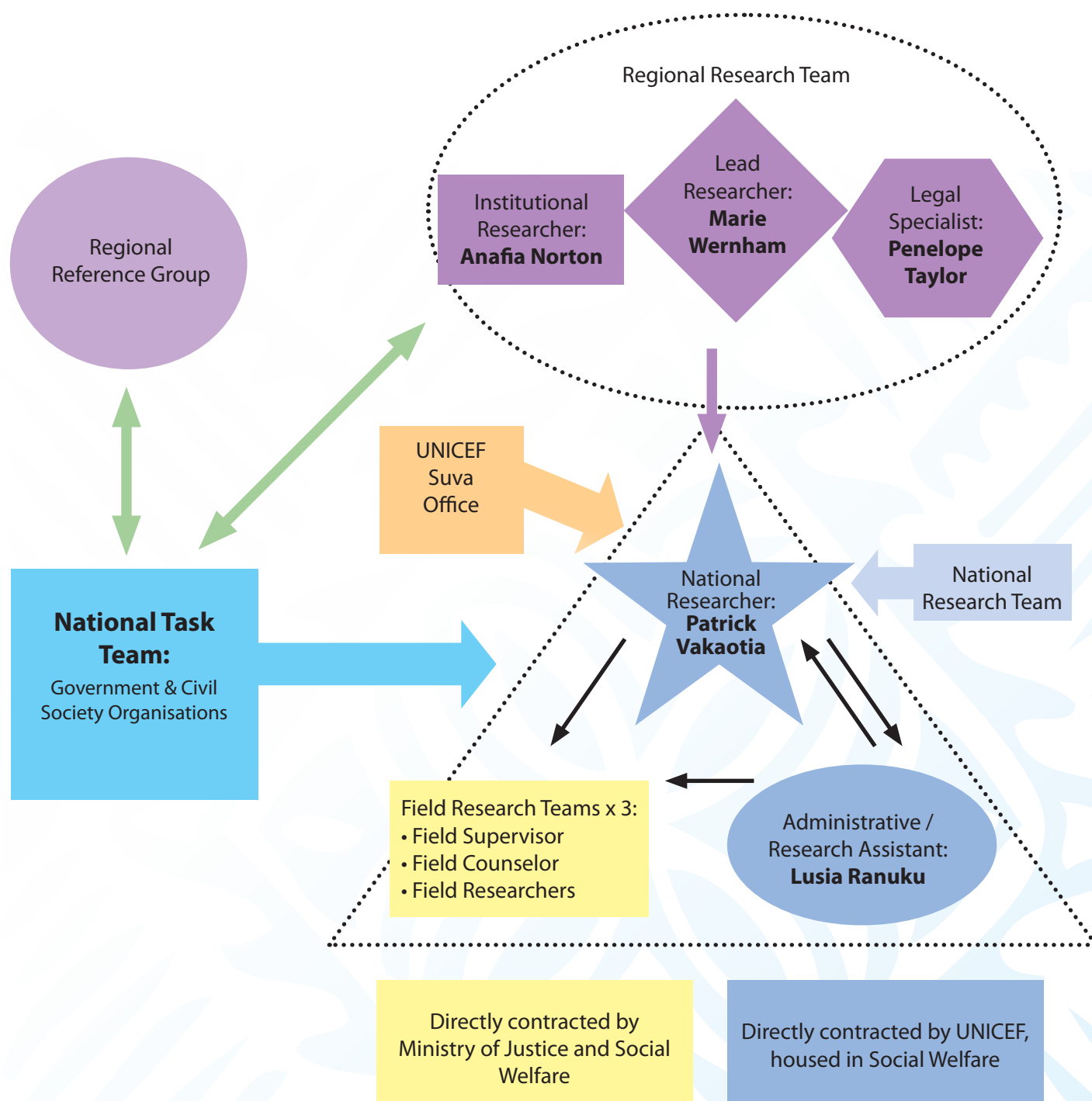
• **Regional Research Team:**

- o **Lead Researcher:** Overall coordination of the 4-country research project including: technical assistance in planning, implementation and data analysis; writing up findings for the

²⁰ Full Terms of Reference can be found on the accompanying CD-Rom to this report.

societal behaviour component of the report; overall report editing.

- **Legal Specialist:** Responsible for devising methodology for the legislative compliance reviews and analysing the functioning of justice systems in each country.
- **Institutional Researcher:** Responsible for researching and writing up the institutional stocktaking component.
- **Regional Reference Group:** Advisory group of representatives from government, UN agencies, regional organisations, CSOs operating at regional level and universities.



2.3 Stages and timeline

	Legislative & regulatory framework component	Institutional stocktaking component	Societal behaviour component	NCCC / National Task Team meetings	Other
Jan 08					Lead Researcher recruited: initial planning & development of TORs
Feb 08	Legal Specialist recruited 14.2.08: Legal Subcommittee meeting			7.2.08: NCCC meeting 22.2.08: Task Team meeting	25.2.08-27.2.08: UNICEF CP retreat, Suva, Fiji - detailed timeline planning
Mar 08	Desk review & development of indicators 4.3.08: Legal Subcommittee	Institutional Researcher recruited Desk review	Recruitment of NR & ARA	27.3.08: Task Team meeting	
Apr 08	Desk review & development of indicators 1.4.08: Legal Subcommittee meeting	Desk review Intermittent field research	Recruitment of FRT 28.4.08-2.5.08: Training of FRT	Recruitment of FRT 28.4.08-2.5.08: Training of FRT	
May 08	Desk review		5.5.08-9.5.08: Field test 19.5.08: Field research commenced	18.5.08: NCCC meeting 23.5.08: Task Team meeting	
June 08		Desk review Intermittent field research 16.6.08: Children in conflict with the law workshop 21.6.08: Children who have been victims/survivors or witnesses of crime workshop	20.6.08: Field research completed 25.6.08-27.6.08: FRT Review Meeting	19.6.08: NCCC meeting	18.6.08-19.6.08: Consultations children by Save the Children Australia Vanuatu in partnership with Save the Children Fiji
July 08	Legislative Compliance Review by local consultant 8.7.08: Legal Subcommittee meeting 28.7.08: Legal Subcommittee [Executive] meeting 29.7.08: Legal Subcommittee meeting	Intermittent field research 18.7.08: Children in conflict with the law workshop	Analysis of field research data	18.7.08: Task Team meeting	
Aug 08	15.8.08: Legal Subcommittee legislation workshop:	Intermittent field research	Analysis of field research data	8.8.08: To update NSC on completion of field research	
Sept 08	Prepare draft findings		Analysis of field research data	12.9.08: Task Team meeting	22.9.08-26.9.08: UNICEF regional CP meeting, Suva, Fiji: presentation
Oct 08	Report-writing 2.10.08-3.10.08: Stakeholder workshop	Intermittent field research Report-writing	Analysis of field research data	21.10.08: NCCC	
Nov 08		Report-writing	Analysis of field research data	18-19.11.08	
Dec 08			Report-writing	10.12.08: Task Team meeting	
Jan 09					
Feb-May 09					- Consultation on draft report by NCCC & children's groups - National Report finalised

2.4 Research tools

All research tools were designed to specifically measure the output indicators agreed upon by the government and UNICEF in the country RRF. See Appendix B for the full RRF.

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

The information collected for Outcome 1 was sourced via:

Research tool	Quantity
1. Desk review	Primary sources: 5 sets of institutional records 13 policies / documents from 8 departments / institutions / organisations Secondary sources: 36 reports
2. Legislative compliance review	86 laws in place 4 draft laws 13 policy / protocol / guideline / procedure documents from 8 departments / institutions / organisations 6 international instruments
3. Key informant interviews	65 KIs with 61 people (33 male, 28 female) from 17 different departments / institutions / organisations
4. Workshops with children in the justice system	3 workshops with a total of 8 girls and 15 boys - approximate age range 15 – 19 years [under 18 at the time of the contact with the justice system]
5. Questionnaires to police	1 questionnaire to 600 police in throughout Fiji of which 116 were completed
6. Questionnaires to magistrates	2 questionnaires to 14 magistrates throughout Fiji of which 1 was completed

2.4.2 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

The information collected for Outcome 2 was sourced via:

Research tool	Quantity
1. Desk review	Primary sources: 8 policies / MOUs / plans etc; 1 set of records; 1 set of questionnaires Secondary sources: 14 reports
2. Key informant interviews	31 KIs with 33 people (18 female, 15 male) from 20 different institutions Approx. 10 additional people provided feedback by email
3. Workshops with key stakeholders	1-day workshop with 22 people (13 female, 9 male) from 14 different departments / institutions / organisations 1 day workshop with 8 children (female) who have experienced the justice system as victim/survivors. 1 day workshop with 15 children (male) who have experienced the justice system as offenders.

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

Note on translation of tools for field research:

All tools were originally developed in English. The adult and child household questionnaires were translated into Fijian and Hindi. However, it was found that the written Hindi script was not widely understood, even amongst the Hindi-speaking researchers who resorted instead to verbal translation into Hindi from the English script. The Fijian translated script was widely used. During the training and pilot test researchers clarified and systematised specific phrases in order to ensure consistency in the language used in the field.

a. Overview

The information collected for Outcome 3 was sourced via:

- **Adult household questionnaires (AHHQs):** 10 per location; randomly selected primary caregiver in a household where children are present.

- **Child household questionnaires (CHHQs):** 10 per location; randomly selected 16 and 17 year-olds in households where children of this age are present. Due to the length, format and content of the CHHQ, it was deemed appropriate as a research tool only for older children.
- **Group activities (GAs):** 10 per location; 8-10 people per group.

		Outline of activity
1	7-11 year-old girls	Drawing or writing "Good and bad behaviour at home and at school" and discussion
2	7-11 year-old boys	
3	12-15 year-old girls	Drawing or writing "Who do you go to when...?" and discussion
4	12-15 year-old boys	
5	16-18 year-old girls	Writing and discussion "What did your caregiver do when...?" [range of situations] comparison between when they were in primary school and now. Individual or group exercise
6	16-18 year-old boys	
7	19-25 year-old young women	Drawing a map of the community and marking safe and unsafe places for children followed by discussion on how safe places can be kept safe and how unsafe places can be made safer (pair work)
8	19-25 year-old young men	
9	+25 year-old women	Writing and discussion "What did your caregiver do when you were a child when...?" And "What do you as a caregiver do now when...?" [range of situations] comparing possible changes in behaviour. Individual or group exercise
10	+25 year-old men	

• **Key informant interviews (KIIs): Up to 9 per location.**

1. 'Community leader' (administrative and/or traditional)
2. Religious leader
3. Youth leader
4. Representative from the health sector
5. Representative from the education sector
6. Representative from the social welfare sector
7. Representative from the police
8. Representative from the judiciary
9. Representative from a civil society organisation

- **Overall location observation notes (OLONs):** 1 per location, completed by the field research team to record general observations of the location and any factors affecting data collection and / or data analysis.

- **Field diaries (FDs):** One per field researcher to record professional and personal observations in relation to use of the tools and the location.

- **Polaroid photo display:** 10 Polaroid (instant) photos per location to represent "how we keep children safe in this community", chosen by community members, displayed on plastic-covered card by children within the community and left as a gift / positive reminder for the community of the field research team's visit. Where possible, this display was photographed digitally as a record for the National Report.

- **Photographs:** Visual record of group activities and research locations as a whole where possible.

b. Locations

- 35 locations were identified throughout 11 provinces of the country, distributed according to population weighting, and chosen through purposive sampling based on the following criteria:

Cross-section of the population:

• **Type of location:**

- Urban (wealthy / middle class / poor / slum)
- Peri-urban (wealthy / middle class / poor / slum)
- Rural (interior / coastal) (wealthy / middle class / poor)
- Central island
- Remote island
- Stable population (low migration / flux)
- Unstable population (high migration / flux)

Specific focus communities

- UNICEF programme focus areas (e.g. Pacific Children's Programme)
- Non-UNICEF programme focus areas (control group)
- Particularly low socio-economic development or isolation from mainstream development and government processes
- Identified high-risk in relation to specific issues (e.g. commercial sexual exploitation of children)
- Previous research
- Areas experiencing 'research-fatigue'
- Areas flagged for further research

Selection of research sites

35 locations were purposely selected for the research. The locations were drawn from across the 4 administrative/spatial divisions in Fiji: Eastern, Central, Northern and Western. The number of research locations per division is proportionate to the total population within that division as recorded in 2007 census.²¹ Each location was purposely selected as to represent a cross section of Fiji's population.²² However, the choice of research locations was also determined by budgetary, time and logistical constraints. A list of the final research locations is provided below.

²¹ Distribution of research locations by divisions: Eastern 5; Central 12; Northern 7; Western 11.

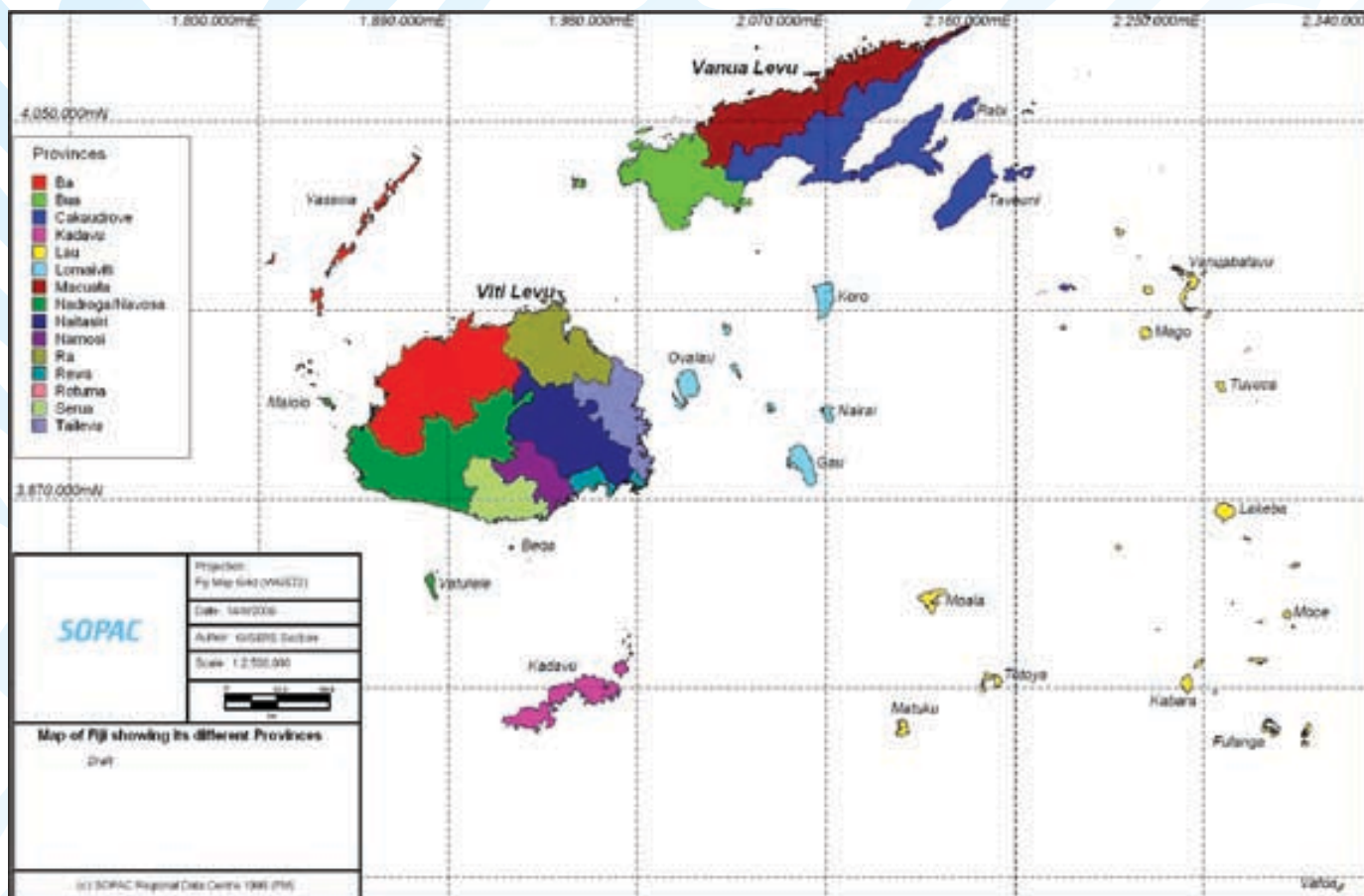
²² This includes ethnicity, religion, location type, socio-economic background, rural/urban and areas of high population movement/stability.

List of research locations

Division	Province	Location
Eastern [5]	Kadavu	1. Vabea Village
		2. Nakoronawa Village ²³
		3. Vukavu Village
	Lau (Moala)	4. Naro Village
		5. Keteira Village
Central [12]	Namosi	1. Namosi Village*
		2. Nabukavesi Village
	Naitasiri	3. Sawani Indo Community*
		4. Lutu Village
	Tailevu	5. Naqia Village
		6. Deep Water Indo Community*
	Rewa	7. Raiwai Urban Community
		8. Cunningham Suva Suburb*
		9. Muanikoso Melanesian Community
		10. Mead Road Indo Community
		11. Namadi Heights (Ragg Avenue)
Northern [7]	Cakaudrove	1. Nuku Village, Rabi Island
		2. Karoko Village, Tunuloa
		3. Naqere Housing (Savusavu Urban Community)
	Macuata	4. Korotari Indo Community
		5. Delailabasa, Labasa Town
	Taveuni	6. Navakaoa Village*
Western [11]	Nadroga	7. Qarawalu Indo Community
	Navosa	1. Rukurukulevu Village
		2. Nabaka Indo Community
		3. Korotogo (Peri-Urban Community)
	Ra	4. Keiyasi Village
		5. Malake Village
	Ba	6. Naria Indo Community
		7. Tauvegavega Indo Community
		8. Nasivi Urban Community
		9. Rarawai Urban Community
		10. Martintar Urban Community
		11. Navoci Village

* Represents locations that were part of the Pacific Children's Programme (PCP) Knowledge, Attitudes, Behaviour and Practice (KABP) survey and ongoing PCP community initiatives.

²³ Nakoronawa replaced Solutavui 3 days from the teams departure due to a request from the Turaga-ni-Koro. He stated that the research teams visit would clash with the visit of a government maintenance team to the village.



c. Personal Digital Assistants (PDAs)

An important feature of the CPBR was the pioneering use of PDAs for electronic data capture. PDAs are hand-held computers. AHHQs and CHHQs were programmed as 'templates' and corresponding 'PDA questionnaires' using DevInfo software.²⁴ The 'PDA questionnaires' were then copied as many as times necessary, each with a unique file name, loaded onto PDAs, and programmed with basic information such as location, time period and a unique identity code. In order to avoid duplication of data, each individual PDA contained only the questionnaires relevant for the researchers who would be using that PDA.

Researchers worked in pairs to conduct AHHQs and CHHQs with one researcher asking the questions from a paper copy of the questionnaire and the other recording the answers in the PDA. On completion the questionnaires were downloaded onto a computer via a USB connection and then imported directly into the 'template' / database ready for data analysis. In theory some of the benefits of using PDAs for data collection are as follows: no need for copying and carrying large numbers of paper questionnaires in the field; 'skips' in the questionnaire can be programmed to jump automatically between questions (e.g. 'if no, go to question 10') and this helps to reduce data collection error; a huge amount of time is saved by eliminating the need to manually enter data from paper questionnaires into a database.

The use of PDAs in this research was innovative in that the types of questionnaires being used were much longer and more complex than those which have previously been used internationally with this technology and software. The CPBR was deliberately testing the appropriateness of this technology for qualitative as well as quantitative data collection.

²⁴ DevInfo is a database system for monitoring human development. It is a tool for organizing, storing and presenting data in a uniform way to facilitate data sharing at the country level across government departments, UN agencies and development partners. DevInfo has features that produce tables, graphs and maps for inclusion in reports, presentations and advocacy materials." www.devinfo.org

²⁵ Kadavu and Moala

See Section 2.8 for lessons learned.

d. Completed data log and feedback on the use of field research tools

The following research tools were completed as part of the field research:

- 284 CHHQs
- 342 AHHQs
- 315 GAs (63 with 7-11 year-olds; 68 with 12-15 year-olds; 62 with 16-18 year-olds; 56 with 19-25 year-olds; 66 with +25 year-olds)
- 192 KIs (25 with traditional or administrative community leaders; 30 with religious leaders; 22 with youth leaders; 10 with social welfare representatives; 32 with education representatives; 22 with health representatives; 22 with police; 6 with justice representatives; 23 with CSO representatives)
- 35 OLONs
- 19 FDs

See Appendix C for a detailed breakdown of tools per location.

Feedback on administration of household questionnaires

- A few locations,²⁵ particularly rural and island communities, recorded the minimum number of CHHQ respondents because children were attending central boarding schools on the island or on Viti Levu or Vanua Levu or were living with relatives on different islands. On one occasion a research team travelled hours to and from a provincial boarding school to access 10 children from the village they were visiting. On the whole child respondents were receptive to the researchers and no refusals were recorded.

- On a few occasions interviews were conducted with others present in the household (with the permission of the respondent).
- A handful of referrals involving cases of abuse and neglect were made to team counsellors and back-up counsellors by researchers after interviewing children. A few hosted children in urban areas also spoke to counsellors about their situation.
- The highest response rates for the AHHQs were recorded in villages and settlements. Researchers found it challenging to complete their quota of 10 AHHQs in urban areas due to: parents and caregivers being out at work; outright refusal by adults; and the inability of researchers to access residences because of security fences and dogs.
- In some cases, adult respondents displayed signs of uneasiness when asked sensitive questions. This could be attributed to the 'silence' that exists around certain issues or reluctance on the part of respondents to expose ignorance of child protection knowledge and practices.²⁶

Feedback on group activities

Activities with children aged 7-18 years

- These activities were conducted in schools and in the community. Coordination by teachers and the community gate-keepers²⁷ ensured the success of the activities which were well attended and where children were eager to participate. Schools were an ideal environment because there was adequate space and minimal interruption from others, compared with when the activities were done in the community. However, on some occasions head teachers and principals would make their presence known in the classrooms thus disturbing respondents.
- Further success resulted from the researchers' ability to organize ice-breakers and energizers during the sessions to keep the participants level of motivation up.
- The researchers did their best to ensure that the activities were sex-segregated. However, there were mixed groups in some locations because of the small turnout.
- In some instances there was such overwhelming community support that the researchers had to accommodate more than the anticipated number of children for an activity required.²⁸
- On a few occasions where activities were conducted in the community parental fears of children returning home unsupervised affected respondent turnout.²⁹
- Refusals, disinterest and non-completion of activity tasks were experienced with older children aged 16-18 years. However, these were noted only on a small number of occasions.

Activity with young people aged 19-24 years

- The activity was conducted in all except one location.³⁰
- Interest towards participating in the activity varied from location

to location and this was reflected in attendance levels.³¹ The activities were done in sex-segregated groups but where turnout was low participants worked on their own.

- Various spaces were used for this activity although these were not always spacious or distraction-free places. In village settings the activity was generally conducted around kava sessions.³²
- The respondents enjoyed the drawing aspect of the activity while discussions were either discussed openly or facilitated per group. In some settings female respondents preferred to tell the researchers in private about what they perceived to be safe and unsafe areas.
- The activity turned out to be an enjoyable exercise for the participants, many who for the first time were involved in an activity of this nature. A young woman survivor of rape participated in the activity in her community and used the opportunity as a coping and empowering mechanism.³³

Activity with adults aged 25 years and over

- This activity was conducted in sex-segregated groups.
- In general (apart from in some urban locations) this activity was well attended by respondents and on many occasions numbers exceeded the maximum number of participants expected.
- The activity session with men in villages and settlements was conducted around the kava bowl. This informal setting was very conducive as the activity required writing and at times translations and clarifications.
- Those with communication difficulties, particularly the older respondents, found it challenging to concentrate on the activity and provided answers to satisfy field researchers.³⁴
- The field researchers commented that the most constructive post-activity discussions happened with educated respondents because they usually came with an open mind.
- The activity, in offering the participants the opportunity to reflect on their experiences and practices, became a meaningful and empowering exercise.

Feedback on key informant interviews

- No visited setting recorded successful interviews with all anticipated key-informants. The most common respondents were community and religious leaders and representatives of the health, education, police and youth sectors. The judiciary was the least represented in key-informant interviews because they were only available in urban centres and in most cases were not accessible at the time the research teams were at their respective locations.
- On one occasion a magistrate decided to stop the interview because he felt that as a roving magistrate he was not in a position to make comments about the situation of children in a community he visits only for the purpose court sittings.

²⁶ Researcher Field Diary entry.

²⁷ Community gatekeeper refers to the village headman, Advisory Councillor or any individual tasked the role of liaising on behalf of and setting up appointments for the research team.

²⁸ An activity for children aged 7-11 years at Navakacoo village on Taveuni was attended by 66 children. In remote villages and settlements children were excited and enjoyed the activities because they were rarely visited by outsiders.

²⁹ This was often the case in settlements where houses are scattered from each other.

³⁰ This activity was not conducted in Namosi as no respondents turned up.

³¹ In one particular settlement the young people worked in the urban centres and would only return at weekends, thus they missed the researchers who were there on weekdays. In another setting there was a festival taking place, whilst the cane-harvesting season also had an influence on participant turnout. Some settlements had scattered households affecting the attendance of respondents for activity sessions.

³² On an island location the researchers had to arrange a session with young people three times.

³³ Researcher Field Diary entry.

³⁴ A field researcher wrote in their diary about this experience of conducting the activity with 25 years and over in an Indo-Fijian settlement in the Western Division. The researcher noted "...the women were there for the wrong reasons...during the session the women weren't being honest. One old lady pointed this out, telling them to be truthful with their answers because they do abuse their children (physically and emotionally)".

Feedback on overall location observation notes:

- In Fiji the OLONs were only designed for the de-brief process. It was found to be a useful tool to capture additional information and was used as a standard part of the field research methodology for every location in the other partner countries.

Feedback on field diaries:

- Of the 30 field researchers (including team leaders and counsellors) 19 field diaries were returned to the National Researcher.
- Although the nature of entries varied the content was useful in that it captured stories and anecdotes as well as information regarding the research process.
- The educational and empowering aspects of the research for both the researchers and the communities were also highlighted in the journals.

Feedback on Polaroid photo display:

- In Fiji it was noted that the photo displays did not fully reflect the objectives of the exercise. In most instances they represented what the researchers perceived as best child protection practices rather than it being a community perspective.

2.5 Child participation

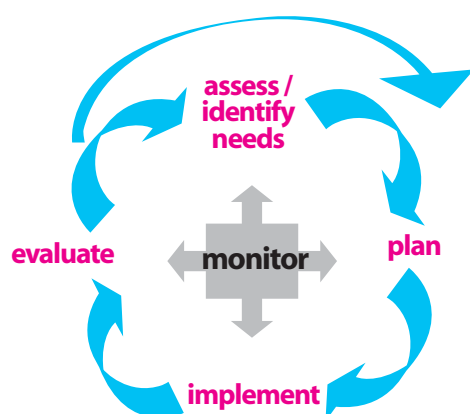
There were two types of child participation in relation to the CPBR.

Type A: Children as 'respondents' in the baseline research

- As part of the field research for the CPBR component on societal behaviour: 16-17 year-olds were involved in CHHQs; 7-11 year-olds, 12-15 year-olds and 17-18 year-olds were involved in group activities (segregated by age and sex). Young people aged 19-25 also took part in specific group activities.

Type B: Children as 'participants' in the baseline research process

- This type of participation, not to be confused with Type A, refers to involvement in the project cycle management of the CPBR. The diagram below represents the difference stages of project cycle management.
- For the purposes of the CPBR, it was decided – due to ethical and time constraints – not to involve under-18s in actual data collection ('implementation'). All FRs were over the age of 18, but FRTs included some young people under the age of 25.



2.6 Ethics

Code of Conduct

- A Code of Conduct (CoC) was developed for the research in Fiji³⁵, covering the following three areas:
 1. **Behaviour guidelines:** between researchers and children, between researchers and respondents, between researchers and the community and between the researchers themselves.
 2. **Guidelines for photographs:** both official and personal.
 3. **Communication guidelines:** concerning images and narratives about children involved in the study.
- The CoC was developed in consultation with researchers who signed a statement of commitment to the CoC prior to embarking on the pilot phase of the research.

Informed consent of respondents

- Informed consent was required from respondents for all research activities. For every AHHQ, CHHQ, GA and KII researchers were required to sign a consent sheet proving that they had read out the required information to the participant(s) and obtained informed consent for their participation in the activity. Participants were informed that they had the right to stop the interview / activity at any point and they had the right to refuse to answer any or all questions.
- It is important to acknowledge at the outset the reality of obtaining informant consent particularly in Fijian communities and villages. Given the communal nature of Fijian society, the research teams at the completion of their entry protocol would be granted 'communal consent'. This gave the researchers permission to consult any individual for the purpose of the research and reminded members of the community of their responsibility to cooperate with the researchers. However, all were nevertheless still required to give individual informed consent.
- Child participants in the research were recruited from households and schools. For children from households participating in either the CHHQ or any of the group activities, consent was first sought from a parent or caregiver. In cases where children were recruited in schools, consent was initially sought from the head teachers and principals concerned.³⁶ In both settings the children were explained the nature of the research and asked to give informed consent indicating their willingness to participate.³⁷

2.7 Data analysis

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

Legislative review:

- The legislative review component was undertaken by identifying the articles of the UNCRC relating to child protection standards.

³⁵ See Appendix D.

³⁶ The Ministry of Education had given prior approval for research teams to recruit children from schools for the purpose of the research.

³⁷ For the activity with children between 7-11 years of age participants were asked to trace their hand on the drawing paper and write their names indicating consent.

These articles were then fleshed out to their full legal ramifications and a list of 258 indicators developed, drawing heavily on existing UNICEF tools for legislative analysis. The indicators were categorised into specific areas of child protection e.g. child labour, violence against children, treatment of children in conflict with the law and so on.

- A local legal consultant, Marie Chan, was recruited to review existing laws and policies in Fiji against these indicators and a compliance table displaying the strengths and weaknesses in the regulatory framework was created.
- Findings of existing reviews and draft legislation were also considered against gaps identified in the compliance table.
- The findings were summarised and tentative recommendations drafted. Two stakeholder workshops were then undertaken to confirm the findings and finalise the recommendations – one with the Legal Sub-Committee of the NCCC and one with all stakeholders consulted as part of the legal review process.
- A final report was then prepared incorporating the feedback from these workshops.

Justice system review:

- The review of the justice system was undertaken through the development of both comprehensive 'ideal system' indicators based on international standards and indicators that were directly responsive to the RRF Output Indicators.
- Existing reports and compiled data were reviewed, representatives of the key institutions interviewed, workshops run with children who had experienced the system as either victim/survivors or offenders, and questionnaires distributed to police and magistrates.
- A list of findings and recommendations were then made in relation to each legal institution (police, courts, ODPP and Legal Aid) and stakeholders consulted as to the accuracy and efficacy of those findings in a one-day workshop.
- The final report was then prepared incorporating feedback from the workshop.

2.7.2 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

The process for data analysis for the Institutional Stocktake was based on the following steps:

- An 'ideal system' matrix for child protection institutions was developed based on international experience and including elements of a Child Protection Social Welfare checklist developed by UNICEF East Asia Pacific Regional Office (EAPRO).
- Desk review information was converted into table format.
- Initial interviews with UNICEF Child Protection Officers and other key informants were conducted.
- Questionnaires were distributed.
- Resulting data was converted into a consultation document containing findings and recommendations.
- Consultation was held with key stakeholders
- After consultation this document was converted into the Baseline Research Institutional Stocktake Report (available on the

accompanying CD-ROM) and information from this full report was summarised for inclusion in this National Report against the RRF indicators.

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

Field Research Team Review Meeting:

- FRTs gathered together for three days after completion of the field research in order to tidy up completed research tools, reflect on their experiences, make recommendations for any future similar research, and to generally provide 'closure' for the FRTs which was deemed necessary due to the sensitive nature of the research.
- The FRTs took this opportunity to share their experiences with members of the National Task Team.

Child and adult household questionnaires:

- Completed questionnaires were downloaded onto a computer by the National Researcher and imported into the pre-prepared DevInfo template / database by the Lead Researcher. Errors were corrected (e.g. mistakes in file names or accidental mapping of questionnaires to the wrong location).
- A comprehensive set of charts and graphs was produced according to the detailed 'graphics analysis frameworks' (Excel spreadsheets setting out what information is needed in order to measure each of the RRF indicators). The 'graphics analysis frameworks' are based, in turn on the 'overall analysis framework' which sets out which research tools and questions measure each indicator. All analysis frameworks and the full set of charts and graphs for the CHHQs and AHQs are available on the accompanying CD-Rom, grouped per RRF indicator.
- The completed charts and graphs were sent to the National Researcher and key data was presented to the National Task Team for discussion and the formulation of initial recommendations.
- The National Researcher wrote up the detailed findings, incorporating input from the National Task Team, into an initial draft of the societal behaviour component of the National Report. This draft was subsequently revised and expanded by the Lead Researcher then circulated to the NCCC and Task Team for comment before being finalised.

Group activities:

- Hard copies of flipcharts and researchers' notes were collected by the National Researcher and Administrative / Research Assistant and the data entered into SPSS databases prepared by the ARA.
- The NR and ARA produced charts and graphs which were then used to inform the writing up of the societal behaviour component of the National Report (circulated for comment, as above).

Key informant interviews:

- Based on answers from a random sample of hard copy KIs, the Lead Researcher prepared DevInfo templates and PDA questionnaires for each type of key informant group.³⁸ A team of selected Field Researchers, supervised by the NR and ARA, inputted the

³⁸ The KIs were initially intended to be completed on PDAs out in the field using the same process as for the AHQs and CHHQs. However, due to time constraints it was not possible to prepare all the templates and PDA questionnaires in time. The entering of data from hard copy questionnaires onto PDAs was therefore undertaken after the field research was completed. This allowed for the creation of DevInfo databases of KI data which can be cross-referenced by location etc. However, this process (in particular the preparation of nine sets of different DevInfo templates and PDA questionnaires) was considered too time-consuming to be replicated for the other three countries. In Vanuatu, Kiribati and the Solomon Islands the KI data was instead compiled manually using Excel and Word, without the creation of cross-referencing databases.

hard copy KIs into the PDAs. Completed questionnaires were downloaded onto a computer by and imported into the pre-prepared DevInfo template / database by the Lead Researcher and errors were corrected.

- As with the AHHQs and CHHQs, a comprehensive set of charts and graphs was produced according to the 'overall analysis framework'.
- The completed charts and graphs were sent to the National Researcher who incorporated the findings into the initial draft of the societal behaviour component of the National Report (revised, expanded and circulated for comment, as above).

Other:

- Anecdotal information was extracted by the National Researcher from the overall location observation notes and researchers' Field Diaries to inform the report findings.
- The National and Lead Researcher also drew on additional information from background reading as relevant.

2.8 Lessons learned

2.8.1 Successes (what went well)

Outcome 1:

- Workshops with children who had experienced the justice system as either victim/survivors or offenders: These were a great success, with positive impact on the participants' self-image and understanding of their rights, as well as providing a rich source of information on how young people experience the justice system.
- Police questionnaire: 600 were distributed of which 119 were returned completed. The questionnaires proved to be good source of information of police knowledge of, and attitudes to, children's rights principles and existing protocols. While a higher return rate would be viewed as a greater success, the large number police officers' views and practices recorded through the questionnaire process was very informative. This result was achieved by virtue of the active support of the Juvenile's Bureau for the Baseline Research process.

Outcome 2:

- Research design and implementation: This process was successful- i.e. desktop review followed by interviews and then workshops. The process supported itself and gave those who were committed to the process a chance to participate meaningfully.
- Consultation workshops: They provided a mechanism for networking and participants were able to learn about the work of other institutions and make connections that will help protect children in the future. New ideas were generated at the workshops through the interaction of participants.
- Workshop consultation paper: The consultation paper prepared in advance of the workshop worked well in terms of guiding the discussion. In some ways the information in the consultation paper was too detailed. However, it was made clear at the beginning of the consultations that the researchers did not expect participants to fully read the paper but that during the course of the workshop the content would be thoroughly interrogated and time would be allocated to review each section before talking about it in detail.

Outcome 3:

Logistics

- Having details of a contact person in each community.
- Availability of transportation.
- Pre-arranged accommodation and catering.

Preparation of communities

- Obtaining consent from government gatekeepers (Ministry of Provincial Development and Education).
- Visiting and informing stakeholder representatives (District Officers/Welfare Officers/police heads/church leaders) in the different divisions about the research.
- Identifying and meeting the community contact person or gatekeeper.
- Entry into villages preceded by appropriate protocol.
- Community preparedness for research team arrivals.

Working with traditional communities³⁹

Visits to traditional communities were carried out with respect to cultural protocols. Upon arrival, the first thing the research team did was to see the village chief to explain their intentions and seek permission to enter the village.

According to one researcher: "After the chief granted us permission, we would tell him who we wanted to meet in terms of key informants, parents and children. The chief would then arrange the meetings and many times it was actually the chief who took us around the village to meet people".

Villagers would gather in the village hall to meet with the researchers and listen to their presentations on children's rights and child protection. At the request of community members, the research team also visited schools to make presentations to teachers and students: "The community would ask for us to make these presentations because they wanted to know more about children's rights and child protection. So we made presentations and answered questions that people asked about children's rights. In schools, we talked to teachers about basic counselling skills, how to recognise symptoms of child abuse and how to manage stress. One of our team members also shared with teachers about alternative methods to corporal punishment."

Respecting local traditions and community norms helped the researchers establish trust among community members. Once the community felt safe enough to openly talk about their views on child protection, this provided an opportunity for researchers to share their knowledge and correct misconceptions held about children's rights. Researchers reassured the community that they were not there to impose new rules on them, but to help explore and improve the child protection practices already present in their everyday lives.

³⁹ Adapted from CPBR Human Interest Story, researched and documented by Mere Nailatikau.

Recruitment

- Overwhelming response from applicants.
- Candidates possessed different strengths – academically qualified, field research experience, child work involvement and experience as Community Project Officers.⁴⁰

Training

- Highly relevant (content/methods) in relation to field researchers' roles.
- Highly participatory (group discussions/role plays).
- Consensus about adoption of child protection Code of Conduct.
- Well-coordinated and delivered by trainer(s).
- Excellent logistical preparation.

Field Test

- Opportunity to test tools and experience the reality of field work.
- Identify limitations of and improve on research tools (question sequence, instructions, activity response forms).

Tools (AHHQs, CHHQs, GAs, KIIS, FDs)

- Using paper version of AHHQ and CHHQ before transfer to PDA.
- Activities well understood and enjoyed by participants.
- Diaries captured observations, stories and other narratives not forthcoming in interviews.
- Translated Fijian AHHQ and CHHQ greatly assisted in interviews with non-English speaking respondents.

PDAs

- PDAs minimized use and carrying around of paper questionnaires and eliminated the need for subsequent data entry and coding, thus saving an enormous amount of time in the research process.
- The automated 'skips' in questionnaire numbers (e.g. 'if no, go to Question 10') minimised researcher error.

Field work

- Having ice-breakers and energizers.
- Having a completed tools checklist.
- Flexibility of field researchers to move between administering AHHQ and CHHQ.
- Uncovered many aspects of child protection.
- Cooperation of respondents. A field researcher wrote "At some houses we walked past (those that didn't fall into the sampling frame), the occupants would ask if we would be coming back to interview them. Everyone in the community seemed like they wanted to be interviewed".

Debrief meeting for Field Research Team

- Sharing experiences and lessons from the field.
- Team reflections and presentations.
- Presenting to members of the National Task Team and other stakeholders.

Change aspect of the research

- Educational and empowering for field researchers. A field researcher wrote "my respondents liked the research, they were glad to be given the opportunity to express themselves. Some of them cried while answering questions as it made them realise the importance of keeping children safe from violence."
- Future studies of this nature need to ensure they build on aspects of authenticity which Rodwell (1998:91), defines as "an interest in the quality of a process that seeks to educate and empower and through that empowerment, to elicit action toward change". This was fulfilled in this study and experienced by both respondents and researchers.⁴¹ A respondent after being interviewed said, "...

the interview has been an eye opener...out of all the workshops that have been conducted in the village this research visit has been the best. It is very important because it has made me aware of parenting skills, my responsibilities and role things that we as parents here lack".⁴²

- It is significant to highlight the change aspect derived from the research process as research in Fiji has generally viewed participants and researchers as passive partners in the process. Research has the immediate effect of initiating reflection and change. This was a major indirect result of the research.

"I consider myself coming out of the research as a much better person, mother and carer. I am now more equipped and knowledgeable about the subject and issues regarding the safety and protection of children."

(Field Researcher Field Diary entry)
(Field Researcher)

2.8.2 Challenges (what didn't work so well)

Outcome 1:

Legislative compliance table:

- The creation of the legislative compliance table was a joint effort between the Legal Specialist for the Baseline Research, and a local Legal Consultant. The Legal Consultant took a skilled and diligent approach to researching and reviewing the regulatory framework against the indicators developed by the Legal Specialist. However, problems arose by virtue of the methodology having been developed by one lawyer (the Legal Specialist) and applied by another lawyer (the Legal Consultant).
- Ultimately this resulted in the need to duplicate some work due to different understandings of some aspects of the methodology. If the process from start to finish had been handled by just one lawyer applying their own methodology the reworking of parts of the table could have been avoided.

Written questionnaires:

- Although the questionnaires for the police resulted in some success, on the whole, other efforts at relying on written questionnaires were ineffective. Of particular note was the distribution of questionnaires to a number of magistrates, of which, only one was returned. The Chief Magistrate did advise the Legal Specialist that a focus group discussion or workshop would be more effective but time restrictions precluded the use of this tool.
- Written questionnaires were also distributed to selected individuals in other institutions but were only responded to where a face to face meeting was arranged.
- On the whole, interviews and focus group discussions have proved to be the best way to obtain information and questionnaires should not have been relied on.

Effectiveness of consultation meetings:

- Due to time restrictions, the draft findings and recommendations were disseminated to the stakeholders too close to the day

⁴⁰ CPOs or Community Project Officers are currently employed by the Department of Social Welfare and responsible for overseeing work carried over from the Pacific Children's Programme.

⁴¹ One of the research teams collectively decided to facilitate the process of registering children from a location visited in the Central Division. The children did not attend school because they did not have birth certificates (FD-B.10).

⁴² Researcher Field Diary.

of the workshop to allow for internal review and consultation. This precluded workshop participants from being able to provide feedback from the upper echelons of their department/organisation where the participants themselves were not in a decision-making position within that department/organisation.

- Along these lines, invitations were not distributed well in advance of the workshops, with a heavy reliance on electronic communication, resulting in some participants being unaware of the consultations until after they had already occurred.

Outcome 2:

- The number of organisations in Fiji and the sheer amount of information available proved to be challenging in comparison with the other countries where the CPBR was conducted. The researchers attempted to be equitable in the time allocated for research in Fiji, Vanuatu, Kiribati and the Solomon Islands.
- The Institutional Stocktake component was completed in some isolation from the other components of the baseline research because of resource constraints.
- Although it was found to be very useful as a reference tool, the 'ideal systems matrix' approach was not utilised fully. The Legal Specialist followed a data collection approach for the justice institutions based on the RRF indicators, this approach should also have been taken by the institutional researcher to ensure consistency. The 'ideal systems matrix' was not utilised in the justice section of the Institutional Stocktake.
- The volume of information available about each institution and the length of the report were time and resource intensive. It is suggested that future research be limited to a smaller number of institutions or a more confined information gathering exercise. This would also make it possible for the stock take to be undertaken by one person rather than two.

Outcome 3:

Logistics

- Households in settlements scattered and therefore time-consuming for researchers to access.
- Transportation and accommodation issues in some locations.

Preparation of locations

- Preparation done only by ARA and therefore time-consuming.
- Failure of contact person to disseminate widely research team arrival and purpose, particularly in urban areas and settlements. On a few occasions⁴³ the whole community would be anticipating the arrival of the research team with the expectation that they were welfare officers there to make welfare assessments.

Recruitment

- Low response from Indo-Fijian applicants.

Training

- The training could ideally have been longer in order allow more time for discussion of research methods and child protection issues.
- Over-emphasis on PDA training as this technology was new to the trainers as well as the researchers.

Field Test

- Unfamiliarity with questions and sequence (although this is to be expected in a field test to some extent).
- Unavailability of protective accessories like raincoats and umbrellas due to supply problems.
- Limited time meant that not every research team was able to experience all three types of pilot location (i.e. rural, urban and settlement).
- Concealing information for fear of community backlash. This was evident in locations considered 'hotspots' or in locations where there are known child protection cases.⁴⁴
- Refusals by respondents particularly in high-income neighbourhoods.⁴⁵ A Field Researcher wrote in their Field Diary: "With their knowledge and well-off status it's a pity that they were very uncooperative. Some even had three or four children playing outside but still declined the interview saying that the children were not theirs. This is despite the fact that the children told us that both the parents were at home".

Tools (PDAs, questionnaires, activities, diaries)

- CHHQ too long.
- KII too long.
- Adult activity challenging for illiterate participants.
- Many FD entries were descriptive rather than reflective. With improved guidance for researchers, this important tool could have been more useful as a means of data collection.
- No written Hindi translation of AHHQ and CHHQ (the written version in Hindi script was prepared but deemed not to be useful in practice).

PDAs

- In spite of the overall benefits of using the PDAs, researchers found them relatively time-consuming when moving between questions due to the size of the questionnaire and the inability of the technology to allow researchers to skip the 'if other, please specify' option which applied to many questions.
- In many cases researchers used paper questionnaires and entered answers into the PDAs at the end of the day. Whilst this was convenient as a means to re-check responses, it defeated the purpose of using the PDAs in the first place to immediately capture the information.
- Fiji was the only country where some completed questionnaire files became corrupted and unusable (applied to 6 questionnaires in total). The reason for this is unknown but it is likely due to the fact that the majority of PDAs used in Fiji were an older model compared to those used in the other research countries.

Field work

- Certain locations not ideal for activities as participants were easily distracted.
- There were occasions when interviews had to be conducted with others present in the house. Despite the need for privacy, researchers felt that it was culturally insensitive to request members of the household to leave or request for some privacy, particularly if the respondent was comfortable and preferred not to move to a more private space.

⁴³ Researchers highlighted cases of this in Tauvegavega, Ba and Qrawalu, Taveuni.

⁴⁴ 2 'hotspot' areas included Keiyasi village and Naria settlement. In Keiyasi field researchers noted how adult respondents would always make sure that no one heard them, particularly when talking about preventative measures. In Naria it was noted that a child respondent initially answered yes to being hit and smacked by her parents but later asked the researcher to mark 'refused' (Researcher Field Diaries).

⁴⁵ Martintar, Nadi; Delailabasa, Labasa and Namadi Heights, Suva.

- Incompetent team leadership displayed in some cases. Researchers complained that some team leaders were indecisive, had poor planning skills or were too authoritative. In some cases the completed research tools were not well ordered or catalogued out in the field, resulting in a lot of time wasted after completion of the field research.
- Insufficient rest in between work and travel time.
- Insufficient time for fieldwork particularly in urban locations.
- Raising the expectations of respondents in relation to welfare assistance⁴⁶, even though researchers had been carefully briefed on how to respond to such issues.

FRT review meeting

- Limited debrief time. 3 days seen as insufficient, possibly due to the fact that much time was taken tidying up research tools.

2.9 Recommendations regarding methodology for future research

Outcome 1:

- 1.1 More time to be allocated to focus group discussions with young people, and greater numbers of participants to be sourced.
- 1.2 Use of questionnaires only as a supplementary tool to support face to face interviews and focus group discussions.
- 1.3 Draft findings and recommendations to be disseminated earlier in the stakeholder workshop preparation process.
- 1.4 More senior individuals to be attracted to the workshops through constant communication throughout the process and the use of prestigious venues for workshops.
- 1.5 The consultation workshop process to be undertaken in two clear stages, as opposed to one workshop at the end of the research, in order to encourage greater participation and engagement with the process and a stronger sense of ownership of findings and recommendations.

Outcome 2:

- 2.1 Refine the 'ideal systems matrix' for use next time in consultation with national partners and the EAPRO toolkit authors.
- 2.2 Ensure the methods for gathering data under RRF indicators are consistent with the broader institutional stock take.
- 2.3 Depending on resources available, consider confining the research to a smaller number of institutions.
- 2.4 Do not limit the reporting to the RRF indicators in the National Research as these categories leave out some major components of a child protection system.

2.5 To ensure the integrity of information, another step in the methodology must be to have a process of feedback on the consultation report specifically from interviewees before the report is circulated more widely for consultation. This will help clear issues of misunderstanding and other language / cultural barriers.

2.6 An opportunity for capacity building would be to empower a Fiji national to conduct some of the key informant interviews (with or without the Institutional Researcher) and take ownership of some of the information gathering.

Outcome 3:

3.1 Sampling: This study found that random sampling intended to recruit respondents for the AHHQ and CHHQ was not practical in some cases. For the AHHQ there was no guarantee that adults or caregivers would be home at the time of the researchers visit. In some locations there were not enough households to carry out a random sample. Likewise many children aged between 16 and 17 years were attending school. In a few locations there were no children meeting the respondent criteria as they all attended boarding schools. Therefore the researchers resorted to using convenience sampling to recruit both adults and children for the AHHQ and CHHQ respectively. These issues were considered in the planning to some extent, but it is recommended to obtain more concrete information regarding the location profile in advance (as was done in some of the other research countries).

3.2 Informed consent: Acknowledgement must be given to the notion of communal consent which often accompanies the goodwill of traditional gatekeepers when allowing researchers into their domain. Researchers must ensure that this - which seems like subtle coercion - is not taken as consent. It is necessary to obtain individual informed consent prior to administering the particular research tool, as was practised in this research.

3.3 Tools: Group activities yielded valuable information but could have been designed to provide better triangulation of specific elements in the other research tools. Provide better training for researchers on the use of field diaries.

3.4 Role of Field Researchers: The role of field researchers in future research with children or about children's issues needs to be re-examined. This study exposed the need for field researchers to adopt flexible roles. As much as Field Researchers, Field Supervisors and Field Counsellors had their designated roles, the reality of the field required much more from everyone than the roles they were expected to perform. This will have implications for training and maintaining of a database of trained child researchers.

⁴⁶ This was usually the case in poor communities. Respondents had the expectation that participation in the research would result in direct monetary assistance (Researcher Field Diary).



Section 3: Findings

3.1 Overview

Findings are grouped according to the three RRF 'Outcome' areas:

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.

Within the RRF, as agreed between the government and UNICEF, each of these high level 'Outcomes' is broken down into a series of 'Outputs'. For example, in Fiji Outcome 1 have three Outputs which are numbered Output 1.1, Output 1.2 and Output 1.3. Each of these mid-levels 'Outputs' is then further broken down into a series of 'Indicators'. There may be one or more Indicators per Output. For example, Fiji Output 1.3 has only one Indicator, numbered Indicator 1.3. However, Fiji Output 1.1 has two Indicators numbered 1.1.1 and 1.1.2. These Indicators may or may not have 'targets' attached to them. For example, Fiji Indicator 1.1.1 has the target '50% of all cases' (by 2012).

There is an assumption that working on the more 'manageable' Indicators will contribute to achieving the Outputs, which will in turn result in progress towards achieving the over-arching Outcomes.

The Baseline Research measured the current status of the RRF Indicators. However, in some cases, 'Additional Indicators' were also measured as a means to gather further information relating to the

Outputs or Outcomes more broadly, above and beyond the child protection 'picture' painted by the more specific RRF Indicators. An example of an Additional Indicator is 'Indicator 3.1 Additional 1' which is related to Output 3.1. There is also an 'Additional General Indicator' at the end of Outcome 3. It is important to note that these 'additional indicators' do not form part of the official Government / UNICEF RRF. They are merely intended to contribute additional information which it is hoped may be of use in partners' efforts to create protective environment frameworks for children in Fiji.

The summary matrix in Section 3.2 pulls out key findings and statistics per indicator. This matrix can be used as a stand-alone summary. However, important additional analysis and comment, as well as recommendations, are included in the detailed findings in Section 3.4. Further supporting information can be found on the accompanying CD-Rom, including: full legislative compliance review; full institutional stocktaking report; raw data and comprehensive charts for CHHQs, AHHQs and KIs from the field research. Section 3.3 summarises the profile of CHHQ, AHHQ and KI respondents who participated in the field research.

3.2 Matrix of findings per output indicator

Please note: The findings here have been summarised for ease of reference. For further information on how each indicator was interpreted and how the findings were calculated, see Section 3.4 below on detailed findings.

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

Output	Indicator	Target	Baseline findings 2008
1.1	Magistrates, judges, police officers, probation officers, social welfare officers, lawyers and prosecutors manage cases involving child offenders, witnesses and victims and make decisions in line with principles of justice for children	1.1.1 Proportion of cases dealt with in line with established protocols.	50% of all cases Cases involving child offenders dealt with in 2007: - Police: 2007: (under-17s) 195; 2006: 325 (Suva only).⁴⁷ - Magistrates: 2007: 50 matters initiated (Suva only)⁴⁸ - Judges: High Court: 1 (estimate), Court of Appeal: 1 (estimate)⁴⁹ Cases involving child survivors / witnesses dealt with in 2007: Police: 33⁵⁰ sexual offences against children. [2008 CPBR field research findings: Police in 22 locations report receiving (on average, per month, per officer) 1.6 reports of physical abuse, 1.2 reports of neglect, 1 report of exploitation and 0.8 reports of sexual abuse but frequency varies widely per respondent, ranging from 0 to 10 reports each. The top three responses of how the police handle such cases are to deal with the matter themselves, refer the child to SWD or return the child to their family.] DSW assistance: Within the last year the 10 social work representatives interviewed around the country each assisted, on average, 6 victims/survivors, 2 witnesses and 1.8 offenders in the context of the justice system, although frequency varies widely per respondent, ranging from 0 to 15 cases each. Respondents who assisted child offenders described their role as: report writing to Senior Welfare Officer (x3); counselling (x2); enquiry (x2); placement in institutional care (x2); refused' (x2). Number of written procedures / guidelines in place for dealing with child offenders: 3 - The Juveniles Act Cap 56 gives legal authority to police, all courts and DSW etc. for dealing with child justice matters. - Police: "Directive 311 – Juvenile Offenders" and "Juvenile Bureau Procedures When Dealing With Young Offenders" - Judges: (Juveniles Act is the sole guide) - Magistrates: Part 15 Fiji Magistrates' Bench Book April 2004 (based on the Juveniles Act requirements) Written procedures / guidelines in place for dealing with child survivors / witnesses - Protocol between the Fiji Police and the DSW Regarding Protective Services for Children and Young People in Fiji [lapsed] - MoU between the Fiji Police and the Ministry of Education and Technology [lapsed] - Protocol between the Fiji Police and the Ministry of Health Regarding the Provision of Medical Services [not child-specific] - Draft Prosecutor's Manual and Victim's Charter nearing completion - Inter-agency Guideline for Handling of Neglected, Abandoned or Child Abuse Victims (Agencies include: Police, Health, Education, Office of the Public Prosecutor, Fiji Women's Crisis Centre and Save the Children Fiji)⁵¹ - Mandatory Reporting Protocol (Police, Department of Social Welfare, Education, Health)⁵²

⁴⁷ Police data for juveniles refers to under-17s. It was not possible to disaggregate data for under-18s.

⁴⁸ Data is available for Suva Juvenile Court only as disaggregated data is not otherwise kept. The data available is considered to be unreliable as a number of juvenile matters are heard before adult courts and so the juveniles court data does not catch all the juvenile matters being heard. These numbers do not necessarily reflect better work taking place outside the Suva courts and with police in places like Ba and Lautoka.

⁴⁹ No official disaggregated data is kept.

⁵⁰ Data is not disaggregated by age of victim / survivor. However, of the age-specific crimes (s155 Penal Code: Defilement of a girl under 13 years of age), 33 charges were laid for sexual offences against children in 2007. Other offences cannot be determined as they are not age-specific.

⁵¹ Fiji Government 2007, DRAFT Country Report to the Committee on the Rights of the Child, Fiji Islands, Draft Version 17/10/2007, Part 1, V, 9.7

				Compliance with procedures: • Directive 311 – Juvenile Offenders: Young offender matters referred to the Juveniles Bureau in accordance with D311: 53% of the 116 police questionnaires returned report compliance; police records show 9/195 or 4.6% cases referred. Parents, guardian, legal guardian or DSW Officer to be present at interview: young people report: 0% compliance; police self-report: 62% compliance of the 116 police questionnaires returned. • Protocol between the Fiji Police and the Department of Social Welfare. [Specific, lapsed non-complaint.] This means the procedure is not complied with and no one uses it. • MoU between the Fiji Police and the Ministry of Education and Technology: Lapsed non-compliant [as above, this procedure has also not being complied with]. • Protocol between the Fiji Police and Ministry of Health Regarding the Provision of Medical Services: Police report poor compliance by health service staff in relation to seeing victims/survivors promptly. • Fiji Magistrates’ Bench Book Pt 15: Closed court: not 100% compliant outside Suva.⁵³ Use of pre-sentencing reports: unknown.⁵⁴ • Presence of support person: 4/8 young offenders reported having a support person in court with them. Police training: 41% (9 out of 22) police representatives interviewed throughout the country stated that they had received specific training in preventing or responding to child abuse and neglect, from the police department (x7), Pacific Children’s Programme (x2), Fiji Women’s Crisis Centre (x1) and ‘other’ (x1 – not specified). It lasted from less than one week to 6 months. Justice training: 67% (4 out of 6) justice representatives interviewed throughout the country stated that they had received specific training in preventing or responding to child abuse and neglect, from the Pacific Children’s Programme and ‘other’ (not specified). It lasted for less than 1 week to 3 weeks.
	1.1.2	Positive feedback obtained from children themselves	50% of all cases ⁵⁵	Percentage of children who have been in conflict with the law reporting positive feedback in relation to their experience of the justice system⁵⁶: Police: • 100% of boys reported experiencing violence and intentional humiliation at the hands of the police. • 100% reported being pressured to admit to a crime they did not commit. Courts: • 100% were treated with respect. • 50% had a support person in court with them. • 12.5% felt pressured to agree to things that were not true or fair. Defence lawyers: • 62% felt that their lawyer understood their side of the story and adequately represented it to the court.

⁵² Reporting by professional groups working with children to Department Social Welfare is required if there is a suspicion of abuse (Fiji Government 2007, Op Cit, Part 1, VIII, 3.3.6) This is not required in law. Consultations indicated that this protocol may only apply to members of the Interagency Committee.

⁵³ Percentage unable to be determined, but anecdotal evidence indicates that compliance is not 100% outside Suva.

⁵⁴ Data not available but anecdotal evidence suggests compliance is well below 100%.

⁵⁵ Target may be revised based on the results of the baseline research.

⁵⁶ 15 boys who had experienced the system when they were under 18 years of age were interviewed.

Output	Indicator	Target	Baseline findings 2008
			DSW: 100% found Social Welfare unhelpful (many did not have any access to social workers when they most needed the support). Most did not meet a social welfare officer until the court proceedings were over. - Percentage of children who have dealt with the police, courts, prosecutors and lawyers as victims/witnesses of crime reporting positive feedback in relation to those dealings.⁵⁷ Police: 12.5% reported an excellent experience with the police. 25% were assisted on the same day as reporting; 87.5% felt the police believed them. 100% felt the police made adequate efforts to make them safe from the offender. 25% had the police explain to them after taking their statement, what would happen next and what they needed to do. 37.5% were kept informed of the progress of their case and upcoming court dates. Courts:⁵⁸ 71% reported being treated like they were the criminal. 86% felt their side of the story was heard. 86% felt adequately protected from the defendant and his lawyer. 43% had the benefit of special measures (screen etc.) to help them feel comfortable giving evidence. 14% had no court familiarization programme prior to court. 100% would have preferred to give their evidence in chambers. 100% felt the judge was kind and respectful to them but felt he/she could have intervened to protect them more often. Prosecutors: 33% met with and felt comfortable with the prosecutor before going into court. 0% had the prosecutor request a screen on their behalf. Defence: 12.5% felt the defence lawyer treated them with respect. How many cases bypass the police altogether at community level? Key informants at community level report that a few cases of children in conflict with the law are dealt with without approaching the police at all. When asked about how the community handles children in conflict with the law, only 27% of key informants' responses mention immediately referring the matter to the police [from a total of 134 responses]. 46% of responses indicate that he child is referred to an administrative, traditional or religious community leader. The use of other measures (notably 'counselling') accounts for 21% of responses. Physical punishment accounts for 4% of responses. What formal diversion options are used by the police? - Formal Cautions: 100% of boys diverted by the police. - According to police from 22 locations on what they do when a child has committed a crime, formal diversion (issuing a formal caution with or without conditions) accounts for 36% [of a total of 59 responses]. [Formal charges account for 10% and an additional 10% indicate referral of the case to the Juveniles Bureau].

⁵⁷ 8 girls under 18 years of age were interviewed.

⁵⁸ 7 girls attended court.

					How many cases of child offenders were informally diverted by the police in the past year? Data is not kept on informal diversions. Anecdotal evidence suggests that informal police diversions are high. Police self-report the following: - According to police from 22 locations on what they do when a child has committed a crime, informal diversion (giving a warning and letting them go or referring them to traditional authorities) accounts for 35% [of a total of 59 responses]. Corporal punishment makes up 7% of responses. 2% of responses indicate that it depends on the case. 27% of police report that a 'quick whack' is a more effective way to stop young offenders than a caution or a charge. 83% of the 116 police questionnaire responses report that most young offenders just need some care and support and social services to get back on track. - Community stakeholders report the following: 59% of justice, police, community leader and CSO key informants stated that police divert children who have committed crimes back to the community rather than going to court; 25% said they did not; and 16% said they did not know or refused to answer [76 responses in total]. How many cases of child offenders were formally diverted out of the court process in the past year? 7/195 or 3.6%⁵⁹ Community stakeholders report the following: 60% of justice, police, community leader and CSO key informants stated that the courts divert children who have committed crimes back to the community rather than going to prison; 24% said they did not; and 15% said they did not know or gave no answer [76 responses in total].
1.2	Appropriate diversion options are increasingly available for children in conflict with the law and are managed at community level with effective inter-agency cooperation and collaboration	1.2.1	Proportion of young offenders who are diverted at police level	At least 20% of young offenders	How many cases bypass the police altogether at community level? Key informants at community level report that a few cases of children in conflict with the law are dealt with without approaching the police at all. When asked about how the community handles children in conflict with the law, only 27% of key informants' responses mention immediately referring the matter to the police [from a total of 134 responses]. 46% of responses indicate that he child is referred to an administrative, traditional or religious community leader. The use of other measures (notably 'counselling') accounts for 21% of responses. Physical punishment accounts for 4% of responses. What formal diversion options are used by the police? - Formal Cautions: 100% of boys diverted by the police. - According to police from 22 locations on what they do when a child has committed a crime, formal diversion (issuing a formal caution with or without conditions) accounts for 36% [of a total of 59 responses]. [Formal charges account for 10% and an additional 10% indicate referral of the case to the Juveniles Bureau]. How many cases of child offenders were informally diverted by the police in the past year? Data is not kept on informal diversions. Anecdotal evidence suggests that informal police diversions are high.

⁵⁹ This refers to Suva Juvenile Court only out of the 24 courts that sit regularly as this is the only age-disaggregated data available. This figure refers to the situation in 2008 and does not necessarily reflect the more recent increase in the formal diversion of children as a result of the Community Law and Justice Programme.

Output	Indicator	Target	Baseline findings 2008
			Police self-report the following: - According to police from 22 locations on what they do when a child has committed a crime, informal diversion (giving a warning and letting them go or referring them to traditional authorities) accounts for 35% [of a total of 59 responses]. Corporal punishment makes up 7% of responses. 2% of responses indicate that it depends on the case. 27% of police report that a 'quick whack' is a more effective way to stop young offenders than a caution or a charge. 83% of the 116 police questionnaire responses report that most young offenders just need some care and support and social services to get back on track. - Community stakeholders report the following: 59% of justice, police, community leader and CSO key informants stated that police divert children who have committed crimes back to the community rather than going to court; 25% said they did not; and 16% said they did not know or refused to answer [76 responses in total]. How many cases of child offenders were formally diverted out of the court process in the past year? 7/195 or 3.6% Community stakeholders report the following: 60% of justice, police, community leader and CSO key informants stated that the courts divert children who have committed crimes back to the community rather than going to prison; 24% said they did not; and 15% said they did not know or gave no answer [76 responses in total]. - How many cases of child offenders were formally diverted out of the court process in the past year? 7/195 or 3.6% Community stakeholders report the following: 60% of justice, police, community leader and CSO key informants stated that the courts divert children who have committed crimes back to the community rather than going to prison; 24% said they did not; and 15% said they did not know or gave no answer [76 responses in total].
	1.2.2	50% increase from baseline	Were community based programmes utilized as part of police diversion? - Formal cautions (which make up 100% of diversion options used by the police) involve cooperation with the community.⁶⁰ - Anecdotal evidence suggests that informal police diversions generally involve the family rather than any community-based programmes. - Community stakeholders report the following: - Top 3 answers from relevant justice, police, community leader and CSO key informants on how the community deals with children who are diverted at police or court level: 32% said that counselling is employed; 21% said 'community work'; 14% referred to supervision. It is of concern that physical punishment is still being employed (5% of responses) [84 responses in total]. 61% of key informants⁶¹ agree or strongly agree that children who have committed crimes are accepted back into the community, 26% state 'sometimes yes, sometimes no' and 8% disagree [160 responses in total].

⁶⁰ Conditions of Formal Cautions involve the child returning to their community and community leaders being informed of the conditions of their caution and requested to provide support and supervision: relevant school teachers, police, church leaders etc. from the local community are written to following the administering of a Formal Caution.

⁶¹ Community, religious and youth leader, justice, police, health, social welfare and CSO representatives.

					o 48% of community leaders, justice, police and CSO key informants state that the community has programmes to help children rejoin the community after serving a criminal sentence (mostly 'counselling 25% plus some educational, employment and cultural programmes); 18% said 'no', 16% 'don't know' and 16% 'refused' or no response'. Significantly, 13% state that such children 'do not deserve community help'. [76 responses in total].
1.3	Laws relating to child protection priority areas ⁶² are harmonized with the CRC, its protocols and international principles	1.3.1	Degree of alignment between national laws relating to identified child protection priority areas and relevant child protection CRC/Optional Protocols provisions and international principles	Satisfactory alignment in at least four child protection priority areas	Numbers here refer to how many aspects of the law and policy comply with a detailed breakdown of international principles within each subject area – see Section 3.4 of this report for more details: 1. Child welfare/child protection system: Full compliance 3; Partial compliance 12; Non-compliance 4 [Total 19] 2. Family separation and alternative care: Full compliance 17; Partial compliance 13; Non-compliance 8 [Total 38] 3. Violence against children: Full compliance 3; Partial compliance 10; Non-compliance 3 [Total 16] - Sexual abuse and sexual exploitation of children: Full compliance 5; Partial compliance 5; Non-compliance 5 [Total 15] 5. Abduction, sale and trafficking: Full compliance 4; Partial compliance 4; Non-compliance 11 [Total 19] 6. Child labour/street children: Full compliance 8; Partial compliance 2; Non-compliance 7 [Total 17] 7. Child friendly investigative and court processes: Full compliance 4; Partial compliance 9; Non-compliance 11 [Total 24] 8. Rehabilitation: Full compliance 3; Partial compliance 6; Non-compliance 4 [Total 13] 9. Children in conflict with the law: Full compliance 45; Partial compliance 21; Non-compliance 11 [Total 77] 10. Refugee/unaccompanied migrant children: Full compliance 1; Partial compliance 1; Non-compliance 9 [Total 11] 11. Children in armed conflict: Full compliance 0; Partial compliance 2; Non-compliance 1 [Total 3] 12. Information access: Full compliance 1; Partial compliance 1; Non-compliance 2 [Total 4] 13. Birth registration: Full compliance 1; Partial compliance 0; Non-compliance 1 [Total 2]

⁶² Priority areas for Output 1.3 to include: (a) Juvenile justice (referring to all stages of the justice process affecting victims, witnesses and offenders under 18 years of age, including police questioning and apprehension, courtroom proceedings, sentencing, police and court diversions, rehabilitation and reintegration); (b) age of a child; (c) Commercial Sexual Exploitation of Children (CSEC), including issues of adoption and trafficking; (d) Child Sexual Abuse; further priority areas may be identified, as well as order of priorities and a roadmap for legal reform, following completion of baseline.⁶³

⁶³ Such plans should consider the role of civil society and the potential partnerships had with CSOs.

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

Output	Indicator	Target	Baseline findings 2008
2.1	National Government and other mandated authorities dealing with children's protection have well resourced plans addressing child protection concerns	2.1	Finding: This target is loosely met. There are no fully resourced strategic or forward plans. The following plans exist addressing child protection concerns (they may be partially resourced or not resourced): - Ministry of Finance and National Planning: 1 DRAFT Strategic Development Plan, 2007-2011⁶⁵ - DSW: 1 Corporate Plan for Ministry of Health, Women and Social Welfare⁶⁶ - Ministry of Youth: 1⁶⁷ - Police: 1⁶⁸ - Department of Public Prosecution: 1⁶⁹ - Ministry of Education: 1⁷⁰
2.2	DSW has the capacity to monitor and assist children's homes and institutions to meet minimum standards of care and promote family-based care as an alternative to institutionalization of children, including those who are victims of abuse and children with disabilities	2.2.1	Finding: 0% of children's homes⁷² have an Interim Certification of Residential Homes.⁷³ 100% of children's homes have agreed to implement the Minimum Standards of Care for Children in Residential Placement and carried out a self-audit in 2008.⁷⁴ 100% of children's homes are registered with DSW. 0% of children's homes have been externally audited at least twice in 2007.

⁶⁴ Mandated authorities include Ministry of Education, Ministry of Health, Fiji Police, Department of Public Prosecution, Ministry of Youth, Ministry of Finance & National Planning.

⁶⁵ DRAFT Strategic Development Plan 2007-2011, Ministry of Finance and National Planning, accessed on 12/11/08 at http://www.mfn.gov.fj/Documents/Draft_Strategic_Development_Plan_2007-2011.pdf. The plan does not mention resourcing, only that there is insufficient funding for all the implementing agencies to address Youth and Protection of Children. It also states that ownership of key issues is scattered across multiple agencies.

⁶⁶ Received via email.

⁶⁷ 20 Year Strategic Plan for Youth Development: 2006-2025, Ministry of Youth, Employment Opportunities and Sports, 2006. The plan identifies resources and infrastructure required for implementation.

⁶⁸ The Juveniles Bureau has a plan to enlarge and strengthen its human resources and services, but funding for its requests from the police budget is not guaranteed. (The Child Abuse and Sexual Offences Unit is grossly under-resourced for its current activities).

⁶⁹ An Institutional Strengthening plan exists that does not target children specifically, but rather, victims/survivors of crime in general.

⁷⁰ Annual Corporate Plan 2007.

⁷¹ MOA ensures that the children's home or institution complies fully with the Minimum Standards and is licensed and registered.

⁷² There are 7 Children's Homes: Boys Home, Dikusha Girl's Home (Nausori), St. Christophers (Suva), Velomani Happy Home, Treasure House (Nadi), Homes of Hope.

⁷³ Endorsed by Cabinet 5 November 2008, Fiji Daily Post 'Children's Homes Certification', at <http://www.fijidailypost.com/news.php?section=1&fijidailynews=20039> accessed on 13/11/08.

⁷⁴ Homes have been given until 2010 to fully comply with the Minimum Standards and at this point they will be fully certified.

		2.2.2	Proportion of children (including victims of abuse and children with disability) in family-based care arrangement in lieu of institutional care	25% of children	Proportion of children in formal family-based care in lieu of institutional care: 53% [N=97] out of a total number of 181 children adopted and in institutions in 1998 ⁷⁵: 97 children were adopted formally in 1998 (local and overseas) 84 children were resident in 3 institutions in 1998 (data available for only 3 out of the 7 children's homes) Proportion of children privately/informally adopted: - Unknown ⁷⁶ - Out of the 10 social welfare key informants from the field research component of the CPBR, 7 stated they are aware of children in their region who are in the care of adults other than their birth parents and who, if it wasn't for these carers, would be in a home or orphanage. 3 of these 7 gave the sample figures of 3, 5 and 18 cases. 7 out of 10 social welfare key informants from the field research component of the CPBR also stated that, in the last year, people in their region had approached them about the possibility of adopting or fostering children who are in institutional care. Of these 7, 5 specified that they had received 1, 2, 3, 4, and 7 applications.
2.3	Inter-agency child protection systems and processes effectively manage child protection cases in line with established procedures	2.3	Proportion of agencies with inter-agency MoUs, protocols and Standard Operational Procedures in place⁷⁷	All relevant agencies recognizing and following MoUs, protocols and Standard Operational Procedures	Number of active inter-agency protocols: 3 Compliance with these Protocols: Unknown. ⁷⁸ [As in Indicator 1.1.1, in reference to the Protocol between the Fiji Police and Ministry of Health Regarding the Provision of Medical Services Police report poor compliance by health service staff in relation to seeing victims/survivors promptly] This would mean that all protocols have lapsed and people do not comply with them. Inter-agency policies - Inter-agency Guideline for Handling of Neglected, Abandoned or Child Abuse Victims (Agencies include: Police, Health, Education, Office of the Public Prosecutor, Fiji Women's Crisis Centre and Save the Children Fiji)⁷⁹ - Mandatory Reporting Protocol (Police, Department of Social Welfare, Education, Health)⁸⁰ - Protocol between the Fiji Police and the Ministry of Health Regarding the Provision of Medical Services [not child-specific] - Protocol between the Fiji Police and the Department of Social Welfare Regarding Protective Services for Children and Young People in Fiji [lapsed] - MoU between the Fiji Police and the Ministry of Education and Technology [lapsed] Number of active internal operation procedures: 4 (excluding justice system - see Indicator 1.1.1) Compliance with these procedures: Unknown³² Internal operational procedures - DSW: Child Protection Intervention Guide 2008⁸¹ and Adoption Manual 2007; Standard Operating Procedures Community Corrections 2008 - Schools: Guidelines Banning Corporal Punishment Guidelines of the Permanent Secretary (Education Gazette Vol III, 2003)

⁷⁵ This was the most recent data available from DSW at the time of research.

⁷⁶ Private adoption is practiced in Fiji. The Government has recommended a survey on private adoption.

⁷⁷ Operational procedures to be based on the CRC and international good social work practice for children.

⁷⁸ It is recognised that at the practitioner/ professional level inter-agency training is required about child protection so that these protocols are recognised and followed.

⁷⁹ Fiji Government 2007, DRAFT Country Report to the Committee on the Rights of the Child, Fiji Islands, Draft Version 17/10/2007, Part 1, V.9.7.

⁸⁰ Reporting by professional groups working with children to DSW is required if there is a suspicion of abuse (Fiji Government 2007, Ibid, Part 1, VIII, 3.3.6). This is not required in law. Consultations indicated that this protocol may only apply to members of the Inter-agency Committee.

⁸¹ Developed in partnership with the Australia Fiji Community Justice Programme: internal policy document containing Standard Operating Procedures, definitions, interview guide, decision making guidelines, and case plans and forms.

Output	Indicator	Target	Baseline findings 2008
			CPBR field research findings: The majority (51%) of religious leaders, youth leaders, health and CSO key informants interviewed had not come across any child protection cases in the last year. For the rest the numbers of cases are relatively low but one religious leader reported 21 cases and one health worker reported 29 cases. Healthcare workers: 11 health key informants collectively dealt with or witnessed more than 67 CP cases over the past year. All 11 respondents stated that they notified another agency in at least some cases (police or DSW) and 7 of these also recorded the case in writing. 11 of the 22 health workers interviewed said they are aware of reports they should make if they suspect a child has been abused or neglected. 4 out of 22 mentioned a written protocol in place, 12 mentioned an unwritten duty of care and 6 said they didn't know of any systems in place. Only one respondent was able to name an SOP / guidance document. 6 out of 22 (27%) had received specific training in preventing or responding to child abuse and neglect from the Pacific Children's Programme (x2), Ministry of Health (x2), DSW and PCP (x1) and the police department (x1). It lasted from one day to one week. One of the 22 said they had received funding (from AusAID/PCP) to run awareness or advocacy programmes to stop abuse and neglect of children. Education representatives: 19 out of 32 said they are aware of reports they should make if they suspect a child has been abused or neglected. These have not been specified although one respondent specifically mentioned 'letters to parents'. 10 out of 32 (31%) had received specific training in preventing or responding to child abuse and neglect from the Ministry of Education (x4), PCP (x2), church (x1) and National Substance Abuse Advisory Council (x1). It lasted less than one week to one week. 2 of the 32 had received funding to run awareness or advocacy programs to stop abuse and neglect of children. Police: See Output 1.1 for findings relating to police training on child protection and how they deal with cases. 2 of the 22 police representatives interviewed stated that they had received funding to run awareness or advocacy programmes to stop abuse and neglect of children. Justice representatives: See Output 1.1 for findings relating to justice training on child protection and handling of cases. One of the 6 justice representatives stated they had received funding (from PCP) to run awareness or advocacy programmes to stop abuse and neglect of children. Religious leaders: 14 religious leaders collectively dealt with or witnessed more than 68 CP cases over the past year. Only 6 respondents stated that they notified another agency. In addition, 3 respondents notified staff within the faith organisation and another said that they 'console the child and advise the parents'. Of these 6 respondents who notified another agency, 4 also recorded the case in writing. One respondent recorded the case in writing but did not notify another agency. 13 of the 30 religious leaders interviewed said they are aware of reports they should make if they suspect a child has been abused or neglected. 3 out of 30 mentioned a written protocol in place, 12 mentioned an unwritten duty of care, 12 said they didn't know of any systems in place and 3 were not sure. 13 out of 30 (43%) had received specific training in preventing or responding to child abuse and neglect from the church (x3); PCP (x2); own organisation (x2) and by FCOSS, the police department, Bible school, USP and Ministry of Education. It lasted less than a week to one year.

				Youth leaders: 3 youth leaders collectively dealt with or witnessed 10 CP cases over the past year. Only 5 were referred to another agency for help. One respondent notified someone within the organisation. None of the cases were recorded in writing. 6 of the 22 youth leaders interviewed said they are aware of reports they should make if they suspect a child has been abused or neglected. The majority (18) did not know about any systems in place for child protection, but 3 mentioned an unwritten duty of care and one mentioned a 'written protocol'. 4 out of 22 (18%) had received specific training in preventing or responding to child abuse and neglect from the police department, Ministry of Health, St John's Ambulance and Red Cross and 'UN Mission'. It lasted less than one week to 4 years. 2 of the 22 said that they had received funding to run awareness or advocacy programs to stop abuse and neglect of children. CSO representatives: 5 CSO representatives collectively dealt with or witnessed more than 16 CP cases over the past year. Only 6 cases were referred to another agency for help and of these only 2 were recorded in writing. In addition, one respondent mentioned that the police had referred a case to them. 8 out of 23 CSO representatives interviewed said they are aware of reports they should make if they suspect a child has been abused or neglected. The majority did not know about any systems in place for child protection, but 6 mentioned an 'unwritten duty of care'. 7 of the 23 (30%) had received specific training in preventing or responding to child abuse and neglect from the police (x3), Ministry of Health, DSW, AFCJP, FCOSS, Fiji Women's Crisis Centre, Catholic Women's League, 'own overseas consultants' and 'local stakeholders'. It lasted from less than one week to 3 months. None of the 23 had received funding to run awareness or advocacy programmes to stop abuse and neglect of children.
2.4	Divisional Social Welfare Officers have increased capacity to prevent child abuse, make referrals and follow-up on abuse cases in line with established procedures	a) Proportion of Divisional Social Welfare Officers who are actively engaged in social mobilization for prevention; and b) who are referring, and c) following up on cases	100%	Prevention and other community-based work - Previously under the PCP, divisional SW Officers undertook some social mobilisation for prevention activities. 4/10 interviewed stated that they had received funding (from PCP/AusAID and UNICEF) to run awareness or advocacy programmes to stop abuse and neglect of children. 5/10 stated they organise prevention activities with the communities they work in specifically for child abuse and neglect. These prevention activities include: providing information to parents (x2); providing information to children (x2); handing out information about child abuse and neglect (x2); community workshops (x1); providing information to communities (x1). [See also findings for Output 3.3 about SW representatives promoting child protection messages at community level] Case management 9/10 SW representatives interviewed dealt with or witnessed 72 child protection cases within the past year, ranging from 0-27 per respondent. When averaged out, each respondent dealt with or witnessed 7.2 cases per year. This is higher than for the other CPBR field research key informants who were asked this question (see Output 2.3). - Of the 72 cases only 19 (26%) were referred to another agency for help. One respondent stated specifically that all their cases were referred to the police. 8/9 relevant respondents stated that they recorded the cases in writing. Regarding follow-up, 5 respondents said they notified their boss, 3 said they followed up to see how the child was doing within 3 months and one stated they did not follow up with the family or child or school.

Output	Indicator	Target	Baseline findings 2008
			8/10 are aware of reports they should make if they suspect a child has been abused or neglected. 6/10 respondents said they knew of SOP or guidance documents on child protection, but only 5 examples were given: Juveniles Act; 'MOU' (not specified which); 'standard operating procedures'; 'DSW Procedures Manual'; and the "child welfare manual done by the AFCJP" 4/10 said there is an internal policy or Code of Conduct which regulates behaviour and communications with children but further information about this was not clear. 4/10 mentioned a 'written protocol', 4 mentioned an 'unwritten duty of care' and 2 said they were not aware of any child protection systems. - On average each respondent who gave an answer spends 39%-59% of their time on income support applications compared to 28%-43% of their time on child protection work.
			Training - The capacity of SW officers to action child abuse cases was significantly increased in 2008 due to training and technical assistance by AFCJP.⁸² - The Social Work Degree offered at USP will be discontinued after 2009. - The Fiji Association of Social Workers has the capacity to up-skill social workers and train them but there are issues around the uptake of these skills and reimbursement for providing training. 7/10 SW representatives interviewed (70%) stated that they had received specific training in preventing or responding to child abuse and neglect⁸³ from DSW in-service training (x4), AFCJP (x1) and ECREA (x1). It lasted from less than 1 week to 2 months. 4/10 respondents had 'no specific training - just on the job' before gaining their position as a Welfare Officer. 2/10 had, or were in the process of obtaining, specific social work qualifications. The remaining 4 had (or were in the process of completing) university degrees in psychology, economics, finance and public administration.

⁷⁵ This was the most recent data available from DSW at the time of research.

⁷⁶ Private adoption is practiced in Fiji. The Government has recommended a survey on private adoption.

⁷⁷ Operational procedures to be based on the CRC and International good social work practice for children.

⁷⁸ It is recognised that at the practitioner/ professional level inter-agency training is required about child protection so that these protocols are recognised and followed.

⁷⁹ Fiji Government 2007. DRAFT Country Report to the Committee on the Rights of the Child. Fiji Islands, Draft Version 17/10/2007, Part 1, V.9.7.

⁸⁰ Reporting by professional groups working with children to DSW is required if there is a suspicion of abuse (Fiji Government 2007, ibid, Part 1, VIII, 3.3.6). This is not required in law. Consultations indicated that this protocol may only apply to members of the Inter-agency Committee.

⁸¹ Developed in partnership with the Australia Fiji Community Justice Programme: internal policy document containing Standard Operating Procedures, definitions, interview guide, assessment guide, decision making guidelines, and case plans and forms.

⁸² In 2008 all Social Welfare officers in 5 divisions underwent training to implement the policies and processes in the Child Protection Intervention Guide 2008.

⁸³ CPBR field research took place in May-June 2008 and may have pre-dated the training undertaken as part of the AFCJP.

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

Output	Indicator	Target	Baseline findings 2008
3.1	Children (boys and girls) are equipped and empowered to make informed choices to protect themselves from violence, abuse and exploitation.	3.1 Proportion of children who report that they discuss child protection issues at home, in schools and with their friends and know where to seek assistance.	30% increase from baseline • % of CHHQ, AHQ & KI respondents respectively who agree that, in general, children can speak out freely: at home (73% / 86% / 56%); at school (57% / 79% / 56%); in the community (44% / 62% / 37%); with friends (84% / 89% / 91%). • 62% of CHHQ & 95% of AHQ respondents agreed that they have regular family meetings where they can talk about their worries; • 57% of CHHQ respondents agreed that in general children have the right to say what they want to their parents without fearing punishment; • 28% of CHHQ and 24% of AHQ respondents state that they have heard a child talk about keeping children safe from violence. • How often relevant CHHQ and AHQ respondents respectively have heard a child speak out: Every day (23% / 14%); Once per week (19% / 21%); Once per 2 weeks (9% / 4%); Once per month (14% / 20%); Once per 3 months (9% / 7%); Once per 6 months (4% / 1%); Once per year (4% / 12%); Rarely (18% / 30%); Don't know (1% / 1%); Refused (1% / 0%). • Top 3 things that children say about keeping children safe from violence according to CHHQ respondents: children have the right to be safe (from violence) (15%); other (11%); we must protect children from bad influences (10%). According to AHQ respondents: explains what violence against children / child abuse is (16%); we must protect children from bad influences (9%); protect children from smoking alcohol and drugs (9%). • CHHQ respondents who experienced violence over the past 1 month who told someone about this: 39% told about adult hurting them at home; 36% told about adult calling them name at home; 44% told about feeling unwanted at home; 68% told about touching at home or in the community; 53% told about teacher physically hurting them; 24% told about teacher calling them name; 41% told about another child hurting them at school; 28% told about another child calling them name at school; 52% told about touching at school. • % of AHQ respondents who state that a child in their household told them about experiencing the following types of violence within the past 1 month: 29% - adult hurting child at home; 18% - adult calling child name at home; 13% - feeling unwanted at home; 3% - touching; 9% - teacher physically hurting child; 6% - teacher calling child name; 21% - another child hurting child at school; 15% - told about another child calling them name at school; 38% - hit by another child at home; 13% - hit by someone else in the community; 26% - called name by another child at home; 11% - called name by someone else in community. • Who CHHQ respondents told about experiencing violence (physical, emotional, sexual and neglect) over the past 1 month: 'friend' 50%; mother 19%; father 15%; other relative 6%; sibling 3%; teacher 3%; Head Teacher 1%. • Top 3 reasons why children told someone about experiencing violence: I trust the person (36%); we are close / we have a good relationship (22%); child was worried or felt bad (9%) • Top 3 reasons why relevant AHQ respondents think children in their household confided in them about experiencing violence: we are close / we have a good relationship (43%); child trusts me (38%); child was worried or felt bad (9%). • 83% of CHHQ respondents agree that they know who to talk to if someone hurts them. 97% / 61% of AHQ & KI respondents respectively agree that children in their household / community know who they can talk to.

⁸⁴ Total number of all CHHQ, AHQ and KI respondents divided by the total number of locations (35).

⁸⁵ Martintar, Muanikoso, Nabaka, Rarawai, Namosi and Sawani.

Output	Indicator	Target	Baseline findings 2008
			- Top 3 responses of what CHHQ respondents would do if badly hurt by someone: talk to parent (44%); confront the perpetrator (11%); report the incident to the police (10%). - Top 3 services CHHQ respondents mentioned in their area that could help them if badly hurt by someone: parents (26%); police (23%); doctor / nurse / health service (18%). 93% of CHHQ respondents stated that they feel comfortable or confident to ask for help from services. 1 respondent did not feel comfortable & confident asking parents for help; 9 did not feel comfortable & confident asking police for help; 2 not feel comfortable & confident - medical services for help; 2 - community organisations; 1 - friends; 1 - teachers; 1 - legal help. - Top 3 reasons why CHHQ respondents feel comfortable & confident to ask for help from services: know they can help (38%); know them (23%); trust them (23%). - Top 3 reasons why child respondents do not feel comfortable & confident to ask for help from services [N= 17 respondents / 38 responses (multiple options possible)]: do not know (29%); do not think they can help (18%); scared of them (13%).
	3.1 Additional 1	Proportion of children who are empowered and informed to protect themselves and others through knowledge of appropriate and inappropriate behaviour, good touch / bad touch and who are confident to speak out.	- How child respondents feel about touching: 85% of CHHQ respondents agree that they understand what kind touching is acceptable & acceptable compared with 95% of the AHHQ respondents who agree that they have explained this to their children; 75% of CHHQ respondents agree that if someone offers you money, sweets, clothes or other things to touch your body, you should tell someone; 87% of CHHQ respondents disagree that if you know the person who touches you in a way that makes you feel uncomfortable, there is no need to tell anyone about it; 93% disagree that adults and older children have the right to touch your body even if you do not want them to. - CHHQ respondents' experience of inappropriate touching: 6% [N= 17 (11 girls & 6 boys)] report having been touched in a way that made them feel uncomfortable at home or in the community within the past month; 10% [N=25 (16 girls & 9 boys)] of school-going CHHQ respondents report having been touched at school in the past 1 month. [Total of 42 children (27 girls, 15 boys) involved in 47 incidents]. Perpetrators of touching incidents at home or in community: 68% adult; 32% another child. Perpetrators of touching incidents at school: 100% another child. Top 3 places on the body where touched at home / in community: chest (29%); head / face (19%); back (14%). Top 3 places on the body where touched at school: buttocks (33%); stomach area (13%); arms (10%) jointly with back (10%). Girls touched more on chest and stomach; boys touched more on genitals - How CHHQ respondents feel about a range of child protection issues: 95% agree that people who look after children should show them love & affection every day; 92% agree that parents and teachers should praise children when they behave well; 83% disagree that it is OK to call a child stupid to make him/her realise homework mistakes; 23% agree that it is more important for their parents to attend their religious obligations than to spend time helping children with their homework; 89% disagree that it is good for children to be sent away to live with relatives or family friends who have more money; 71% agree that if they stole some money, it is good for an adult to hit them because it will make them learn not to steal again. 3 best ways to discipline children according to CHHQ respondents: explain rules (19%); speak wisely to them (17%); show them a good example (15%). - How CHHQ respondents who experienced violence (physical, emotional, sexual and neglect) within the past 1 month felt about this (top 3): angry (32%); sad or upset (20%); embarrassed (8%). 88% of CHHQ 'wishes for the future' refer to improving their personal situation; 6% refer specifically to family life; 3% refer to the general future wellbeing of children, young people and the country as a whole; 3% don't know.

Output		Indicator	Target	Baseline findings 2008
3.2	Villages, urban neighbourhoods and settlements implement child protection plans for the prevention of any form of abuse against children	3.2.1	50% increase of urban neighbourhoods, villages and settlements from baseline	17% of respondents from urban neighbourhoods / settlements and 33% of respondents from villages surveyed stated that there was some kind of plan in place to help keep children safe from violence. Every location apart from Korotari and Namadi had at least one respondent who stated that there was a plan. However, in 1/3 of locations the existence of such plans was corroborated by fewer than 5 people (out of an average of 24 people individually interviewed per location). In urban neighbourhoods and settlements the Pacific Children's Programme appears to have had little impact on the development of plans compared with in the villages where the PCP location(s) appear(s) in the top 2 villages with plans to keep children safe from violence. - Of the existing plans, 26% / 52% / 48% of relevant CHHQ / AHHQ & KII respondents respectively state that they are written down (average of 42% overall). - Only 9% of KII respondents (from 3 locations) thought that the plan was a stand-alone child protection document although this information was not able to be verified as researchers in these locations were not able to see an actual copy of the plan. Only 6 key informants [from 6 locations] managed to produce a copy of the plan when asked to do so by the researchers. - How relevant respondents know about these plans (top3): CHHQ respondents - someone told me about the plan (42%); community meeting or discussion (34%); I know the plan exists (9%). AHHQ respondents: community meeting or discussion (54%); I know the plan exists (15%); I have seen the plan (14%). KII respondents: community meeting or discussion (54%); I was involved in making the plan (12%) jointly with I have responsibility for implementing the plan (12%); I have seen the plan (11%).
		3.2.2	50% increase from baseline	- What community plans to keep children safe from violence include, according to relevant respondents: - Top 3 answers (% of CHHQ responses): Do not know (17%); misc. (15%); lower the crime rate (14%); - Top 3 answers (% of AHHQ responses): Lower the crime rate (21%); School child protection policy (16%); Youth activities for over-18s (15%); - Top 3 answers (% of KII responses): Child activities for under-18s (16%); Youth activities for over-18s (15%); School child protection policy (14%). - How plans have been used in practice according to KII respondents (top 3): Misc. (27%); awareness raising in schools (18%); 5.30pm daily warning given to all children to have their bath (15%). - How long plans have been in place varies, as is to be expected for the range of locations involved: The majority of plans have been in place either less than 2 years (according to an average of 31% of CHHQ, AHHQ & KII respondents) or more than 5 years (according to an average of 27% of CHHQ, AHHQ & KII respondents).
		3.2	Additional 1	- When asked directly whether they were consulted about the development of the plan, 7% of CHHQ, 52% of AHHQ & 64% of KII respondents said yes (41% on average). - Most CHHQ, AHHQ & KII respondents thought that the plans had been developed by 'community elders or leaders' (49% / 39% / 27% respectively) or by a 'community committee' (11% / 28% / 29% respectively). 20% of respondents on average stated that the 'whole community was consulted' (8% CHHQ / 16% AHHQ / 33% KII).

Output	Indicator	Target	Baseline findings 2008
	3.2 Additional 2	Proportion of community members who feel that the existence and implementation of child protection plans helps to keep children safe (impact)	- Proportion of respondents in communities where plans exist who feel that these plans help to keep children safe from violence (% of relevant CHHQ, AHQ & KI responses respectively): Yes (85% / 97% / 90%); No (3% / 0% / 5%); Partly (10% / 3% / 5%). - How does this plan help to keep children safe from violence in this community? - Top 3 answers (% of relevant CHHQ responses): Makes it clear what is good behaviour with children (23%); other (22%); makes it clear what is bad behaviour with children (21%). - Top 3 answers (% of relevant AHQ responses): Makes it clear what is good behaviour with children (29%); makes it clear what is bad behaviour with children (22%); jointly (10%) - helps people know about child abuse, helps people understand about child abuse & people know how to prevent child abuse. - Top 3 answers (% of relevant KI responses): Makes it clear what is good behaviour with children (39%); helps people know about child abuse (16%); makes it clear what is bad behaviour with children (15%). - Why does this plan not help to keep children safe from violence in this community? [No data for CHQs]: % of relevant AHQ responses: Plan is not detailed enough (50% N=4); The plan is not implemented (25% N=2); The plan is not taken seriously (13% N=1) jointly with Not enough resources to implement the plan (13% N=1). % of relevant KI responses: 17% (N=1) for each response: Plan is not detailed enough; plan is not implemented; not enough resources to implement the plan; no proper authorities to enforce the laws; plan needs updating; do not know. 95% / 99% / 96% of CHHQ, AHQ & KI respondents respectively in communities that do not currently have plans to help keep children safe from violence stated that it would be a good idea to develop such a plan. - Top 3 reasons why respondents think it would be a good idea to develop a plan (% of relevant CHHQ, AHQ & KI responses averaged out): To help keep children safe or to protect children (48%); to help people know about child abuse (8%); to make it clear what is good behaviour with children (8%). - Reasons why relevant AHQ respondents felt it would not be a good idea to develop a plan (no responses from CHQs for this question): 33% [N=1] for each response: Parents are taking good care of their children in this area; life is OK as it is; no need. 1 KI respondent stated that the plan will not be taken seriously.
3.3	Community ⁸⁶ and religious leaders promote child protection principles at community level.	Proportion of community and religious leaders who state they understand and promote child protection issues.	80% of key informants state they can recognise if a child is being physically abused, ranging from 100% of health representatives to 55% of youth leaders. 50% of key informants state they can recognise if a child is being sexually abused, ranging from 73% of health representatives to only 28% of education representatives. 81% of key informants state they can recognise if a child is being emotionally abused, ranging from 100% of justice representatives to 64% of social welfare representatives. 92% of key informants state they can recognise if a child is being neglected, ranging from 100% of justice and police representatives to 78% of education representatives. 78% of key informants state they can recognise if a child is being economically exploited, ranging from 87% of religious leaders to 63% of education representatives. A significant number of key informants are not able to give a definition of 'exploitation'.

⁸⁶ "Community" defined as villages, settlements and urban neighbourhoods. "Community leaders" defined as all those with a leadership role within a community, including turaga-ni-koros, turaga-ni-mataqals, youth leaders, women's group leaders, head teachers.

Output	Indicator	Target	Baseline findings 2008
	3.3 Additional 1	Proportion of child protection messages promoted by community and religious leaders which are accurate, relevant and of good quality.	- Community and religious leaders are promoting a wide range of message about child protection, the majority being general messages about the need to protect children from bad influences and to keep them safe. - Only one of the things mentioned is obviously contrary to good child protection practice ('it is OK to hit children in order to discipline / educate them') but this did not feature highly in the list. - Without knowing the exact content of things which leaders are saying it is difficult to assess whether their messages are accurate or of good quality. There does not appear to be any significant difference between messages promoted by community leaders per location type which indicates that either the issues faced in all location types are similar, or 'blanket' messages are being delivered which may or may not be relevant to specific locations. - Education representatives once again appear to speaking out more than others. - If key informants are clearly articulating and reinforcing particular messages, then one might expect the results to show a clearer corroboration of what key informants are saying with what community members are hearing, but as it stands the results are very mixed.
	3.3 Additional 2	Proportion of community members who state that they have heard community leaders promoting child protection.	% of CHHQ and AHHQ respondents respectively who have ever heard 'community leaders' talk about keeping children safe from violence: Traditional or Administrative Leaders (39% / 33%); youth leaders (27% / 25%); education representative (66% / 61%); women's group leaders (33% / 30%); - How often relevant CHHQ and AHHQ respondents respectively have heard these 'community leaders' speak out: - Traditional or Administrative Leaders: Every day (7% / 4%); Once per week (21% / 23%); Once per 2 weeks (13% / 9%); Once per month (21% / 45%); Once per 3 months (7% / 5%); Once per 6 months (6% / 2%); Once per year 5% / 4%); Rarely (19% / 9%); Don't know (3% / 0%). - Youth leaders: Every day (1% / 1%); Once per week (32% / 32%); Once per 2 weeks (10% / 9%); Once per month (24% / 22%); Once per 3 months (4% / 12%); Once per 6 months (4% / 1%); Once per year (12% / 4%); Rarely (13% / 19%). - Education representative: Every day (22% / 6%); Once per week (41% / 15%); Once per 2 weeks (10% / 7%); Once per month (11% / 29%); Once per 3 months (3% / 32%); Once per 6 months (2% / 1%); Once per year (2% / 5%); Rarely (7% / 5%); Don't know (1% / 0%); Refused (1% / 0%). - Women's group leaders: Every day (19% / 4%); Once per week (27% / 50%); Once per 2 weeks (4% / 9%); Once per month (23% / 22%); Once per 3 months (5% / 2%); Once per 6 months (2% / 1%); Once per year (6% / 2%); Rarely (10% / 11%); Don't know (3% / 0%).

3.4	Schools ⁸⁷ are increasingly a child-friendly ⁸⁸ , safe environment for children.	3.4.1	Proportion of schools that have child protection policies and/or incorporate child protection into Schools Mission, Vision and/or Constitution.	30% of schools from each division.	• 77% of CHHQ respondents and 69% of education key informants stated that their school has written rules to protect children. Another 13% of CHHQ respondents / 19% of education key informants stated that their school has unwritten rules. However, only 4 education key informants state that there is a separate 'child protection' document. In terms of content of the rules, only 5% of CHHQ [N=17] and 11% of education KI responses [N=6] explicitly mentioned the term 'child protection policy'. • Both CHHQ and education key informants indicate that the emphasis in the rules is on regulating the behaviour of children and on 'general school rules'. There is much less emphasis on the role of teachers. • Only 5% of CHHQ responses and 3% of education key informant responses state that the rules were developed with the involvement of students themselves. When asked directly whether someone had asked their opinion about these rules, the majority of CHHQ respondents (84%) stated 'no' compared with 50% of education key informants. 92% of CHHQ respondents either do not know how long the rules have been in place or think they have been in place for more than 5 years or 'since the school started' (corroborated by 78% of education key informants). • The majority of both CHHQ respondents (94%) and education key informants (100%) state that there is someone children can report to within schools when school rules are broken – mostly teachers. • 88% of CHHQ respondents and 79% of education key informants agree that existing rules help to keep children safe (7% / 18% state 'partly' and 4% / 3% 'no'). For those respondents who are not aware of existing rules in their schools, 83% of CHHQ respondents [N= 19] and 100% of education key informants [N=4] think that it would be a good idea to develop rules to keep children safe from violence
		3.4.2	Proportion of teachers who do not practice corporal punishment as discipline/ means of education	30% increase from baseline	• 75% of education key informants admit that teachers in their school 'hit, smack, kick, dong pinched or pull or twist children's ears. • 9% of AHHQ respondents stated that a child in their household had told them about being physically hurt by a teacher in the past 1 month. • 31% [N=73] of school-going CHHQ respondents stated that they had been physically hurt by a teacher within the past 1 month. This happened most often (top 3): 'depending on what the child did' (82%); once per month (5%); 'when the teacher feels like it' (4%). • Top 3 ways in which teachers physically hurt children according to CHHQ respondents: smack (39%); hit (25%); dong (18%). • Top 3 implements used by teachers to physically hurt children according to CHHQ respondents: open hand (38%); stick (32%); closed fist (8%). • Top 3 places on the body where teachers physically hurt children according to CHHQ respondents: back (24%); head (22%); palms of hands (15%). • Top 3 reasons why teachers physically hurt children, according to CHHQ respondents: I am naughty / disobedient (24%); to discipline or educate me (22%); I did not do my homework (22%); I made a mistake (9%). • How CHHQ respondents felt about being physically hurt by a teacher within the past 1 month (top 3): angry (32%); sad or upset (18%); pain / it hurt (16%). • CHHQ respondents identified 'teachers hit children' as the number one thing which makes children not feel safe in schools. • 6% of the adults surveyed stated that a child in their household had told them about being called an inappropriate name by a teacher in the past month.

⁸⁷ "schools" defined as kindergartens, day-care centres and play centres for 0-3 year olds, primary schools, special schools and secondary schools.

⁸⁸ "child-friendly" defined as an environment conducive to the child's learning, positive development and one which practices positive forms of discipline

Output	Indicator	Target	Baseline findings 2008
			17% of school-going CHHQ respondents stated that they had been called an inappropriate name by a teacher in the past month, such as: school performance (stupid, lazy, idiot, worthless, good-for-nothing) (44%); mixture of general swearing or 'other' names (26%); personal discrimination based on children's appearance, name or place of origin (25%); For the following top 3 reasons: I am naughty / disobedient (25%); gets angry with me / loses temper (23%); I made a mistake (9%). - How CHHQ respondents felt about being called an inappropriate name by a teacher within the past 1 month (top 3): embarrassed (37%); angry (22%); sad or upset (17%).
	3.4 Additional 1	Teachers understand positive discipline and basic child psychology and are able to create a 'child-friendly environment'.	64% of all stakeholders (CHHQ, AHHQ & KII) agree that children can speak out freely at school (16% sometimes yes, sometime no) and 76% agree that children are safe and protected at school (18% sometimes yes, sometime no). - How school-going CHHQ & KII respondents feel about various aspect of the school environment: 63% / 68% agree that teachers speak nicely to them; 70% / 88% agree that teachers often help to explain things patiently; 81% / 97% agree that teachers often praise children for doing good work; 57% / 56% (& 79% of AHHQ respondents) agree that, in general, children can speak out freely at school. 3 best ways to make children feel safe in schools according to CHHQ respondents: General school rules help to protect children (13%); Teachers help explain things (11%); Teachers are friendly and respectful (9%). According to education key informants: teachers love and care for children (23%); Good physical environment (11%) jointly with Teachers know and understand about child abuse (11%); general school rules help to protect children (10%) jointly with teachers are friendly and respectful (10%). 3 main things which make children not feel safe in schools according to CHHQ respondents: Teachers hit children (11%) jointly with teachers are not friendly (11%), bullying amongst children (9%); negative peer pressure (9%). According to education key informants: children are afraid of teachers (14%); teachers are not friendly (10%) jointly with teachers do not know or understand about child abuse (10%); bad physical environment (9%) jointly with teachers do not love or care for children (9%). 21% of AHHQ respondents stated that a child in their household had told them about being hit by a child at school within the past 1 month compared with 22% of school-going CHHQ respondents who reported this directly. This happens most frequently (59%) 'depends on what I did' or 'when s/he feels like it'. According to CHHQ respondents: top 3 ways in which children physically hurt them at school: hit (33%); smack (25%); push each other playfully (13%). Top 3 implements used by children to physically hurt children at school: open hand (55%); closed fist (35%); ruler (6%). Top 3 places on the body where children physically hurt children at school: back (33%); head (19%); arms (13%). Top 3 reasons why children physically hurt children at school: Play fighting - not really fighting (34%); Gets angry with me / loses temper (22%); other (12%). How CHHQ respondents felt about being physically hurt by another child at school within the past 1 month (top 3): angry (37%); sad or upset (22%); we were just playing (13%). 36% of CHHQ respondents reported being called an inappropriate name by another child at school within the past month. 15% of AHHQ respondents stated that a child in their household had spoken to them about being called an inappropriate name by another child at school within the past month. In terms of frequency, children who were called inappropriate names in the past month stated that this happened (top 3): depending on what they did (37%); every day (30%); when the other child feels like it (17%). Types of

					inappropriate names relevant CHHQ respondents were called by another child at school in the past month: personal insults (44%); mixture of general swearing or 'other' names (36%); insulting competencies (e.g. lazy, good-for-nothing) (19%). For the following top 3 reasons: teasing (38%); playing - does not really mean it / for a joke (23%); gets angry with me / loses temper (8%). How CHHQ respondents felt about being called an inappropriate name by another child at school within the past 1 month (top 3): angry (29%); did not bother me (17%); sad or upset (15%). • 10% of school-going CHHQ respondents [N=25 (16 girls & 9 boys)] reported experiencing inappropriate touching at school. 100% of these incidences were perpetrated by other children rather than adults. The incidences mostly took place at school (89%) but some took place on the way home from school (11%). The area of the body most commonly touched was the buttocks followed by the stomach area, arms and back. • CHHQ respondents consistently under-reported incidences of physical and verbal violence experienced at school by both teachers and other children: 54% of those who experienced inappropriate touching at school told someone about it; 53% of those who experienced physical harm by a teacher told someone; 41% of those who experienced physical harm by another child told someone; 28% of those who experienced being called an inappropriate name by another child told someone; and only 24% of those who experienced being called an inappropriate name by a teacher told someone. The majority of people to whom they spoke out were friends and family members.
3.5	Parents and caregivers are better informed and practice positive parenting in the home environments.	3.5.1	% of care-givers who know what to do / who to turn to in case of violence, exploitation and abuse of children in their care.		• 72% of AHHQ respondents feel confident about knowing what to do if a child in their care were badly hurt by someone. 18% do not feel confident. • Top 5 responses of what AHHQ respondents would do if a child in their care were badly hurt by someone: confront or talk to the perpetrator (27%); ask the child what happened (26%); report the incident to the police (20%); report the incident to a doctor /nurse /health worker (15%); other (2%); • In comparison, when CHHQ respondents actually told mothers and fathers about experiencing violence (all types) within the past month, action taken by these parents included (top 3): spoke to the perpetrator (26%); talked to me (18%); nothing (11%). • Top 3 services identified by AHHQ respondents as being available to help if a child were badly hurt by someone: doctor/nurse/health service (44%); police (29%); 'nothing' (10%). • 94% of AHHQ respondents are comfortable and confident to ask services for help, for the following top 3 reasons: know they can help (41%); trust them (18%); they are part of the community (16%). 6% of AHHQ respondents are not comfortable or confident to ask services for help – mostly in relation to the health and police services- for the following top 3 reasons: Do not think they can help (37% N=7); not easy to approach (16% N=3); do not know (11% N=2).
		3.5.2	% of care-givers who understand the risks associated with sending their children away to alternative places of residence.		• 11% of AHHQ respondents have biological children under the age of 18 who do not live in the household [N=50 (29 girls & 21 boys)]. Of these 46% are living with relatives in urban locations; 29% are living with relatives in rural locations; 17% are at boarding school; 3% are living in a care home; 3% are living with family friends in rural locations; 3% are living with family friends in urban locations. • The majority are living in alternative places of residence 'to attend school' (64%). • 85% feel that their children are safe in alternative places of residence because: 'Blind trust' in the hosts (43%); evidence from children themselves (34%); evidence from the hosts (14%). • Although only one AHHQ respondent explicitly stated that the child was living away from home for 'better opportunities', 89% of CHHQ respondents disagree (of whom 23% 'strongly' disagreed) that 'it is good for children to be sent away to live with relatives or family friends who have more money'.

Output	Indicator	Target	Baseline findings 2008
	3.5.3 % of adults who do not practice corporal punishment as discipline/means of education.		72% of AHHQ respondents stated that they hit, smack, dong, pinch children or pull or twist their ears but only 28% of education key informants stated that parents agree with teachers using corporal punishment in schools. 29% of AHHQ respondents stated that a child in their household had told them about being hit by an adult in the household within the past month. 37% of CHHQ respondents [N=104] stated that they had been hit, smacked, kicked or pinched or had their ears pulled or twisted by an adult in the household in the past 1 month, 34% by father; 26% by mother; 23% by a sibling (top 3). - When asked about the 3 best ways to discipline children, 3% of AHHQ responses were 'hit or smack' (10th most popular answer) compared with 5% of CHHQ responses (6th most popular answer). - Top 3 ways in which adults physically hurt children according to CHHQ respondents: hit (50%); smack (36%); pull or twist ears (5%). According to AHHQ respondents: hit (46%); smack (27%); pinch (14%). - Most popular answer for how often adults physically hurt children is the same for both CHHQ and AHHQ respondents: 'depends on what the child does' (73% and 80% respectively). - Top 3 implements used by adults to physically hurt children according to CHHQ & AHHQ respondents respectively: open hand (36% / 32%); stick (29% / 32%); belt (15% / 23%). - Top 3 places on the body where adults physically hurt children according to CHHQ respondents: back (27%); buttocks (12%); palms of hands (10%). According to AHHQ respondents: palms of hands (22%); backs of calves (20%); buttocks (15%). - Top 3 reasons why adults hit children, according to CHHQ and AHHQ respondents respectively: child is naughty or disobedient (37% / 43%); to discipline or educate them (23% / 38%); get angry with them/ lose temper (16% / 11%). - How CHHQ respondents felt about being physically hurt by and adult in the house within the past 1 month (top 3): angry (36%); sad or upset (22%); pain / it "hurt" (15%).
	3.5.4 Parents, caregivers and children report significant change in relation to the protection of children.	30% increase from baseline	Comparison of CHHQ, AHHQ and KII responses (strongly agree and agree) respectively to the statements: "In general children are safe and protected at home": (83% / 96% / 68%); "In general children are safe and protected at school": (72% / 83% / 65%); "In general children are safe and protected in the community": (50% / 73% / 39%). 73% of religious leaders felt that children are safe and protected in places of worship.
	3.5 Additional 1 Proportion of parents who practice positive discipline (not just 'not hitting').		18% of AHHQ respondents state that a child in their household has told them about being called an inappropriate name by an adult in the household within the past 1 month. 21% of CHHQ respondents report having been called inappropriate names by an adult in the household in the past month. In terms of frequency, mostly this 'depends on what I did' (58%) but 19% of relevant CHHQ respondents experienced this 'every day'. Types of inappropriate name: 'competencies' (e.g. stupid, good-for-nothing, lazy, idiot, worthless (40%); 'general swearing' (33%); personal insults (e.g. making fun of appearance or name) (26% - of which 8% are linked to sexuality). Reasons why relevant CHHQ respondents think the adult did this: 'Discipline', 'education' and 'punishment' (57%); anger and temper (17%); 'teasing' (11%). How respondents felt about this (top 3): Sad or upset (32%); angry (28%); Embarrassed (12%). 13% of AHHQ respondents state that a child in their household has told them about being made to feel unwanted by an adult in the household within the past 1 month. 15% of CHHQ respondents stated they had been made to feel unwanted by someone in the household in the past 1 month. This was by (top 3):

			mother (27%); sibling (20%); Father (18%). 3 main ways in which relevant CHHQ respondents were made to feel unwanted: swore at me (19%); teased me (16%); did not talk with or listen to me (14%) jointly with 'other' (14%). Top 3 reasons why relevant CHHQ respondents think the adult did this: It is normal (23%); does not like me (19%); lots of other worries (15%). How respondents felt about this (top 3): sad or upset (35%); angry (27%); uncomfortable (12%). • 73% of CHHQ, 86% of AHHQ & 56% of KII respondents feel that children can speak out freely at home. 57% of CHHQ respondents agree that 'In general, you have the right to say what you want to your parents without fearing punishment' (19% sometimes yes, sometimes no). • 62% of CHHQ respondents agree that 'We have regular family meetings where I can talk about my worries' compared with 95% of AHHQ respondents. • 95% of CHHQ respondents agree that 'people who look after children should show them love and affection every day' and 92% also agree that 'Parents and teachers should praise children when they behave well'. • 98% of AHHQ respondents agree that children under the age of 12 should be supervised at all times in the home. • Top 3 reasons why 28% of AHHQ respondents do not physically hurt children: there are better ways to discipline / educate children (28%); children are vulnerable or weak or small (23%); it is wrong (16%). • 3 best ways to discipline children: 72% of CHHQ and 70% of AHHQ responses are examples of positive discipline. • How adults show children in their household that they love and care for them. The responses can be divided into three main areas: Emotional support and affection (23% of CHHQ and 45% of AHHQ responses); Support for children's material needs (55% of CHHQ and 38% of AHHQ responses); Teaching and discipline (15% of both CHHQ and AHHQ responses).
Additional general	Perception of children's safety in the home, school and community and things which help or hinder this.		• 3 best ways to make children feel safe in the community (CHHQ, AHHQ & KII – average top 3 responses): love and care for children (23%); educate parents on how to look after children (18%); improve upbringing in the home (16%). • 3 main things which make children feel not safe in the community (CHHQ, AHHQ & KII – average top 3 responses): no love or care for children (18%); bad influence of other people (17%); parents do not know how to look after children (14%). • KII respondents' top 3 wishes to help keep children safe in the community: education or awareness for parents on child abuse or childrearing skills (10%); create safe places for children to spend time (8%); other (individual responses) (7%). • Young people aged 19-25 identified community spaces (especially the playground) as safest for children, followed by the home and school. The most unsafe places were roads, the physical landscape, community spaces, the home and services. • 13% of AHHQ respondents state that a child in their household has told them about being hit by an adult in the community within the past 1 month. 11% of AHHQ respondents state that a child in their household has told them about being called an inappropriate name by an adult in the community within the past 1 month. • 38% of AHHQ respondents state that a child in their household has told them about being hit by another child in the household within the past 1 month. 26% of AHHQ respondents state that a child in their household has told them about being called an inappropriate name another child in the household within the past 1 month. • The majority of CSOs work on general community or women's issues at local level only, but 26% specifically mentioned issues directly affecting children and 86% have links to larger bodies outside their own communities. • The majority of police key informants appear sympathetic to child protection issues but 43% agree that children in conflict with the law should be treated the same way as adults (plus an additional 10% who said 'sometimes yes, sometimes no').

3.3 Field research – respondent information

	AHHQ	CHHQ	KIIs
Type of location	Of 35 locations visited: 16 = villages (45%); 10 = urban neighbourhoods (29%); 9 = settlements (6%)		
	Of completed AHHQs: 46% = villages 28% = settlements 26% = urban neighbourhoods	Of completed CHHQs: 42% = villages 29% = settlements 29% = urban neighbourhoods	Of completed KIIs: 52% = villages 20% = settlements 28% = urban neighbourhoods
Total number of respondents	342 conducted out of a possible 350 [2 AHHQ PDA files 'corrupted' and unusable]	284 conducted out of a possible 350 [4 AHHQ PDA files 'corrupted' and unusable]. The lowest number of child respondents were recorded in the islands (Kadavu, Taveuni and Moala).	192 total, made up of: Community Leaders 25; Religious Leaders 30; Youth Leaders 22; Justice 6; Police 22; Health 22; Education 32; Social Welfare 10; CSOs 23.
Sex	Female: 73% Male: 27% The majority of 'primary caregivers of children' (as targeted in the AHHQs) are women. Many women are 'stay-at-home mothers' and therefore more likely to be at home during researchers' visits.	Female: 49% Male: 51%	Female: 36% Male: 64% Majority male: Community Leaders Religious Leaders Youth Leaders Justice Police Education Majority female: Health Social Welfare CSOs
Age	18-25 years: 3% 25-35 years: 32% 35-45 years: 39% 45-55 years: 18% 55-65 years: 6% 65-75 years: 2%	16 years: 53% 17 years: 47%	18-25 years: 8% 25-35 years: 21% 35-45 years: 22% 45-55 years: 33% 55-65 years: 11% 65-75 years: 4% 75+ years: 1%
Ethnicity	Fijian: 65% Indo-Fijian: 29% Banaban: 3% Mixed-race: 2% Other Pacific Islanders: 1% (reflective of the dominance of Fijian villages in the study sample)	Fijian: 63% Indo-Fijian: 29% Part-European: 5% Banaban: 2% Rotuman: 1% [plus 1 part-Chinese, 1 other Pacific Islander & 1 'other' respondent]	Fijian: 73% Indo-Fijian: 20% Banaban: 2% Part-European: 2% Rotuman: 1% Other Pacific Islanders: 1% [plus 1 European & 1 part-Chinese respondent]
Religion	Christian: 70% Hindu: 25% Muslim: 4% Sikh: 1% Christian denominations: Methodist: 48% Catholic: 21% Other: 12% Assemblies of God: 10% 7th Day Adventists: 6% Pentecostal: 2% Anglican: 1% Latter Day Saints (Mormons): 0% [1 respondent]	Christian: 73% Hindu: 19% Muslim: 7% Sikh: 1% Christian denominations: Methodist: 38% Catholic: 31% Assemblies of God: 12% 7th Day Adventists: 6% Pentecostal: 5% Other: 5% Latter Day Saints (Mormons): 1% Anglican: 1%	Christian: 81% Hindu: 15% Muslim: 4% Sikh: 1 respondent Refused: 1 respondent Christian denominations: Methodist: 59% Catholic: 21% 7th Day Adventists: 5% Pentecostal: 5% Assemblies of God: 5% Other: 3% Anglican: 1% Latter Day Saints (Mormons): 1%

	AHHQ	CHHQ	KIIs
Marital status	Married: 90% Single: 4% Widowed: 3% Living with partner: 2% Separated: 1% Divorced: 0% [1 respondent]	Single: 100% Married: 0% [1 respondent]	Married: 81% Single: 13% Widowed: 4% Divorced: 2%
Work status	Unpaid work:69% Full-time employed:14% Full-time self-employed:5% Part-time employed:4% Casual worker:2% Retired:2% Part-time self-employed:1% Seeking employment:1% Other:1%	Not working:88% Part-time employed:3% Unpaid work:3% Seeking employment:2% Refused:2% Casual worker:1% Full-time employed:1% [A field researcher described one of her respondents this way, "she was a 17 year old girl, a student who worked after school, a daughter, a sister and a caregiver to her 4-year-old brother." (Field Diary)]	Full-time employed:61% Unpaid work:23% Part-time employed:7% Full-time self-employed:5% Retired:2% Part-time self-employed:1% Casual worker:1% Seeking employment:1% Student:1%
School attendance	N/A	Attending school: 81% Full-time high school:97.3% Part-time high school:1.3% Other: 0.9% (not specified) Full-time university:0.4%	N/A
Highest education level attained	Primary school:23% Secondary school:62% Tertiary education:12% Vocational training:2% No formal schooling:1%	Primary school:7% Secondary school:90% Vocational training:3%	Primary school:10% Secondary school:40% Tertiary education:47% Vocational training:3%
Household income	Very well-off:4% Well-off:11% Ok:68% Poor:13% Very poor:3% Other:1% [Please note that these answers are subjective, based on a simple self-description by respondents]	Very well-off:6% Well-off:12% Ok:61% Poor:9% Very poor:1% Other:1% Do not know:4% Refused:6% [Please note that these answers are subjective, based on a simple self-description by respondents]	N/A
Number of children per household	Avg per HH: 2.7 children Girls: 52% Boys: 48% 0-3 years:18% 4-6 years:16% 7-10 years:24% 11-15 years:27% 16-18 years:16% Biological: 88% Hosted: 12% Girls biological:45% Girls hosted:7% Boys biological:43% Boys hosted:5%	Avg per HH: 2.6 children Girls: 51% Boys: 49% 0-3 years:8% 4-6 years:11% 7-10 years:18% 11-15 years:24% 16-18 years:39% Biological: 91% Hosted: 9% Girls biological:46% Girls hosted:5% Boys biological:45% Boys hosted:4%	N/A

	AHHQ	CHHQ	KIIs
Number of children living outside the household	Does the respondent have any biological children under 18 years living outside the HH? Yes: 11% [50 children total] No: 89% Girls: 58% Boys: 42% 0-3 years:2% 4-6 years:12% 7-10 years:10% 11-15 years:22% 16-18 years:54%	Are there any children under 18 years who belong to this HH but who do not live here? Yes: 5% [22 children total] No: 95% Girls: 73% Boys: 27% 0-3 years:9% 4-6 years:4% 7-10 years:23% 11-15 years:32% 16-18 years:32%	N/A
Disability	N/A	Do you have a disability? No: 97.8% Yes – physical: 1.1% (3 respondents) Yes – learning: 0.7% (2 respondents) Don't know: 0.4% (1 respondent) [Please note that these answers are subjective, based on a simple self-description by respondents]	N/A

3.4 Detailed findings per output

[Please note that these findings have been summarised in Section 3.2]

Detailed findings for Outcome 1

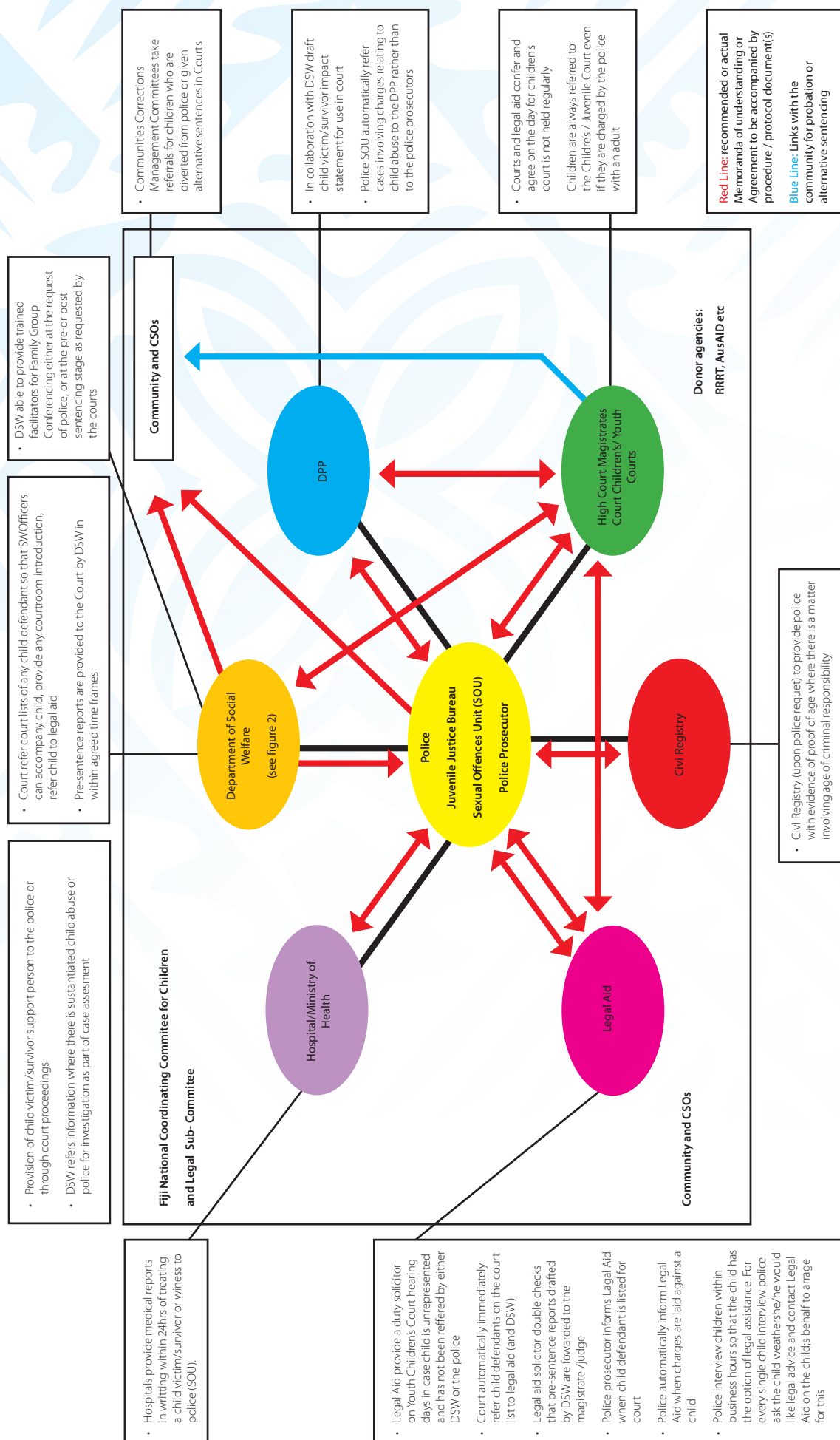
Overview

Outcome 1 is made up of three Outputs. Output 1.1 looks at the functioning of the justice system for children as offenders, victims/survivors and witnesses. Output 1.2 examines diversion for children in conflict with the law with an emphasis on community-based programmes. Output 1.3 examines the degree of alignment between domestic legislation and regulations in relation to child protection with international standards.

The inter-agency diagram on the following page sets out areas for improved collaboration for the system as a whole.

Figure 1: Recommended justice sector/inter-agency collaboration

(Refer to figure 2 for information concerning interactions with Department of Social Welfare)



Findings for Output 1.1 Laws and regulations on social protection and justice for children are amended in accordance with the CRC.

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

Output 1.1 Magistrates, judges, police officers, probation officers, social welfare officers, lawyers and prosecutors manage cases involving child offenders, witnesses and victims and make decisions in line with principles of justice for children	Indicator 1.1.1 Proportion of cases dealt with in line with established protocols	Target: 50% of all cases
	Indicator 1.1.2 Positive feedback obtained from children themselves	Target: 50% of all cases
Comments	This output and indicator cover a large part of the justice system research. These detailed findings contain general information on practices and procedures for cases involving juvenile justice. Please note that the findings here have been summarized from a much broader more detailed 'institutional stocktaking' report which is available as a separate document. It is advisable to therefore read these findings and recommendations in the context of the full report. The full report examines the strengths and weaknesses of the different institutions which make up the child protection system and the effectiveness of inter-agency collaboration. The findings and recommendations below have been adapted from the full report to fit the specific RRF outputs.	
Research tools used	Desk review Stakeholder workshop held on 02/10/08 KIs: Officer in Charge, Juveniles Bureau, Fiji Police 08/04/08; Legal Aid 08/04/08; AFCJP 03/04/08 & 05/08/08; National Coordinator Crime Prevention, Fiji Police 07/08/08; Victims Research Officer, Child Abuse and Sexual Offences Unit 11/08/08; Prosecution Office, 07/08/08; Magistrates and Justices 06/08/08 & 08/08/08; Advisor to the Department of Prosecutions 04/08/08; Regional Rights Resource Team (RRRT) 23/06/08; 22 police, 6 justice and 10 social welfare representatives from 35 locations in Fiji (CPBR field research) Police questionnaires Children in conflict with the law workshops held on 21/06/08	
Quotation	"The training assisted me greatly with my work, especially to see things from a child's point of view." (Comments from justice KI regarding training received)	

Findings

POLICE

Children in conflict with the law

- The following written procedures are in place for young offenders:
 - Force Standing Orders Directive 311 Juvenile Offenders – outlines the procedure on report of a child in conflict with the law, the role of the Juveniles Bureau and diversion, bail and cautions etc.;
 - Juveniles Bureau Procedures When Dealing With Juvenile Offenders. All procedures apply only for under 17-year-olds. A police survey found poor compliance with Directive 311.
- The Juveniles Act mandates that children be produced before a Juvenile Court. Inter-agency cooperation is critical to assist the Juveniles Bureau to improve their coordination and capacity as they are tasked for dealing with child justice matters.
- In theory parents or other support should be present at the interview with the official process being to contact parents/guardian, then DSW, then the church. 24% of 28 respondents in a 2008 national police survey stated that it is OK to interview a child alone if 'reasonable' efforts have been made to contact their parents.⁸⁹ Children report that in practice they rarely have any support in the interview and limited efforts are made to arrange such support. Informal interviewing commences on contact and therefore the utility of the presence of parents/other support at formal interview stage may be compromised in any case. In addition it is reported that police often ask parents to leave the interview room if uncomfortable details need to be explored.
- Police are reported to not be formally and properly cautioning young people prior to commencing the interview process. It is reported that police are allowing children to sign statements prepared by the police on their behalf without reading them through. This is resulting in inaccuracies and misrepresentations being presented to court and information that the young person did not understand could be included in the statement. Children do not have a good awareness of their rights or the ramifications of their choices in these processes.
- Police are reported to use coercive tactics in interviews, and to engage in severely violent and humiliating practices with suspected children in conflict with the law and also to engage in general harassment of young people known to the police. 27% of respondents to the 2008 national police survey stated that a 'quick whack' can be more effective than a caution or criminal charge to prevent re-offending.⁹⁰
- The 'No Drop Policy' guidelines are not consistently adhered to. The policy has been observed to be best complied with in the period following awareness-raising activities on the policy.

⁸⁹ UNICEF Pacific, A Preliminary Analysis of Juvenile Justice In Fiji, Sophie Harvey (Australian Youth Ambassador), Suva, 2008, p. 11

⁹⁰ Ibid, p. 19.

Detention

7. Children are not always separated from adults in detention, partly due to limited facilities. In addition, anecdotal evidence suggests that young people have been held unnecessarily without charge for extended periods.⁹¹

Victims/survivors

8. Victims/survivors and police report that police officers sometimes discourage victims/survivors from pressing charges – sometimes because they don't want to handle the matter, sometimes because a relative is involved or because they consider it to be the victim/survivor's fault. Anecdotal evidence suggests that outside of Suva victims/survivors are sometimes told by police to take the matter to their village headman first. Child victims/survivors report being passed from officer to officer because no one wants to take their statement and having to tell their story over and over again, in one case, every day for 2 weeks. There are also reports of police pressuring victims/survivors to accept reconciliation as a resolution to the complaint. 44% of respondents to the 2008 national police survey stated that it is best not to be too gentle with child victims/survivors because it makes it easy for them to lie. This was corroborated at the workshop with child victims/survivors and by other interviews.
9. Police do not refer victims/survivors to other services as a matter of standard practice.
10. There is no clear policy or practice to avoid charging child victims/survivors of exploitation such as begging, prostitution, sale of drugs etc. Police report that it is really a matter of charging the right person, but where parents are the instigators it can be hard to obtain sufficient proof to lay charges. Anecdotal evidence suggests that there are no known cases of child victims/survivors of exploitation being charged but further research in this area is needed.
11. As part of the field research component of the CPBR, police in 22 locations in Fiji were asked how many cases of child victims/

survivors they deal with per month and what they do when child abuse is reported to them (see Tables 1.1-A and 1.1-B below). Reports of physical abuse appear to be the most common, followed by neglect, but frequency varies widely per respondent, presumably depending on the location in which they are working. The top three responses of how the police handle such cases is to deal with the matter themselves, refer the child to SWD or return the child to their family, although the latter involves more children on average per month than other responses.

Table 1.1-A: On average, how many reports of child victims/survivors of physical or sexual abuse do you receive in one month? [Based on police KIIs from 22 locations in Fiji]

Types of report received	Number of cases per month according to respondents [numbers in brackets refer to the number of respondents who gave this answer]	Number of cases per month on average per respondent who gave an answer
Physical abuse	0 (x5); 1 (x6); 2 (x3); 3 (x2); 4 (x1); 6 (x1); 'other' (not specified (x1); no response (x3)	1.6
Neglect	0 (x5); 1 (x6); 2 (x2); 3 (x1); 5 (x1) 'other' (not specified) (x3); no response (x4)	1.2
Exploitation (economic or other)	0 (x10); 1 (x3); 2 (x1); 10 (x1); 'other' (not specified) (x1); no response (x6)	1
Sexual abuse	0 (x6); 1 (x9); 3 (x1); 'other' (not specified) (x1); don't know (x1); no response (x4)	0.8

Table 1.1-B: When abuse of a child is reported to you what do you do? Any/how many cases would this be per month? [Based on police KIIs from 22 locations in Fiji]

Action taken by police	Number of respondents	Number of cases per month according to respondents [numbers in brackets refer to the number of respondents who gave this answer]	Number of cases per month on average per respondent who gave an answer
Deal with the investigation myself	10	0 (x3); 2 (x1); 3 (x1); rarely (x1); 'I don't do investigations' (x1); no response (x3)	1
Refer the child to Social Welfare	10	0 (x2); 1 (x3); 2 (x1); 5-7 (x1); rarely (x1); no response (x2)	1.6
Return the child to their family	9	0 (x1); 1 (x2); 2 (x1); 5-10 (x1); no response (x4);	2.3
Refer the child to the Sexual Offences Unit	8	0 (x2); 1 (x3); 2 (x1); 3-5 (x1); rarely (x1)	1.3
Refer the child to the Juveniles Bureau	7	0 (x2); 1 (x2); 2 (x1); rarely (x1); no response (x1)	0.8
Refer the child to traditional village community authorities	6	0 (x3); 3 (x1); 1 per year (x1); no response (x1)	0.8
Refer the child to other support services in the community	4	0 (x2); 1 (x1); 3 (x1)	1
Other (take to the hospital x 1 & not specified x 1)	2	No response (x2)	N/A

⁹¹ UNICEF 2008, Op cit, p. 10 Ibid, p. 19.

Child Abuse and Sexual Offences Unit (CASO)

12. The CASO unit does not deal with cases of non-sexual abuse of children, meaning that there is no specialised police unit for child victims/survivors generally. Such a unit has been identified as urgently needed. The 2008 national police survey found that over 50% of police believe the Unit does deal with other matters and would refer child victims/survivors of non-sexual abuse.⁹²
13. Some reports state that most police in the general force are aware of the CASO Unit and the internal referrals are estimated to be at roughly 90%. This estimate was from anecdotal experience rather than data and no data is available to confirm this. Other reports indicate that awareness by the general police force of the existence and role of the Unit is poor and that victim/survivor statements are often handled by general police officers without any victim/survivor or child sensitisation. The 2008 national police survey found that 75% of police would refer a child who had been raped to the Unit, but the figures dropped for other sexual offences. Many services outside of the police refer directly to the Unit, such as the hospital, DSW etc.⁹³

Training

14. 9 out of 22 police representatives (41%) interviewed throughout the country as part of the CPBR field research stated that they had received specific training in preventing or responding to child abuse and neglect. This training apparently came from the police department (x7), Pacific Children's Programme (x2), Fiji Women's Crisis Centre (x1) and 'other' (x1 – not specified).
15. This training lasted from: less than 1 week (x5); 2 weeks (x2); 3 weeks (x1) and 4-6 months (x1). 3 respondents mentioned specific dates when this training had taken place: 2001 (x1) and 2006 (x2).
16. The contents consisted of: child abuse and neglect – general (x6); child abuse and neglect – sexual offences (x4); child abuse and neglect – handling perpetrators (x1); child abuse and neglect – handling abused children (x1); childrearing or parenting skills (x1); family violence and abuse (x1); Juveniles Act (x1); family or child or youth issues in general (x1). Comments on this training included: need more training in general (x5); training was useful (x2); need more emphasis on community prevention (x2); need more emphasis on victims (x1).
17. When asked what further training they needed in order to better protect children, answers included: child protection or child abuse and neglect – general (x8); child protection policies or procedures (x6); how to communicate with victims (x3); do not know (x2); sexual abuse and exploitation (x1); refresher courses (x1); how to make child protection plans (x1); family values or importance of family (x1).

Inter-agency collaboration

18. Police do not contact DSW officers at the point of apprehension of children in conflict with the law. This would enable them to provide support during the interview stage, to facilitate support in court and to prepare a comprehensive report to the court if requested. Referral to other services is considered by police to be the role of DSW.⁹⁴
19. Where offenders are under the minimum age of criminal responsibility the police will talk to them and send them home,

only referring them to DSW if they have no family.

20. There is an MoU with the Ministry of Health requiring that immediate attention be granted to sexual assault victims/survivors, but in reality the police often have to wait. Crucial evidence is often lost due to these delays. Part of the reason for this is that the MoU requires a doctor of a certain level of experience attend to victims/survivors. This is used as an excuse by doctors not to attend to victims/survivors who do not wish to be involved in court proceedings as an expert witness. It has been speculated that this is partly due to discomfort with unfamiliar court processes.
21. An inter-agency MoU dealing in detail with many aspects of victim/survivor treatment exists between the police and DSW – the Protocol Between the Fiji Police and the Department of Social Welfare Regarding Protective Services for Children and Young People in Fiji – but it is not complied with and is currently under review. The non-compliance results in child victims/survivors being subjected to multiple interviews by different government services in the instances where police and DSW fail to effectively coordinate their activities. DSW Officers have indicated that they want to be contacted prior to police interviewing child victims/survivors but the police are not always doing so.

COURTS

Children in conflict with the law

22. The Juvenile Court is compromised by police inconsistency in bringing children before it. Magistrate determination of age, and therefore eligibility for special protections, is often dependent on physical appearance due to lack of other age evidence.⁹⁵
23. Outside Suva special procedure depends on the level of awareness or interest of the individual magistrate. It is reported that the only real difference between adult and juvenile proceedings occurs at sentence.⁹⁶
24. There is no physically separate juvenile court at higher levels of court but there is a procedural juvenile court as per the Juveniles Act. As a matter of practice, many matters involving young offenders are listed for one particular judge who is supportive of juvenile justice principles and who practices some aspects of child-friendly procedures such as wig and gown removal, language modification and closed court. Justice Shameem also reports involving parents, church groups, village elders and school teachers in the sentencing process. These practices could not be ascertained for the other higher court judges who also hear juvenile matters on occasion.
25. The Magistrates' Bench Book 2004 version contains a chapter with guidelines for children in conflict with the law based on the Juveniles Act provisions. There are no other special written procedures or policies for court procedure in relation to children in conflict with the law. Compliance is reported to be patchy.
26. Where a plea of not guilty is entered the court usually adjourns the matter to allow the offender to seek legal assistance.⁹⁷
27. Court is required to be closed for children's evidence, but this requirement has been observed to be misapplied at times, resulting in support persons who are there for the child's benefit being excluded from the court room. There does seem to be a clear understanding of how to utilise the discretion to allow individuals to remain in the court during closed proceedings.

⁹² Ibid and other interviews.

⁹³ UNICEF 2008, Op cit p. 14. Corroborated at interview and in anonymous police survey.

⁹⁴ UNICEF 2008, Op cit, p. 19

⁹⁵ UNICEF 2008, Op cit, p. 24; corroborated at interview.

⁹⁶ UNICEF 2008, Op cit, p. 15; corroborated at interview.

⁹⁷ UNICEF 2008, Op cit, p. 7

⁹⁸ UNICEF 2008, Op cit, p. 21

28. According to children themselves, some magistrates are reported as using harsh tones and intimidating behaviour. However, young people report generally being treated respectfully in the court process and of being given the opportunity to participate.⁹⁸
29. Children report wanting to be more involved in the sentencing process.
30. Of the 6 justice representatives who were interviewed as part of the field research component of the CPBR, only one stated that they had heard (3) matters in the past year that involved a child offender. The same respondent stated that they take the following special measures in such cases: the matter is expedited (given high priority and speeded up); different physical layout of courtroom; child-friendly language.

Victims

31. There are no special written procedures for matters involving child witnesses and victims/survivors. However, sentencing guidelines have been prepared and have successfully addressed inconsistent sentencing issues
32. Court observations suggest that the victim/survivor's needs and safety are rarely taken into account in the bail process and conditions restricting the accused from approaching the victim/survivor are not imposed as a matter of course.
33. Of the 6 justice representatives who were interviewed as part of the field research component of the CPBR, only one stated that they had heard (7) matters in the past year that involved a child victim/survivor and (1) child witness. The same respondent stated that they take the following special measures in such cases: use of CCTV for witness evidence; restrictions on the kind of questioning permitted by the defence; prohibitions on publication of any identifying details of the child; closed court proceedings for the child's evidence.

Training

1. 4 out of 6 justice representatives (67%) interviewed throughout the country stated that they had received specific training in preventing or responding to child abuse and neglect.
2. This training came from: Pacific Children's Programme (x2); 'other' (not specified) (x1); no response (x1). The training lasted: less than 1 week (x1); 1 week (x2); and 3 weeks (x1) and took place in 2005, 2006, 2007 and 2008.
3. The contents consisted of: child abuse and neglect – general (x2); childrearing or parenting skills (x2); child abuse and neglect – handling perpetrators (x1); children in conflict with the law

(x1); counselling (x1); and 'child protection programme, law on child abuse / drugs & alcohol abuse' (x1). Comments included: training was useful (x2); need more training in general (x2); 'other' (x2).

4. When asked what further training they needed in order to better protect children, responses included: child protection or child abuse and neglect – general; how to make child protection plans; childrearing or parenting skills; 'to have more PCP community awareness'; 'training on how to assist children in the community, with direct contact with children'; refused.

Inter-agency collaboration

34. DSW and Legal Aid presence is not automatic in court.
35. Designated 'Juvenile Court' days for courts outside Suva are not coordinated to allow support services such as DSW and Legal Aid to attend all sittings as some are scheduled for the same time and day in different places. In addition, DSW and Legal Aid are not always notified of child matters by the courts.⁹⁹
36. On a finding of guilt a pre-sentence report may be requested from DSW, but for minor matters the sentencing is often resolved immediately without any report. Where a DSW officer is not present, reports are requested via memo sent to DSW. This can result in adjournment for up to 6 weeks which is a key factor in the non-request of such reports by magistrates. Often they are arranged by Legal Aid in the absence of a request by the magistrate.¹⁰⁰
37. Where children are removed by DSW under the Juveniles Act provisions and the removal is endorsed by the courts, the situation is not subject to regular court review and some children remain in care unnecessarily until the age of 18. This is partly due to an unclear allocation of responsibility between DSW and the courts for setting the review date.

DEPARTMENT OF PUBLIC PROSECUTION

Procedures

38. There are no written procedures/guidelines for prosecution of children in conflict with the law¹⁰¹ or guidelines for dealing with child witnesses. The use of screens and other child-friendly practices is heavily dependent on the individual prosecuting officer and generally child-sensitive measures are not utilised.
39. In accordance with the Prosecutions Manual, and at the direction of the DPP, sexual offences against children should be referred to the DPP for prosecution. In reality, the final decision rests with the DPP officer for that station and many sensitive and serious crimes against children are prosecuted by police prosecutors who do not have the appropriate legal skills, training or experience.
40. There are no written procedures for child victims/survivors or witnesses, but it is practice in the DPP to have the evidence of children under 10 heard in camera and to request the use of screens, or CCTV if available, in sexual offences.
41. A manual with a checklist is currently being prepared for all prosecutors which aims to systematise victim/survivor/witness-sensitive procedures (including use of screens/CCTV and regular communication with victims/ survivors/witnesses). This will contain specific procedures for child victims/ survivors/witnesses. It addresses timeframes and delays, communication with victims/ survivors etc.

"The PCP pamphlets need to be translated into Fijian."

"The training assisted me greatly with my work, especially to see things from a child's point of view."

(Comments from justice representatives regarding training received)

⁹⁸ UNICEF 2008, Op cit, p. 21

⁹⁹ UNICEF 2008, Op cit, p. 18

¹⁰⁰ UNICEF 2008, Op cit, p. 9; Australia Fiji Community Justice Program, Evaluation of Probation and Community Work Orders Pilot in Ba, Navua, and Suva by Richard Randla 2007, p. 17; also corroborated at interview.

¹⁰¹ UNICEF 2008, Op cit, p. 19

Victims/survivors

42. Victims/survivors may or may not be met by the police prosecutor before going to court – it depends on the individual officer. No victim/survivor familiarisation with court processes is performed. Over half the child victims/survivors reported inadequate contact with the prosecutor before going into court, with one having no time at all with the prosecutor before giving evidence in court.
43. Over half the child victims/survivors reported that the prosecutor did not adequately protect them in court from the defence.
44. A draft victim's charter outlining the DPP's commitment to victims/survivors of crime is in the process of being prepared, dealing comprehensively with many aspects of sensitive victim/survivor management. Although it makes no specific reference to child victims/survivors, if it is applied equally to child victims/survivors, it will have a high impact on the service delivery they experience from the DPP.

LEGAL AID

45. Juvenile matters are prioritised for services and Legal Aid has an unwritten policy (supported by the Strategic Plan) not to turn away any child applicant.
46. Legal Aid provides a duty solicitor to support children in conflict with the law in the Juvenile Court, Suva, whenever it is sitting. There is also a designated juvenile matters solicitor in Lautoka but this person is dependent on the courts to know when children's

matters are being heard. The designated solicitors have not received any special training in juvenile justice principles, child rights etc.¹⁰²

47. There are no written guidelines or procedures for dealing with children in conflict with the law. In theory children in conflict with the law are always taken through a court familiarisation process when Legal Aid is involved in their matter. However, children report participating in the court process without any guidance from their solicitor.
48. No legal assistance at point of interview: neither offered nor available.¹⁰³
49. Legal Aid lawyers do not consider it their responsibility to refer children in conflict with the law to other services, and knowledge of existing services varies from lawyer to lawyer.

DSW

50. As part of the CPBR field research, 10 social work representatives were interviewed around the country. They were asked, in the context of the justice system, how many children they had assisted over the past year. See Table 1.1-B below. Although figures vary dramatically per respondent, when averaged out amongst those who answered the question, each of these social welfare representatives dealt with 1.8 offenders, 6 victims/survivors and 2 witnesses in the past year. This reveals significantly more involvement with victims/survivors than with offenders in justice processes.

Table 1.1-C: Number of children assisted by social welfare representatives in justice processes within the past year [based on interviews with 10 social welfare representatives in 9 locations in Fiji]

Number of child offenders assisted in the past year		Number of child victims / survivors assisted in the past year		Number of child witnesses assisted in the past year	
Number of children	Number of SW responses	Number of children	Number of SW responses	Number of children	Number of SW responses
0	3	0	1	0	5
1	1	3	2	4	1
2	3	4	1	10	1
3	1	7	1	No response	3
6	1	10	1		
No response	1	15	1		
		No response	3		

51. Respondents who assisted child offenders were asked about their role in this process, including any diversionary options or involvement in community-based programs. Responses include: report writing to Senior Welfare Officer (x3); counselling (x2); enquiry (x2); placement in institutional care (x2); refused' (x2).

Child Abuse and Sexual Offences Unit (CASO)

- 1.1-R8** Extend Child Abuse and Sexual Offences Unit services to any form of child abuse reported to the police and to victim/survivor support throughout the legal process.

Training

- 1.1-R9** Implement a vigorous internal police campaign addressing police violence which is strongly endorsed at the highest levels, including training for officers in non violent methods of discipline and control.

- 1.1-R10** Police Academy training is required for all officers on child rights, juvenile justice and child sensitisation, stress management and coping strategies.

¹⁰² UNICEF 2008, Op cit, p. 16; corroborated by other interviews.

¹⁰³ A Preliminary Analysis of Juvenile Justice In Fiji, 2008, Sophie Harvey AYAD UNICEF, p8.

- 1.1-R11** Train all Juveniles Bureau officers in child rights, juvenile justice principles, child development, youth work, referrals and diversion protocols.
- 1.1-R12** Training should include non-violent methods of discipline and control (emphasising that evidence obtained through violent methods is not admissible in court and that complying with formal processes provides protection to officers from false accusations of ill-treatment).
- 1.1-R13** Provide further specialised training in child development and child friendly procedures to all Child Abuse and Sexual Offences Units. This will help to raise the profile and prestige of working in this branch of policing and thus contribute to reducing the high turnover of staff in the Unit. ¹⁰⁴

Inter-agency collaboration

- 1.1-R14** Refer case details of all offenders under the age of criminal responsibility to DSW as standard practice.
- 1.1-R15** Standardise an Inter-Agency MoU to itemise and clarify each stakeholder's roles, responsibilities and boundaries so that children are not sent back and forth between departments. This should include, amongst other things, coordination of services between the police and DSW from the point of apprehension.
- 1.1-R16** Extend the dormant DSW out-of-hours roster system to support for children in conflict with the law as well as for victims/survivors.
- 1.1-R17** Review and finalise the existing MoU and protocols for family conferencing processes between police and DSW and provide appropriate training for facilitators.
- 1.1-R18** Revive the existing MoU between police, DSW and Ministry of Health (and provide training/endorsement from the highest levels) as a matter of urgency, and review and re-sign the MoU in the medium term.

COURTS

Procedure

- 1.1-R19** Juvenile Court-designated magistrate to lead the process of establishing a checklist procedure, based on the Juveniles Act, for magistrates and clerks to follow in order to check specified steps are taken in each case involving a child in conflict with the law. This procedure is to be managed through the court clerks. As per the powers under the Juveniles Act, make further rules to ensure that the checklist process is followed.
- 1.1-R20** Coordinate the designated juvenile court day between courts within districts to allow for attendance by Legal Aid and DSW. Where possible, provide a physical space away from the adult courts. Where this is not possible, schedule court for the afternoon to segregate the court as much as possible. Afternoon listings, as opposed to morning listings, ensure that adult court attendees have completed their matters and left the court area prior to the juvenile court commencing.
- 1.1-R21** Establish a procedure whereby any child who is charged together with an adult always has the charges separated out to enable the child to be tried in the Juvenile Court in accordance with the discretion available under the Juveniles Act.
- 1.1-R22** Establish a tick-box process for magistrates and clerks to check specified steps are taken in each case involving a child victim/survivor or witness. As per the powers under the Juveniles Act, make further rules to ensure that the checklist process is followed.
- 1.1-R23** The Chief Justice to issue a court direction prohibiting the recognition of reconciliation procedures in any matters involving child victims/survivors of abuse, neglect or exploitation.
- 1.1-R24** Prioritise matters involving young victims/survivors/witnesses in court lists and incorporate this priority into the case management system currently being piloted. Incorporate training on appropriate expedition of matters into the implementation of the case management system throughout the Magistrates Courts in Fiji.
- 1.1-R25** Victims/survivors to be given more of a voice at sentencing, through victim/survivor impact statement or other mechanisms.
- 1.1-R26** Issue a Court Direction requiring judges and magistrates to set review dates in all matters involving alternative care placement orders.

Training

- 1.1-R27** The annual Resident Magistrates' Conference to contain a regular, structured module on aspects of juvenile justice principles, child-friendly procedure and children's rights. This should include a focus on the benefits for the community and legal system of juvenile justice principles, in addition to the substantive principles.
- 1.1-R28** Provide specialised intensive training in juvenile justice principles and alternative sentencing to designated Juvenile Court magistrates.
- 1.1-R29** Develop and distribute a courtroom child victims/survivors manual/bench book to supplement existing provisions in the Bench Book relating to victims/survivors and witnesses. Provide comprehensive training for all judges, magistrates and all court officials in ideal courtroom processes in matters involving child victims/survivors and witnesses. All stakeholders should contribute to its formation and contents. ¹⁰⁵

¹⁰⁴ The Unit currently has the unfortunate reputation of being a 'soft option' approach to child justice and is therefore regarded as not being 'needed'.

¹⁰⁵ Sections 8-15 of the Juveniles Act Cap 56 protect children giving evidence and govern the acceptance of depositions so they need not be in court. Magistrates' and Judges' discretion is wide to act in the best interests of the child.

Inter-agency collaboration

- 1.1-R30** Put in place a procedure for police prosecutors to automatically notify DSW and Legal Aid when a child appears on the court list.
- 1.1-R31** Automatically seek pre-sentencing reports in all child matters which reach sentencing. Develop a checklist or standard form to assist with the identification and reporting of the most pertinent points.
- 1.1-R32** Review and finalise the existing formal written guidelines for family group conferencing and conduct training for DSW officers together with awareness-raising for magistrates.
- 1.1-R33** Reintroduce the regular high-level inter-agency meeting between the police, the DPP, courts and DSW.
- 1.1-R34** Establish a protocol/MoU between the courts and DSW assigning clear responsibilities for all actions required under the Act for protection proceedings and alternative care arrangements.

DEPARTMENT OF PUBLIC PROSECUTIONS

Protocols

- 1.1-R35** Establish clear protocols for handling matters involving child victims/survivors and offenders accompanied by thorough training for existing police prosecutors in child sensitisation and juvenile justice principles. This was identified in consultations as a priority recommendation.
- 1.1-R36** Prosecution manual being produced by the DPP to include sections on matters involving children, both as victims/survivors and offenders and be distributed to all police prosecutors and DPP prosecutors with training.
- 1.1-R37** Establish clear guidelines based on juvenile justice principles for the exercise of the prosecutorial discretion not to prosecute, including guidelines for police prosecutors on what they need to do and what they need to provide to the DPP prior to the exercise of such discretion in order to facilitate, where appropriate, diversion for young offenders. This has been identified as a priority recommendation in consultations.
- 1.1-R38** All prosecutors (both police and DPP) to provide court familiarisation for child victims/survivors/witnesses as a matter of course. Such familiarisation should not only cover process but also court etiquette and culture, best practice in addressing courtroom members and encouragement to tell the magistrate how they are feeling and what they need/want.

Inter-agency collaboration

- 1.1-R39** Establish and strictly enforce clear referral protocols between Police Prosecutions and DPP, with all matters involving any form of child neglect, exploitation and abuse to be immediately and automatically referred to the DPP for prosecution.

Training

- 1.1-R40** Provide training of trainers to the two designated children's matters prosecutors in the DPP and conduct internal trainings in relation to all aspects of child-friendly practice.
- 1.1-R41** The DPP training course for police prosecutors and DPP prosecutors should include a module on matters involving children in conflict with the law and child victims/survivors/witnesses. Any training provided must be accompanied by regular follow-up consultations to address obstacles in relation to implementation of the principles conveyed by the training. Cross-institutional training should be considered for the child-specific components of these trainings. This recommendation was identified in consultations as a high priority.

LEGAL AID

Procedure

- 1.1-R42** Put in place a communication system whereby court clerks automatically notify Legal Aid of any children in conflict with the law appearing on the list.
- 1.1-R43** Police to be required to inform children in conflict with the law of Legal Aid services at the point of apprehension and at the point of formal interview.

Inter-agency collaboration

- 1.1-R44** Where possible, police to hold formal interviews with children in conflict with the law during business hours to allow for attendance of Legal Aid. Police to contact Legal Aid at the point of apprehension.
- 1.1-R45** Establish written procedures or guidelines based on juvenile justice principles for the handling of child matters.

Training

- 1.1-R46** Provide training (together with training modules for future internal trainings) for all Legal Aid staff (with particular emphasis on training for the designated juvenile solicitors) on juvenile justice principles, alternative sentencing, child sensitisation and children's rights. Any training provided must be accompanied by regular follow-up consultations to address obstacles in relation to implementation of the principles conveyed by the training.

Outcome 1:

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

Outcome 1: Children are increasingly protected by legislation and are better served by justice systems that protect them as victims, offenders and witnesses		
Output 1.2 Appropriate diversion options are increasingly available for children in conflict with the law and are managed at community level with effective inter-agency cooperation and collaboration	Indicator 1.2.1 Proportion of young offenders who are diverted at police level	Target: At least 20% of young offenders
	Indicator 1.2.2 Proportion of young offenders diverted who benefit from community-based programmes for their social reintegration	Target: 50% increase from baseline
Comments	Please note that the findings for Indicator 1.2.1 here have been summarized from a much broader more detailed 'institutional stocktaking' report which is available as a separate document. It is advisable to therefore read these findings and recommendations in the context of the full report. The full report examines the strengths and weaknesses of the different institutions which make up the child protection system and the effectiveness of inter-agency collaboration. The findings and recommendations below have been adapted from the full report to fit the RRF outputs. Information relating to Indicator 1.2.2 is not in the broader institutional stocktaking document.	
Research tools used	Desk review Stakeholder workshop held on 02/10/08 KIs: Officer in Charge, Juveniles Bureau, Fiji Police 08/04/08; National Coordinator Crime Prevention, Fiji Police 07/08/08; A/g Director, Probation Services DSW 21/07/08 and Legal Aid 08/04/08; 22 police, 6 justice, 32 education, 22 health, 10 social welfare and 23 CSO representatives, and 25 community leaders, 30 religious leaders and 22 youth leaders from 35 locations in Fiji (CPBR field research) Correspondence with AFCJP Police questionnaires	
Quotation	'What kinds of penalties are imposed on child offenders at sentencing?' - "Probation, community service orders and care, guidance and supervision orders." (Justice KII)	

Findings

POLICE

1. Informal police diversion is believed to be happening at a high rate because numbers of children going through courts are so low. Many diversions are not recorded because the officer simply sorts it out with the victim/survivor and the father of the offender. Police are conscious of trying to avoid a criminal record for children. 83% of 2008 national police survey respondents stated that most children in conflict with the law just need some care and support to change their ways.
2. Formal diversion is performed through a cautions process performed by the Juveniles Bureau, together with informal counselling for parents and children in conflict with the law. The caution can include a requirement for reparations or other conditions and the documentation is then sent to the relevant police post for follow-up with the child in conflict with the law and a letter sent requesting support to other authority figures – church, teacher, community leader etc. 2007 statistics indicated that nearly 80% of children who went through the Juveniles Bureau received formal cautions instead of charges. It cannot be utilised as a diversionary option without the victim/survivor's consent. Cautions are sometimes issued without the offender's consent or admission of guilt and parents are not always present.
3. Family group conferencing is supported by the Juveniles Bureau but the Bureau currently lacks the skills to implement this as a diversion option.¹⁰⁶
4. In terms of reintegration, the Juveniles Bureau is working with DSW to get children into education programmes.
5. Key informants at community level report that a few cases of children in conflict with the law are dealt with without approaching the police at all (see Table 1.2-A below). When asked about how the community handles children in conflict with the law, only 27% of key informants' responses mention referring the matter to the police (see Table 1.2-B). 46% of responses indicate that the child is referred to an administrative, traditional or religious community leader. The use of other measures (notably 'counselling') accounts for 21% of responses. Physical punishment accounts for 4% of responses.

¹⁰⁶ UNICEF 2008, Op cit, p. 13

Table 1.2-A: “On average, in a week, how many children who have committed crimes are referred to you or to another community leader (not the police)?” [Based on KIIs from 35 locations in Fiji]

Number of cases per week	Justice representative		Community leader		CSO representative	
0	2	33%	19	76%	15	65%
1			3	12%		
2	1	17%			1	4%
3	1	17%				
1 per year					1	4%
Don't know	1	17%			6	26%
No response	1	17%	3	12%		
Total (respondents)	6	100%	25	100%	23	100%

Table 1.2-B: “If a child has committed a crime, how does the village / community handle the situation?” [Based on KIIs from 35 locations in Fiji]

	Justice		Police		Community leader		CSO		Total	
Refer child to police	2	20%	11	26%	9	27%	14	29%	36	27%
Refer to community leader - administrative	1	10%	4	9%	8	24%	12	25%	25	19%
Refer to community leader - traditional	2	20%	9	21%	6	18%	6	13%	23	17%
Counselling	1	10%	6	14%	4	12%	5	10%	16	12%
Refer to community leader - religious	2	20%	4	9%	3	9%	5	10%	14	10%
Physical punishment	2	20%			2	6%	1	2%	5	4%
Other			4	9%			2	4%	6	4%
Supervision			3	7%			1	2%	4	3%
Don't know			1	2%	1	3%	1	2%	3	2%
Education or vocational training							1	2%	1	1%
Community work			1	2%					1	1%
Total (responses)	10	100%	43	100%	33	100%	48	100%	134	100%

6. To supplement these general findings on police diversion, police throughout 22 locations in Fiji were asked what they do when a child has committed a crime (see Table 1.2-C below). Diversion accounts for 71% of responses - 36% formal diversion (issuing a formal caution with or without conditions) and 35% informal diversion (giving a warning and letting them go or referring them to traditional authorities). Formal charges account for 10%, as does referral of the case to the Juveniles Bureau. Corporal punishment makes up 7% of responses. 2% of responses indicate that it depends on the case.

Table 1.2-C: “When you believe a child has committed a crime what do you do? How many cases per month does this involve?” [Based on police KIs from 22 locations in Fiji]

Action taken by police	Number of responses	Number of cases per month according to respondents [numbers in brackets refer to the number of respondents who gave this answer]
Give the child a formal caution	14	0 (x2); 1 (x2); 4 (x1); 10 (x1); ‘it’s for the courts to decide; police just do the process and paperwork’ (x1)
Give the child a warning and let them go	12	0 / rarely (x2); 1 (x2); 2 (x1); 3 (x1); 4 (x1); 5 (x1); depends on the case (x1)
Refer the child to traditional village community authorities	9	Rarely (x1); 1 (x3); 4 (x1); ‘for the courts to decide’ (x1)
Give the child a formal caution with conditions	7	0 (x2); 1 (x1); 10 (x1); depends on the case (x1); ‘for the courts to decide’ (x1)
Charge them with the crime	6	0 (x2); 3 (x2); 5-7 (x1); depends on the case (x1)
Refer the child to the Juveniles Bureau	6	Rarely (x1); 1 (x2); 3 (x2); depends on the case (x1)
Physical punishment	4	0 (x3); 1 (x1); 1-3 (x1); one per year (x1)
Depends on the case	1	

7. Other relevant key informants during the CPBR field research were asked questions about police diversion. 59% of these key informants stated that police divert children who have committed crimes back to the community rather than going to court (‘yes’ and ‘sometimes’ responses combined); 25% said they did not; and 16% said they did not know or refused to answer (see Table 1.2-D below).

Table 1.2-D: “Do the police send children who have committed crimes back to the village or community to be dealt with instead of going to court?” [Based on KIs from 35 locations in Fiji]

	Justice representative		Police representative		Community leader		CSO representative		Total	
Yes	2	33%	15	68%	5	20%	10	43%	32	42%
No	2	33%	1	5%	7	28%	9	39%	19	25%
Sometimes			5	23%	6	24%	2	9%	13	17%
Don't know	1	17%			5	20%			6	8%
Refused / no response	1	17%	1	5%	2	8%	2	9%	6	8%
Total (respondents)	6	100%	22	100%	25	100%	23	100%	76	100%

DSW

8. DSW has responsibility for non-custodial sentencing options for children. DSW has been provided with technical assistance by the Australia Fiji Community Justice Programme to improve the Community Corrections system.
9. Community Based Corrections, an initiative involving the systematic implementation and use of probation and community work orders has been piloted in Ba, Navua and Suva Magistrates’ Courts. The pilot included identification of potential worksites and the running of life-skills programmes and provision of drug and alcohol counselling services.¹⁰⁷ A report on the pilots concluded that the community corrections model concept was clearly proven with successful outcomes for offenders placed on orders. The pilot has now been extended in 2008.¹⁰⁸
10. A Draft Working Model for Community Corrections was developed as part of consultation. It includes: a) Forming Partnerships with Government Departments and Non-Government Organisations; b) a Court Advice Service; c) Community Participation; d) Probation Staff; e) Appropriate Training.¹⁰⁹
11. DSW, with technical assistance by the Australia Fiji Community Justice Programme, produced Standard Operating Procedures for Community Corrections in 2008. These include: legislative responsibility; courts advice procedures and practice. The standards also introduced offender induction procedures, case management report writing, risk/need assessment and order enforcement, breaching and allowable discretion policies. All probation officers and senior welfare officers received 5 days training on the use of the standards.¹¹⁰

COURTS

12. Imprisonment is rarely considered for children, with suspended sentences being a common form of alternative sentencing. The available data from Suva Juvenile Court indicates that most matters in 2007 were either discharged or bound over; with community work and probation the most used sentencing options for matters that reached sentencing stage (10/17). However Suva was a pilot district for the Community-Based Corrections Project.¹¹¹ Only one of the 6 justice representatives interviewed during the field research component of the CPBR responded to the question ‘what kind of penalties are imposed on child offenders at sentencing?’, answering ‘probation, community service orders and care, guidance and supervision orders’.

¹⁰⁷ AFCJP Randla 2007, Op cit p. 8

¹⁰⁸ AFCJP, DRAFT Community Based Corrections pilots Analysis and Rollout Strategy, Nov 2008, p. 4

¹⁰⁹ Ibid, p. 2

¹¹⁰ Ibid, p. 5

¹¹¹ Suva Juvenile Court Records 2007

13. Magistrates continue to assign supervision responsibility for community work to the police, despite it being the DSW mandate under legislation.¹¹²
14. A low breach of community work and probation orders in the Ba pilot was reported.¹¹³
15. Family group conferences are used occasionally in Nadi at the magistrate level at the formal sentencing stage on the recommendation of the DSW officer in the pre-sentencing report. No criminal conviction is recorded and the procedure is facilitated by DSW. DSW staff would like further training in this procedure.¹¹⁴
16. Relevant key informants during the CPBR field research were also asked questions about court diversion. 60% of these key informants stated that the courts divert children who have committed crimes back to the community rather than going to prison ('yes' and 'sometimes' responses combined); 24% said they did not; and 15% said they did not know or gave no answer (see Table 1.2-E below)

Table 1.2-E: “Do the courts send children who have committed crimes back to the village or community to be dealt with instead of going to prison?” [Based on KIs from 35 locations in Fiji]

	Justice representative		Police representative		Community leader		CSO representative		Total	
Yes	5	83%	14	64%	7	28%	9	39%	35	46%
No			3	14%	7	28%	8	35%	18	24%
Sometimes			4	18%	5	20%	3	13%	12	16%
Don't know					4	16%	2	9%	6	8%
No response	1	17%	1	5%	2	8%	1	4%	5	7%
Total (respondents)	6	100%	22	100%	25	100%	23	100%	76	100%

COMMUNITY

17. Key informants who stated during the CPBR field research component that children are diverted at police or court level were asked how the community deals with such cases. The top 3 answers are as follows: 32% said that counselling is employed; 21% said 'community work'; 14% referred to supervision (see Table 1.2-F). It is of concern that physical punishment is still being employed (5% of responses).

Table 1.2-F: Children who have committed crimes who have been diverted back to the community, either by police or by the courts: “What does the community do with these children?” [Based on KIs from 35 locations in Fiji]

	Justice representative		Police representative		Community leader		CSO representative		Total	
Counselling	1	17%	10	36%	8	32%	8	32%	27	32%
Community work	2	33%	7	25%	2	8%	7	28%	18	21%
Supervision	1	17%	4	14%	2	8%	5	20%	12	14%
Don't know			1	4%	6	24%	1	4%	8	10%
No response					6	24%			6	7%
Physical punishment			2	7%	1	4%	1	4%	4	5%
Other			2 ¹¹⁵	7%			2 ¹¹⁶	8%	4	5%
Education or vocational training	2	33%	1	4%					3	4%
Rehabilitation via a programme			1	4%					1	1%
Refused							1	4%	1	1%
Total (responses)	6	100%	28	100%	25	100%	25	100%	84	100%

18. Key informants were also asked whether communities are accepting of children who have committed crimes – a key component for the success of community-based diversion, alternative sentencing and rehabilitation – and whether there are any programmes in place at community level to assist in rehabilitation (see Tables 1.2-G and 1.2-H).

¹¹² AFCJP Randa 2007, Op cit, p. 19

¹¹³ AFCJP Randa 2007, Op cit, p. 27

¹¹⁴ UNICEF 2008, Op cit, p. 29

¹¹⁵ 'Other' responses: 'Methodist church teaches Bible'; 'depends on the magistrate's decision'.

¹¹⁶ 'Other' responses: 'not much is done'; 'visit them'.

Table 1.2-G: Whether children who have committed crimes are accepted back into the community [Based on KIs from 35 locations in Fiji]

	Community Leader	Religious Leader	Youth Leader	Justice	Police	Health	Social Welfare	CSO	Total	
Strongly agree	4	4	4	1	1	5	1	4	24	15%
Agree	14	17	11	1	10	8	1	12	74	46%
Sometimes yes sometimes no	5	7	5	2	8	6	6	3	42	26%
Disagree			2	1	2	2	2	4	13	8%
Do not know		1				1			2	1%
No response	2	1		1	1				5	3%
Total	25	30	22	6	22	22	10	23	160	100%

Table 1.2-H: “Does the community have any programmes to help children rejoin the community and get back on their feet after serving a criminal sentence?” [Based on KIs from 35 locations in Fiji]

	Community leader	Justice representative	Police representative	CSO representative	Total	
Counselling	9	2	4	4	19	25%
Do not know	5		2	5	12	16%
No. They do not deserve community help after what they have done	1	2	3	4	10	13%
Education or vocational training	1	1	3	1	6	8%
Supervised living or accommodation	2		1	2	5	7%
No	1		2	1	4	5%
Other ¹¹⁷			4		4	5%
Refused	1			1	2	3%
Rugby programme				1	1	1%
Clothing or food or money		1			1	1%
Employment	1				1	1%
Depends on situation				1	1	1%
No response	4		3	3	10	13%
Total (responses)	25	6	22	23	76	100%

LEGAL AID

19. Solicitors will sometimes request probation or community work for children in conflict with the law, using their own networks to set up a viable option to present to the court. However, awareness and understanding 61% of respondents agree or strongly agree that children who have committed crimes are accepted back into the community, 26% state ‘sometimes yes, sometimes no’ and 8% disagree. 48% of community leaders, justice, police and CSO key informants state that the community has programmes to help children rejoin the community after serving a criminal sentence (mostly ‘counselling 25% plus some educational, employment and cultural programmes); 18% said ‘no’, 16% ‘don’t know’ and 16% ‘refused’ or no response’. Overall these results are broadly encouraging, although there is still some work that needs to be done at community level in relation to this issue and obviously these responses do not take into consideration the quality of appropriateness of such programmes. Significantly, 13% state that such children ‘do not deserve community help’.

20. of alternative sentencing options is low and training is needed to support this.

21. The ability to request diversion is limited by the lack of options at the court level and by the fact that legal officers are not notified at the point of apprehension of children in conflict with the law. Although Legal Aid lacks the human resources to support this process out of hours, such notifications would be welcome during business hours.¹¹⁸

¹¹⁷ ‘Other’ responses: ‘some communities have programmes’; ‘sports programme, fundraising’; ‘community work at school’; ‘youth groups have activities with the children, but they are monitored by the stakeholders and lack resources’.

¹¹⁸ UNICEF 2008, Op cit, p. 17

Recommendations for Output 1.2

The recommendations for Output 1.2 are replicated from the DSW / Australia Fiji Community Justice Programme Project for Community Corrections and apply to activities in 2009.¹¹⁹

- 1.2-R1** Each social welfare location should establish a community corrections management committee. This is best done shortly after community corrections is established in any area.
- 1.2-R2** Implementation of basic community corrections systems in all remaining areas should be completed within the first three months of 2009.
- 1.2-R3** Additional training and support for staff, volunteers and service providers should be provided for all locations once community corrections has been established within Fiji.
- 1.2-R4** DSW should introduce a process where local offices can reimburse volunteers for small expenditure (bus fares etc.) without having to wait for lengthy periods.
- 1.2-R5** DSW should investigate the feasibility of translating appropriate sections of the Staff and Volunteer Training manual into Fijian and Hindi.
- 1.2-R6** Specific case management training should be delivered for all district managers, officers in charge of locations and staff that are designated as probation officers.
- 1.2-R7** Increased capacity to deliver effective court advice, including advice that incorporates the correct use of legislation, interviewing and report-writing skill development should be provided through training for all court advice staff.
- 1.2-R8** Further training in the Standard Operating Procedures should be undertaken during the first 12 months of implementation. This should include all welfare staff.
- 1.2-R9** The Assistant Director should develop and implement a monitoring and evaluation policy that regularly collects and analyses performance data. DSW managers should be given the opportunity to participate in management skills training.
- 1.2-R10** DSW should explore strengthening the capacity of local communities in crime prevention.
- 1.2-R11** DSW should establish a Community Corrections Advisory Committee to provide a forum for major stakeholders to have input into programme development, provide programme oversight and accountability and promote community corrections in the courts and community.

¹¹⁹ AFCJP, DRAFT Community Based Corrections pilots Analysis and Rollout Strategy, Nov 2008.

Findings for Output 1.3: Laws relating to child protection priority areas are harmonized with the CRC, its protocols and international principles

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

Output 1.3 Laws relating to child protection priority areas ¹²⁰ are harmonized with the CRC, its protocols and international principles	Indicator 1.3 Degree of alignment between national laws relating to identified child protection priority areas and relevant child protection CRC/Optional Protocols provisions and international principles	Target: Satisfactory alignment in at least four child protection priority areas
Comments	Measurement was achieved by fleshing out the relevant UNCRC provisions and international principles to their full domestic law and policy ramifications. A list of more detailed indicators was developed based on this and divided into categories of child protection issues for analysis as follows: 1. Child welfare/child protection system 2. Family separation and alternative care 3. Violence against children 4. Sexual abuse and sexual exploitation of children 5. Abduction, sale and trafficking 6. Child labour and children in street situations 7. Child-friendly investigative and court processes 8. Rehabilitation 9. Children in conflict with the law 10. Refugee/unaccompanied migrant children 11. Children in armed conflict 12. Information access 13. Birth registration This part of the report is divided according to these 13 sections. The table at the beginning of each section summarises the assessment of domestic law and policy against each of the detailed indicators using a scale of compliance as follows:¹²¹ • Yes = Requirements of an indicator fully met by legislative and policy provisions. • Partly = Provisions comply with some aspects of the indicator but not all, or provisions comply fully with the indicator in substance, but do not protect all children. • No = No relevant legal or policy provision for a given indicator, or the existing provisions are grossly inadequate. Following the compliance table, each section presents the basic findings of the review, opportunities (existing work in that area that supports reform) and recommendations. Please note that the findings here have been summarized from a much more detailed legislative compliance review which is available on request as a separate document	

Important background information:

The Office of the Attorney General is responsible for drafting legislation in response to recommendations for reform by the Fiji Law Reform Commission. The Commission acts upon referrals by the Attorney General. However, at present, the Commission does not have any legal officers and is maintaining skeleton staff only. It is not currently available to act upon such referrals from the Attorney General.

In relation to capacity to progress recommendations for reform, the drafting capacity in the Office of the Attorney General is also restricted at this time with just one junior position out of the full team of four drafters currently filled. There are currently no first or second Parliamentary Counsel drafters. The backlog for legislative drafting work is significant.

A number of recommendations are made below in relation to developing policy and protocols to support existing legislative discretions and to plug gaps in legislation. These recommendations are important but consolidation, distribution and awareness-raising in relation to existing policies, protocols and legislation, have been identified by stakeholders as the first priority. Any policies or protocols brought into force should be widely distributed with efforts to raise community awareness of their contents as well as the awareness of the implementing agencies.

¹²⁰ Priority areas for Output 1.3 to include: (a) juvenile justice (referring to all stages of the justice process affecting victims, witnesses and offenders under 18 years of age, including police questioning and apprehension, courtroom proceedings, sentencing, police and court diversions, rehabilitation and reintegration); (b) age of a child; (c) Commercial Sexual Exploitation of Children (CSEC), including issues of adoption and trafficking; (d) Child Sexual Abuse. Further priority areas may be identified, as well as order of priorities and a roadmap for legal reform, following completion of baseline.

¹²¹ Progress against this RRF indicator can be measured by a shift in the numbers of partial and non-compliances. As the "partial compliance" category covers a broad range of degrees of compliance, it may be that significant progress is made in some areas without achieving the standard of full compliance. In order to ensure that such achievements are acknowledged in the review in 2012 it is recommended that a more refined system be used involving the use of Partial + and Partial – compliance.

1	Child welfare/child protection system CRC Articles: 1, 2, 3, 4, 5, 6, 12, 18, 19 and 20	
	Indicator	Complies
1(1)	A national child protection law has been enacted to establish the framework for the provision of child and family protection services that:	
1(1)(a)	Establishes clear procedures and accountabilities for reporting, assessment and intervention in cases of children at risk and children who have experienced violence, abuse, neglect or exploitation.	Partly
1(1)(b)	Makes it mandatory for all persons to report suspected children at risk, and protects them from liability for doing so. Professionals working with children (health professionals, teachers, child care workers, etc) specifically relieved from confidentiality obligations. [This law to be enacted only in the context of a functioning and confidential child protection system].	Partly
1(1)(c)	Specifies the duties and powers of social welfare agencies and others to prevent child abuse and exploitation, to support children and families at risk, and to take protective measures where necessary.	Partly
1(1)(d)	Provides for a child-friendly reporting and complaints system e.g. telephone helplines.	No
1(1)(e)	Promotes a coordinated and multidisciplinary response to children in need of protection.	Partly
1(1)(f)	Specifies a variety of supportive and protective interventions that may be used (counselling, financial assistance, income generation support, family supervision orders, respite care, parental education, temporary foster or other alternative care, emergency shelter, education/vocational training assistance etc.), and procedures and criteria for applying those interventions.	Partly
1(1)(g)	Prohibits separation of a child his/her family against their will except by order of a competent authority, and when necessary in the best interests of the child (see Family Separation and Alternative Care below).	Yes
1(1)(h)	Defines the legal obligation on the State to provide alternative care for children without parental care or who cannot in their best interest be permitted to remain in parental care, and the forms of alternative care to be provided (foster care, kinship care, guardianship, adoption and institutional care) – see Family Separation and Alternative below.	Partly
1(1)(i)	Requires the best interests of the child be the paramount consideration in any decision affecting the child, couched in a Constitutional guarantee as well as in specific welfare/child protection legislation.	Partly
1(1)(j)	Specifies criteria for establishing the best interests of the child.	Partly
1(1)(k)	Requires that the views of the child be sought and respected in any decision about intervention or support services and their right to privacy upheld.	Partly
1(1)(l)	Minimum standards have been established for the professional qualification, training and ethical conduct of social workers and individuals working in institutions caring for children, and accreditation required.	Partly
1(1)(m)	Minimum standards have been established for the types and quality of support services to be provided to children in need of protection and their families, governing services provided by both government and non-governmental service providers.	Partly
1(1)(n)	Accreditation required to operate as any institution, service and facility responsible for the care or protection of children.	Yes
1(1)(o)	No discriminatory provisions contained in existing child protection/welfare system legislation	Yes
1(1)(p)	Independent, child-friendly, avenue of complaint for children for consideration and resolution of complaints in relation to service providers within the child protection and social welfare framework.	Partly
1(1)(q)	Informal customary processes relating to child welfare and protection recognized in law and standards of care established and applied.	No
1(2)	A national overarching policy on Child Protection and family welfare is in place, further defining the legal framework (where necessary), specifying:	No
1(2)(a)	Precise definitions of abuse, neglect and exploitation (if the law does not provide details)	-
1(2)(b)	Guiding principles including at least: the best interest of the child, non discrimination, family preservation, participation, continuum of services, and permanency planning.	-
1(2)(c)	Child protection operational areas involve prevention, tertiary intervention and out-of-home care (all child and family focused)	-
1(2)(d)	Government focal point for child and family welfare	-
1(2)(e)	Basket of essential services to be delivered to children and families	-
1(2)(f)	Reference to sectoral policies and regulations (quality standards) on child and family welfare services provision	-
1(3)	Provisions are in place regarding child protection practice in emergency situations (natural and man made disasters)	No

Summary:

- The necessary powers and discretions for effective child protection intervention measures exist in law.
- These could be strengthened and supported through clarifications of definitions, criteria and process at both a policy and legislative level. Interagency cooperation is supported at a protocol level.
- Strengthening of the legal framework for protection could be achieved through amendments to the Juveniles Act 1973, the creation of a national child protection policy, review and resigning of existing policies and protocols and the creation of supporting policies and protocols in and between the relevant government services.

Opportunities:

- The Juveniles Act 1973 was reviewed by the Fiji Law Reform Commission in 2000 in the Report for Children: A Review of Laws Affecting children, Fiji Law Reform Commission, May 2000 and specific recommendations for reform made. The Review addresses a number of issues raised in these findings, but not all.
- A number of interagency protocols have been put in place to guide the handling of child protection matters:
 - Protocol between the Fiji Police and the Department of Social Welfare regarding protective services for children and young people in Fiji May 2004
 - Protocol between the Fiji Police and the Ministry of Health regarding the provision of Medical Services May 2004
 - Memorandum of Understanding between the Fiji Police and the Ministry of Education and Technology
- These protocols require review and resigning. The immediate issue is not their content, but rather the lack of awareness of their existence and content, access to copies, and a lack of enforcement by supervisors. There is also some confusion as to their continued application following the specified review dates where the review has not been undertaken.
- Initial steps towards the creation of a National Child Protection Policy are currently being taken by the NCCC.

Full Compliance: 3
Partial Compliance: 12
Non-Compliance: 4
Total: 19

2	Family separation and alternative care CRC Articles: 1, 2, 3, 4, 5, 6, 9, 12, 20, 21 and 25	
	Indicator	Complies
2(1)	Family/Child Protection laws clearly define parental roles and responsibilities	Yes
2(2)	The law designates a competent authority to make determinations about when a child can be separated from his/her parents, and stipulates grounds and procedures for doing so. These decisions are subject to judicial review.	Yes
2(3)	The law requires that all cases dealing with the separation of children from their parents be dealt with speedily.	Partly
2(4)	The law requires that all cases dealing with the separation of children from their parents be dealt with confidentially and, where court proceedings are involved, in a closed court.	Yes
2(5)	Family laws stipulate that, when parents separate, the grounds for allocating parental responsibility are based on the individual child's best interests.	Yes
2(6)	Family laws stipulate that, when parents separate, there is a presumption that children's best interests, unless proved to the contrary, are in maintaining contact with both parents.	Yes
2(7)	Family laws stipulate that, when parents separate, the nature of the parents' relationship is explicitly excluded as a consideration in allocating parental responsibility.	Yes
2(8)	Family/child protection laws state that parents and children may be separated against their will by authorities only when it is in the best interests of the child and necessary for the child's protection, i.e. as a last resort	Yes
2(9)	Family preservation is explicitly stated to be a priority in arrangements for child protection.	Partly
2(10)	There are legal limitations on the ability of parents to voluntarily give up their parental responsibilities (e.g. by admitting a child to an orphanage or other institution).	Yes
2(11)	Neglect arising from poverty explicitly excluded as a grounds for child removal.	No
2(12)	All laws specifying the grounds justifying the separation of a child from their parents are free from discriminatory provisions.	Partly
2(13)	The law provides for standards/criteria for determining when a child should be separated from their parents by authorities.	Partly
2(14)	The law specifies the alternative care options available such as family member care, foster care, adoption, institutional care etc.	Yes

	Indicator	Complies
2(15)	The law requires that priority be given to placement of a separated child with members of their wider family, with appropriate support where necessary. Institutionalisation is explicitly a measure of last resort.	Yes
2(16)	The law requires that the best interest of the child be the primary consideration in making decisions about alternative care.	Partly
2(17)	The law requires that due regard must be paid to the desirability of continuity in a child's upbringing and to the child's ethnic, religious, cultural and linguistic background.	Partly
2(18)	The law requires that the child's views be taken into consideration in any decision made about alternative care, and that those views be given due weight in accordance with the child's age and maturity.	Partly
2(19)	The law requires that the views of all interested parties be heard and taken into consideration in any decision made in relation to the separation of a child from its parents and the allocation of alternative care.	Partly
2(20)	The law requires that all children in alternative care (foster care, adoption, institutions, etc) are subject to a regular review of that placement.	Partly
2(21)	The law gives children separated from their parents the right to maintain personal relations and direct contact with both parents on a regular basis, except if it is contrary to the child's best interests.	Yes
2(22)	Standards of care have been established for residential care facilities and other forms of alternative care (including fostering, guardianship, etc) and accreditation required.	Yes
2(23)	The law requires that all adoptions be authorized only by a competent authority, and that:	No
2(23) (a)	The best interest of the child is the paramount consideration.	Yes
2(23) (b)	The consent of the child is required, or the views of the child sought, considered and given due weight, having regard to the child's age and capacity.	Yes
2(23) (c)	Authorities must be satisfied that the adoption is permissible in view of the child's status and that all consents required by law have been given.	Yes
2(23) (d)	Where consent is required, the law requires that counselling be provided.	Partly
2(23) (e)	Due regard must be paid to preservation of the child's identity and the desirability of continuity in the child's background and to the child's ethnic, religious, cultural and linguistic background.	No
2(23) (f)	Inter-country adoption is permitted only as a last resort for suitable alternative care.	Yes
2(23) (g)	Legal safeguards for international adoption of equivalent or greater stringency to those in place for domestic adoption.	No
2(23) (h)	Improper financial gain from inter-country adoption is prohibited by law and appropriately sanctioned.	Partly
2(24)	Border controls are in place for monitoring the entry and exit of babies and children travelling with adults who are not their parents.	No
2(25)	Laws and procedures governing deportation require consideration of the child's right not to be separated from his or her parents unless necessary for his or her best interests.	No
2(26)	The law provides for babies and young children to be able to reside with incarcerated mothers.	Partly
2(27)	Prisoners are permitted by law to be visited by their children.	Yes
2(28)	The law provides for the child's right to knowledge of whereabouts of parents where separation results from action by the State.	No
2(29)	Legislative provision for an independent, child-friendly avenue of complaint for consideration and resolution of complaints by children regarding state actions to separate them from their parents and related issues (e.g. alternative care).	Partly
2(30)	Traditional customs which separate parents and children unnecessarily are outlawed.	No

Summary:

- In many respects, particularly family law and custody arrangements, the existing legal provisions are very strong.
- Family preservation is not clearly stated to be a priority in law and further clarification of standards/procedures/criteria for determining when a child should be separated from their family is needed, given the serious ramification of the exercise of this power under law.
- Adoption laws comply with CRC standards in many respects but lack important detail and fail to adequately address some key categories of adoption.

Opportunities:

- The Adoption of Infants Act 1944 was reviewed in 1978 and again, by the Fiji Law Reform Commission, in 2000 in the Report for Children: A Review of Laws Affecting children, Fiji Law Reform Commission, May 2000. A number of specific recommendations for reform have been made. No action has been taken to date to progress any of the recommendations made.
- There have been a number of court decisions clarifying the application of the Adoption of Infants Act 1944 and local common law principles have been developed in this area of law.

Full Compliance: 17
Partial Compliance: 13
Non-Compliance: 8
Total: 38

3	Violence and maltreatment CRC Articles: 1, 2, 3, 4, 6, 12 and 19	
	Indicator	Complies
3(1)	All forms of violence against children (physical, sexual, emotional, neglect) are clearly defined and strictly prohibited in law.	Partly
3(2)	The law requires the reporting and investigation of all child deaths.	Partly
3(3)	Corporal punishment is explicitly prohibited in the home, school, institutions and community. Legal exceptions or defences are not available in law to parents or others in relation to assaults on children (e.g. the defence of "parental correction").	Partly
3(4)	The threat of and use of mental violence in homes, schools (public/private), child care institutions (public/private), foster care, alternative care, day care and the penal system is an offence	Partly
3(5)	The law prohibits all expressions of violence in schools, whether by pupils or teachers, including physical violence, emotional violence (bullying), sexual harassment, stigma and discrimination.	Partly
3(6)	National policies, strategies and laws exist to counter spousal violence and its impact on children including (but not restricted to):	No
3(6)(a)	• Criminal assault against women in the home is a specific offence	No
3(6)(b)	• Domestic violence legislative provisions provide for the removal of the perpetrator from the home by police following acts or threats of violence	Partly
3(6)(c)	• A system of apprehended violence orders	Yes
3(6)(d)	• Definition of mental violence includes witnessing acts of violence	Partly
3(7)	Traditional practices harmful to children, such as early marriage, female genital mutilation, honour killings etc., have been identified and prohibited by law and appropriate penalties prescribed for those who violate these provisions.	Partly
3(8)	Negligent treatment of a child by any person who has care of that child an offence, a defence to which is poverty.	Yes
3(9)	Infanticide is a criminal act	Yes
3(10)	Provisions protecting children from violence are free from discrimination.	Partly
3(11)	Independent child-friendly complaints avenue outside of the criminal legal system available to child victims/survivors of violence.	Partly
3(12)	Institutions dealing with reports of violence against children are required to record and report disaggregated data in relation to reports received and actions taken.	No

Summary:

- There is some protection of children under law from various forms of violence, but provisions against physical violence are undermined by exceptions which allow for the 'reasonable discipline' of children.
- The law is strong on protection from neglect, but essentially silent on emotional violence.
- Sexual violence is dealt with in Section Four below.
- Protections for children from violence in their 'workplace', the school, are minimal both in law and policy.

Opportunities:

- A draft Domestic Violence Bill was prepared as part of the Final Phase Three Consultation Workshop: the Legal Response to Domestic Violence, Fiji Law Reform Commission, Domestic Violence Reference 2005.
- Consequential and related amendments to the Penal Code 1944, the Criminal Procedure Code 1944 and the Bail Act 2002 were also identified as part of this Reference.

Full Compliance: 3
Partial Compliance: 10
Non-Compliance: 3
Total: 16

4	Sexual abuse and sexual exploitation CRC Articles: 1, 2, 3, 4, 6, 12, 19 and 34	
	Indicator	Complies
4(1)	The law defines unlawful sexual activity involving children.	Yes
4(2)	The criminal law penalizes all forms of unlawful sexual acts against children as separate and more serious crimes than similar conduct against adults.	Partly
4(3)	The criminal law establishes an age below which a child is deemed to be unable to consent to sexual activities which is the same for boys and girls.	Partly
4(4)	No defence of honest and reasonable belief the victim/survivor was of legal age.	No
4(5)	Minimum legal age for marriage ideally set at 18, with a strict minimum of 15 and is the same for boys and girls.	Partly
4(6)	No exemption from rape prosecution for marital rape.	Yes
4(7)	Definition of rape includes penetration of any part of the body by any body part/object and is not gender specific. The definition of non-consent is broad.	No
4(8)	Special protections in place for vulnerable children, such as disabled children.	Partly
4(9)	Sexual harassment explicitly prohibited between children and between children and adults in all institutional contexts.	Partly
4(10)	The criminal law includes a separate and distinct offence of prostituting children, defined in accordance with the Optional Protocol and sanctioned in a manner that reflects the gravity of the crime.	No
4(11)	The criminal law includes a specific criminal offence(s) relating to child pornography, defined in accordance with the Optional Protocol and sanctioned in a manner that reflects the gravity of the crime. Issues relating to internet pornography have been explicitly addressed. Offences to include the production, possession or dissemination of child pornography.	Yes
4(12)	The law includes 'extraterritorial' provisions permitting the prosecution of nationals/residents for unlawful acts committed against children in other countries.	Yes
4(13)	Extradition laws or extradition arrangements are in place to ensure that perpetrators are prosecuted either in their country of origin, or in the country in which the offence was committed.	Yes
4(14)	Government has acceded to and promoted bilateral and multilateral measures to protect the child from sexual abuse and sexual exploitation.	Not determined
4(15)	No discriminatory provisions in protective legislation in relation to sexual abuse and exploitation.	No
4(16)	Institutions dealing with reports of sexual abuse and exploitation of children are required to record and report disaggregated data in relation to reports received and actions taken.	No

Summary:

- Comprehensive criminal provisions exist for sexual abuse and exploitation of girls but penalties and age thresholds need to be reviewed.
- Boys do not receive equivalent protection and the possibility of female abusers is not recognised.
- Unlawful sexual acts against adults are not always identified as separate and more serious offences when perpetrated against children.
- The definition of rape is narrow.
- Extradition provisions exist to support extra-territorial prosecution for the abuse of children.

Opportunities:

- A review of the Penal Code 1944 and the Criminal Procedure Code 1944 provisions relating to sexual offences was undertaken by the Fiji Law Reform Commission in 1999 and the report, Reform of the Penal Code and Criminal Procedure Code, Fiji Law Reform Commission, The Sexual Offences Report, September 1999, was produced.
- The Penal Code 1944 and the Criminal Procedure Code 1944 have been revised, and new draft Acts prepared, which are currently in limited circulation for comment. The amendments address most of the issues identified in the Baseline Review and many of the recommendations raised in the above Sexual Offences Report. There is no timeline currently in place for the completion of these reforms.

Full Compliance: 5
Partial Compliance: 5
Non-Compliance: 5
Total: 15

5	Abduction, sale and trafficking CRC Articles: 1, 2, 3, 4, 6, 11, 12, 34, 35 and 36	
	Indicator	Complies
5(1)	A central authority been designated to deal with issues of international child abductions.	Yes
5(2)	Legal provisions are in place to secure the prompt return of children wrongfully removed to or retained in the country and to ensure that rights of custody and access under the law of other countries are effectively respected.	Partly
5(3)	Courts empowered to make any orders necessary to prevent child abduction	Yes
5(4)	Laws and policies support effective communication of court orders re travel restrictions etc. to border officials.	Partly
5(5)	State institutions empowered to release information that will help to trace the whereabouts of abducted children.	No
5(6)	The criminal law includes a specific crime relating to sale of children, defined broadly in accordance with the Optional Protocol to the CRC, and sanctioned in a manner that reflects the gravity of the crime.	No
5(7)	The criminal law includes the specific crime of trafficking in humans, defined in accordance with the Trafficking Protocol, and sanctioned in a manner that reflects the gravity of the crime.	Yes
5(8)	The laws relating to human trafficking provide additional penalties where trafficking involves children.	No
5(9)	The law also criminalizes activities related to trafficking, including forced or compulsory labour, debt bondage, forced marriage, forced prostitution, unlawful confinement, labour exploitation, and illegally withholding identity papers.	Yes
5(10)	The law imposes civil or criminal liability on legal entities (travel agencies, marriage brokers, sex shops, bars, brothels or employment agencies) for trafficking offences.	No
5(11)	The law provides for the seizure and confiscation of goods, assets and other instrumentalities used to commit or facilitate trafficking, and that proceeds or assets confiscated from traffickers be used to support trafficking victims/survivors.	Partly
5(12)	Measures are in place to assist the prosecution of those engaged in child trafficking outside of the jurisdiction.	Partly
5(13)	Legal provisions and policies promote cooperation between relevant agencies, in particular the police, immigration and welfare services, in identifying child victims/survivors of trafficking.	No
5(14)	Guidelines are in place for border officials for the identification and handling of child victims/survivors of trafficking.	No
5(15)	Procedures/guidelines provide for immediate and safe emergency care for children who have been rescued from trafficking.	No

	Indicator	Complies
5(16)	Criminal trial procedures permit the use of testimony of foreign trafficked victims/survivors which was taken before repatriation, for example, through the use of video and audio tapes of the trafficked victims/survivors' testimony as evidence.	No
5(17)	Immigration laws permit foreign trafficked children to remain in the country, temporarily or permanently, in appropriate cases, and in accordance with the stated views of the child.	No
5(18)	Protection, rehabilitation and support services are available to all child victims/survivors of trafficking regardless of nationality and agreement to appear as witnesses in any criminal proceedings.	No
5(19)	Guidelines have been developed for the safe and timely return and repatriation of child victims/survivors of cross-border trafficking where appropriate.	No

Summary:

- Family law provisions address child abduction to some extent.
- Trafficking in persons is a specific offence with a high penalty and related activities are criminalised, but there is no specific reference to trafficking in children as an aggravating factor and no surrounding supporting legislation or guidelines dealing with prevention, prosecution, repatriation and rehabilitation of victims/survivors.
- There is limited provision for cooperation between relevant agencies such as police, social welfare and immigration neither for child abduction nor for child trafficking matters.

Opportunities:

- The proposed draft Crimes Act and Criminal Procedure Code, currently in circulation for comment, address in detail a number of the identified gaps in the existing legislation relating to trafficking and associated crimes.

Full Compliance: 4
Partial Compliance: 4
Non-Compliance: 11
Total: 19

6	Child labour and children in street situations CRC Articles: 1, 2, 3, 4, 6, 12, 32 and 33	
	Indicator	Complies
6(1)	Laws do not criminalize vagrancy or other status offences and children living and working on the street are not subject to arbitrary police arrest or detention.	Partly
6(2)	Laws are in place to ensure appropriate standards for children's work and pay in both the formal and informal sectors.	Partly
6(3)	Minimum age for employment is defined in legislation not less than 15 and at least equal to the age of completion of compulsory education.	Yes
6(4)	The law includes provisions regulating permissible work by children over the minimum age, including regulations defining the hours and conditions of work for children (formal and informal sector).	Partly
6(5)	The law prohibits anyone under the age of 18 from engaging in any type of employment or work that by its nature or the circumstances in which it is carried out is likely to jeopardize the health, safety or morals of young persons, including hazardous work, work that interferes with the child's education or any work that involves cruel, inhuman or degrading treatment, the sale of children or servitude.	Yes
6(6)	The law clearly defines the types of work that are prohibited for children.	Partly
6(7)	Exemptions to the definition of child labour are specified in legislation, for example, domestic assistance in the child's own family home.	Yes
6(8)	The law prohibits the use of children for the purposes of begging.	Yes
6(9)	Penalties over and above standard criminal sanctions for drug activities for offenders who involve children in any aspect of the drugs trade.	No
6(10)	Employers required having, and producing on demand, proof of age of all children working for them.	Yes
6(11)	Persons responsible for compliance with provisions concerning child labour are defined in legislation.	Yes
6(12)	Labour/criminal laws provide for appropriate penalties for those who violate child labour laws.	Partly

	Indicator	Complies
6(13)	Labour inspectors are trained and sufficiently empowered to enforce child labour laws, including the authority to immediately remove a child from a work environment that is hazardous or harmful to the child's health or physical, mental, spiritual, moral or social development.	Yes
6(14)	Independent, child-friendly complaints avenue for investigation, consideration and resolution of complaints regarding breaches of children's labour rights.	Partly
6(15)	Prohibition on the use of children for all forms of research, including medical or scientific experimentation, unless appropriate consents have been obtained from the child and/or parents or legal guardians.	No
6(16)	A national strategy exists for the elimination of the worst forms of child labour.	Partly
6(17)	No discriminatory provisions in the labour law.	Partly

Summary:

- The provisions regulating permissible child labour are quite comprehensive and in many respects comply with the minimum standards for child labour in terms of age and permissible work.
- The protection provided by these laws could be strengthened by addressing more explicitly and in greater detail pay and conditions for children, the types of work that are permissible and not permissible for different age groups, explicit definitions of what constitutes child labour in the informal sector and addressing discrepancies in age definitions between the Employment Relations Promulgation and other existing industry specific legislation.

Full Compliance: 8
Partial Compliance: 2
Non-Compliance: 7
Total: 17

7	Child-friendly investigative and court procedures CRC Articles: 1, 2, 3, 4, 6, 12, and 39	
	Indicator	Complies
7(1)	Criminal procedure laws/guidelines include measures to protect the rights and interests of children at all stages of the justice process and to reduce trauma and secondary traumatising, including:	
7(1)(a)	Inter-agency referral procedures to promote coordination between police, health care workers, social workers and other service providers.	Partly
7(1)(b)	Coordination/referral mechanism is in place for children who come to the attention of the police.	Partly
7(1) (c)	In any actions taken the best interests of the child will be the primary consideration.	Partly
7(1) (d)	Any actions taken to take into account the child's views in accordance with their age and maturity and respect the child's right to privacy.	Partly
7(1) (e)	The law guarantees children the right to participate in any judicial proceedings that affect them, to express their views, and to have those views given due weight.	No
7(1) (f)	Child-friendly interview environments and interview techniques (police, prosecutors, judges, social workers etc.)	No
7(1) (g)	Special procedures to reduce the number and length of interviews child victims/survivors are subjected to.	Partly
7(1) (h)	Victim/survivor/witness support program to familiarize children with the court process and provide support at all stages of the process, including social and legal counseling.	No
7(1) (i)	Children are entitled to have a support person present with them at all stages of the investigation and trial proceedings (legal/social).	Partly
7(1) (j)	Law permits child-friendly court procedures, including alternative arrangements for giving testimony such as screens, video-taped evidence and closed circuit television.	Yes
7(1) (k)	Measures to ensure child victims/survivors are protected from direct confrontation with persons accused of violating their rights and from hostile, insensitive or repetitive questioning or interrogation.	No
7(1) (l)	Law requires investigations and trials of cases involving child witnesses to be expedited and prioritized in the legal system.	No
7(1) (m)	Measures to protect the child's privacy, such as closed court proceedings and bans on publishing the child's identity or any information leading to identification of the child.	Yes

	Indicator	Complies
7(1) (n)	Measures to protect the safety of child victims/survivors and their family and to prevent intimidation and retaliation, including safe shelter (emergency and longer-term); relocation; and prohibition on the disclosure of information concerning the victim/survivor's identity and whereabouts.	No
7(1) (o)	Requirement that police, prosecutors, lawyers and judges receive specialized training in dealing with cases where children are victims/survivors.	No
7(1) (p)	Police, prosecutors and courts have specialised units, or designated specialists to handle cases involving child victims/survivors/witnesses.	No
7(2)	Prohibition on requirement for corroboration of child victim/survivor's evidence in criminal proceedings for sexual assault.	Partly
7(3)	Prohibition of the use of prior sexual conduct to establish non-consent in sexual assault proceedings.	No
7(4)	Prohibition on requiring proof of resistance to establish non-consent in sexual assault proceedings.	No
7(5)	Expert evidence re patterns of disclosure or behaviour in child victims/survivors automatically admissible.	No
7(6)	The law guarantees access to an interpreter at any stage of the process on request.	Yes
7(7)	All processes free from discriminatory provisions.	Yes
7(8)	Independent and child-friendly complaints tribunal available for the investigation, consideration and resolution of any complaints by children regarding their treatment within the justice system.	Partly
7(9)	Legal recognition of informal customary law processes.	Partly

Summary:

- There is currently limited provision in legislation for child-friendly investigative and court procedures for child victims/survivors of crime.
- In general, the necessary discretions exist in law, but are undefined, and unsupported by current policy/protocols/court directions.
- Provisions governing the recognition of customary reconciliation processes in state law proceedings do not clearly guide and restrict recognition by the courts of these processes in sentencing mitigation.

Opportunities:

- As noted in Recommendation 1.1, The Juveniles Act 1973 was reviewed by the Fiji Law Reform Commission in 2000 in the Report for Children: A Review of Laws Affecting children, Fiji Law Reform Commission, May 2000 and specific recommendations for reform made.
- The proposed draft Criminal Procedure Code, currently in circulation for comment, addresses the gaps in legislation identified that relate to vulnerable witnesses, corroboration and prior sexual conduct evidence.
- A number of interagency protocols have been put in place to guide the handling of child protection matters as noted in Section One of this Report, however, the protocols are not treated as current nor complied with.
- The ODPP is in the process of finalizing a Prosecutors' Manual and Victim's Charter to guide prosecution dealings with victims/survivors of crime. The Manual will contain specific procedures for child victims/survivors/witnesses.

Full Compliance: 4
Partial Compliance: 9
Non-Compliance: 11
Total: 24

8	Rehabilitation CRC Articles: 1, 2, 3, 4, 6, 12 and 39	
	Indicator	Complies
8(1)	Child victims/survivors of neglect, exploitation, abuse, torture or any other form of cruel, inhuman or degrading treatment or punishment or armed conflicts are entitled to compensation.	Yes
8(2)	Legislative provisions exist protecting privacy and identity of child victims/survivors with appropriate sanctions.	No
8(3)	The law provides for a range of services to support the protection and psychological recovery and reintegration of child victims/survivors of abuse and exploitation, including:	
8(3)(a)	• Short-term care, where necessary, by foster families, shelters, etc.	Yes
8(3) (b)	• Medical care	Partly

	Indicator	Complies
8(3) (c)	• Psychological counselling	No
8(3) (d)	• Advice about their legal rights	No
8(3) (e)	• Education, employment and training opportunities	Partly
8(3) (f)	• Protection for the victim/survivors and his/her family from intimidation or retaliation	Partly
8(4)	Standards or guidelines exist for these programs and services.	Partly
8(5)	The law requires that preference be given to promoting recovery and reintegration in families and communities (rather than institutional care).	Yes
8(6)	The child's views are sought in relation to any recovery and reintegration processes.	No
8(7)	The law protects all child victims/survivors of exploitation from prosecution and involuntary detention.	Partly
8(8)	Independent, child-friendly complaints tribunal for the investigation and resolution of complaints regarding discriminatory treatment etc. by child victims/survivors.	Partly

Summary:

- The law provides for potential compensation and short term care for victims/survivors, but is otherwise silent in relation to the rehabilitation and protection of child victims/survivors of abuse, neglect and exploitation.

Opportunities:

- The ODP is in the process of finalizing a Prosecutors' Manual and Victim's Charter to guide prosecution dealings with victims/survivors of crime. The Manual will contain specific procedures for child victims/survivors/witnesses.

Full Compliance: 3
Partial Compliance: 6
Non-Compliance: 4
Total: 13

9	Children in conflict with the law CRC Article: 1, 2, 3, 4, 6, 12, 37 and 40	
	Indicator	Complies
9(1)	Any special procedures and protections for children who are in conflict with the law, are available to all children under the age of 18.	No
9(2)	A minimum age of criminal responsibility has been established which is at least 12 (as per UN Committee on the Rights of the Child Comment). Children below this age required to be referred to the appropriate social services.	Partly
9(3)	Arrest is used only as a measure of last resort, for the shortest possible period of time and the law provides for a minimum age for arrest. Maximum period specified for detention of a child following arrest without a court hearing at which the detention can be challenged.	Partly
9(4)	Laws/guidelines include restrictions on the use of force or restraints against children.	No
9(5)	Police are required to notify parents immediately upon the arrest of a child, and parents are entitled to be present during all investigative and trial proceedings, in accordance with the views of the child.	Partly
9(6)	Police are required to notify legal assistance immediately upon the arrest of a child and legal assistance is entitled to be present during all investigative and trial proceedings, in accordance with the views of the child.	No
9(7)	Police are obligated to have parents, legal guardians and/or a defence lawyer present whenever questioning a child.	Partly
9(8)	Child has the right to be informed promptly and directly of any charges against him/her.	Yes
9(9)	Children are guaranteed the right to be presumed innocent until proven guilty.	Yes
9(10)	Children are guaranteed the right to remain silent and not be compelled to give evidence or confess guilt.	Yes
9(11)	Children are guaranteed the right to legal representation at all stages of the proceedings.	Yes
9(12)	Explicit right to free assistance from an interpreter where necessary.	Yes
9(13)	Law requires that children detained in police custody have the right to challenge their detention before a competent authority.	Yes
9(14)	Children are guaranteed the right to have the matter determined by a competent authority without delay.	Yes

	Indicator	Complies
9(15)	The law gives police, prosecutors and judges a broad discretion to resolve child cases through diversion and these diversionary procedures are specified where appropriate (e.g. mediation, community conferencing).	Partly
9(16)	The law requires the consent of the child and/or the child's parents for diversion procedures to be applied.	Partly
9(17)	The use and duration of pre-trial detention against children is limited, explicitly a measure of last resort and there are alternative measures in place for supervising children accused pending trial.	Yes
9(18)	Children detained pre trial to be separated from convicted children.	Yes
9(19)	Laws/policy require that all children's cases are tried by a specialized court (or a specially designated judge) separate from adult court proceedings.	Partly
9(20)	All court proceedings involving offenders under 18 required to occur in a closed court.	Partly
9(21)	Publication of the name or any information leading to the identification of a child offender strictly prohibited.	Yes
9(22)	The law requires that children's cases are expedited.	No
9(23)	Courts are empowered to compel the child's parents to be present at any/all stages of proceedings.	Yes
9(24)	Criminal procedure laws include special rules of procedures for conducting children's trials to ensure that they are conducted in an atmosphere of understanding, which allows the child to participate fully.	Partly
9(25)	Right to obtain witnesses under equal conditions to prosecution.	Yes
9(26)	Explicit right to be present and to participate in any hearing or court process affecting the child (formal or informal).	Yes
9(27)	Explicit right to appeal to competent, independent and impartial authority.	Yes
9(28)	The law requires that any penalties imposed are based on the best interests of the child and aim at rehabilitation rather than punishment, with an explicit emphasis in drug and substance offences.	No
9(29)	The law requires that any penalties imposed are proportionate to the gravity of the offence and also the circumstances and needs of the child.	No
9(30)	Pre-sentence or social inquiry reports are prepared and considered prior to imposing sentence on a child.	Yes
9(31)	Deprivation of liberty is imposed only as a measure of last resort, against children who commit serious crimes of violence or persist in committing other serious offences.	Yes
9(32)	Judges are given broad discretion to tailor the sentence to the individual child.	Yes
9(33)	A wide range of alternative, community-based dispositions are available (including probation; care, guidance and supervision orders; diversion to mental health treatment, counseling; victim/survivor reparation and restitution, community service work opportunities; education and vocational training, living arrangement orders etc.).	Yes
9(34)	A responsible authority (e.g. probation, community-based corrections, or social welfare agency) has been designated responsible for promoting, regulating and monitoring community-based programmes.	Yes
9(35)	Life imprisonment, capital punishment and indeterminate sentences are not imposed on children.	Yes
9(36)	Prohibition on torture and all other cruel, inhuman or degrading punishments or treatment.	Partly
9(37)	Children are separated from adults in all places of detention, including police custody, pre-trial detention centres and prisons.	Yes
9(38)	Special facilities have been established for the detention of children, including open-custody and small-scale centres designed to promote rehabilitation and reintegration.	Partly
9(39)	Explicit right to family contact, visitors and correspondence while imprisoned with restrictions to these rights limited to exceptional circumstances.	Partly
9(40)	Explicit right to access to education and training suited to child's needs and abilities.	Yes
9(41)	Law/policy requires that while in detention children receive care, protection and all necessary individual assistance – social, educational, vocational, psychological, medical and physical – that they may require in view of their age, sex and personality, in the interests of their wholesome development.	Yes
9(42)	Disciplinary procedures within detention centres are strictly regulated and the following are specifically prohibited:	Yes
9(42) (a)	• Corporal punishment	Partly
9(42) (b)	• Solitary confinement	Partly
9(42) (c)	• Placement in a dark cell	Yes
9(42) (d)	• Reduction of diet	Yes
9(42) (e)	• Denial of contact with family members	Yes

	Indicator	Complies
9(42) (f)	• Any other punishment that may compromise the physical or mental health of the child concerned	Partly
9(43)	There is an effective system for inspection and monitoring of all institutions in which children may be deprived of their liberty.	Partly
9(44)	The law requires that children deprived of liberty be subject to a periodic review of their situation.	Yes
9(45)	The Standard Minimum Rules for prisoners explicitly apply to children in detention, with regulations/policy addressing at least the following:	No
9(45) (a)	• Register	Yes
9(45) (b)	• Hygiene	Yes
9(45) (c)	• Clothing & bedding	Yes
9(45) (d)	• Food	Yes
9(45) (e)	• Exercise & sport	Yes
9(45) (f)	• Medical services	Yes
9(45) (g)	• Discipline and punishment	Yes
9(45) (h)	• Instruments of restraint	Yes
9(45) (i)	• Complaints	Yes
9(45) (j)	• Contact	Yes
9(45) (k)	• Books	Yes
9(45) (l)	• Religion	Yes
9(45)(m)	• Prisoner property	Yes
9(45) (n)	• Death, illness, transfer	Yes
9(45) (o)	• Institutional personnel	Yes
9(45) (p)	• Privileges systems	Yes
9(45) (q)	• Work	Yes
9(45) (r)	• Education and recreation	Yes
9(46)	Children released from detention are provided with support for their reintegration into the community. An authority has been designated responsible for child reintegration, and programmes are in place to assist children who are released from detention.	Partly
9(47)	Police, prosecutors, courts and prison officials are required to have specialised units, or designated specialists, to handle children in conflict with the law.	Partly
9(48)	The law requires that the needs of disabled children are catered to at all stages of the legal process.	No
9(49)	All justice sector officials, including police, prosecutors, judges, lawyers and prison officials are required to receive training and sensitization on children in contact with the law as part of their induction training (at police academies, law schools, judicial training programmes, etc.), as well as on an in-service basis.	No
9(50)	All children in conflict with the law have access to effective complaints procedures concerning all aspects of their treatment.	Partly
9(51)	Mechanisms are required to be in place to monitor the treatment of children in conflict with the law, and to appropriately sanction justice sector officials who violate children's rights.	Partly
9(52)	All processes defined in legislation have the best interests of the child (including the maximum development of the child) specified as the primary consideration.	No
9(53)	Law/policy requires the recording and reporting of systematic disaggregated data by all institutions dealing with child offenders.	No
9(54)	Legal recognition of informal customary law processes.	Partly

Summary:

- The provisions protecting children in conflict with the law are strong in many regards, as reflected in the high number of full and partial compliances for these indicators.
- However, a number of key areas of legislation and policy could be addressed to strengthen protections for young offenders.
- Of high priority is the raising the age for the applicability of the Juveniles Act 1973 provisions from persons under the age of 17 years to those under the age of 18.

Opportunities:

- The Juveniles Act 1973 was reviewed by the Fiji Law Reform Commission in 2000 in the Report for Children: A Review of Laws Affecting children, Fiji Law Reform Commission, May 2000 and specific recommendations for reform made. The Review addresses a number of issues raised in these findings, but not all.

Full Compliance: 45
Partial Compliance: 21
Non-Compliance: 11
Total: 77

10	Refugees, unaccompanied children and migrant children CRC Articles: 1, 2, 3, 4, 6, 12 and 22	
	Indicator	Complies
10(1)	Laws governing refugees and asylum seekers provide for special protection, care and treatment for:	
10(1)(a)	Unaccompanied and separated children seeking asylum or refugee status;	No
10(1)(b)	Internally displaced unaccompanied and separated children.	No
10(2)	The law guarantees unaccompanied children and refugee and asylum seeking children the right to accommodation in safe environments, wherever possible with their family, as well as access to education, health care and appropriate support and rehabilitative care.	No
10(3)	Guidelines have been developed for the safe and timely return of illegal migrant children.	No
10(4)	Laws and procedures governing deportation require consideration of the best interests of the child and the child's right not to be separated from his or her parents (unless necessary for his or her best interests).	No
10(5)	Laws and procedures governing deportation require that the views of the child be sought and that those views be given due weight in accordance with the child's age and maturity.	No
10(6)	Laws, policies and mechanisms exist to trace family members of unaccompanied or displaced children.	No
10(7)	State required to provide such care and protection as is necessary for the wellbeing of any child at times of national disaster.	No
10(8)	Laws governing refugees, unaccompanied and migrant children are free from any unreasonably discriminatory provisions.	Yes
10(9)	Independent, child-friendly complaints avenue for consideration and resolution of complaints from children regarding treatment as refugees, migrant or unaccompanied children.	Partly
10(10)	Laws require disaggregated data be recorded and reported in relation to refugees and asylum seekers.	No

Summary:

- There are no legal provisions addressing the protection and wellbeing of child refugees or asylum seekers. This is partly reflective of the fact that this is not considered to be an issue of practical significance in Fiji.
- However, it should be noted that Fiji is party to the UN Convention relating to the Status of Refugees 1951 and therefore has committed to comply with Convention standards of refugee/asylum seeker treatment, in addition to any obligations arising from the CRC.

Full Compliance: 1
Partial Compliance: 1
Non-Compliance: 9
Total: 11

11	Children involved in armed conflict CRC Articles: 1, 2, 3, 4, 6, 12 and 38	
	Indicator	Complies
11(1)	The law sets 18 as the minimum age for direct participation in hostilities, for recruitment into armed groups, and for compulsory recruitment by governments.	Partly
11(2)	The minimum voluntary recruitment age is at least 16, and the law outlines safeguards to ensure that recruitment is: genuinely voluntary and carried out with the informed consent of the person's parents or legal guardians; that the child is fully informed of the duties involved in military service; and the child provides reliable proof of age prior to acceptance into national military service.	Partly
11(3)	No discriminatory provisions in laws relating to children's participation in armed conflict.	No

Summary:

- Under law the minimum age for recruitment into the armed forces is 18, but children as young as 16 may be recruited at the Commander's discretion.
- The minimum age for voluntary recruitment is 16, in compliance with the CRC, but the law is silent on surrounding requirements such as parental consent, full information re duties and proof of age.

Full Compliance: 0
Partial Compliance: 2
Non-Compliance: 1
Total: 3

12	Information access CRC Articles: 1, 2, 3, 4, 6, 12, 17 and 29	
	Indicator	Complies
12(1)	Censorship board or equivalent with jurisdiction over all media – print, electronic and audio/visual.	Partly
12(2)	Requirement that pubertal change and sex education be included in school curricula.	No
12(3)	Requirement that legal rights and human rights education be included in school curricula.	No
12(4)	No discriminatory provisions in access to information.	Yes

Summary:

- Some censorship provisions exist but do not specifically address the needs of child audiences and are scattered throughout various pieces of legislation.
- There is no clear education policy on pubertal change education or legal/human rights education.
- The law is silent on internet regulation.

Full Compliance: 1
Partial Compliance: 1
Non-Compliance: 2
Total: 4

13	Birth registration CRC Articles: 1, 2, 3, 4, 6, 7 and 12	
	Indicator	Complies
13(1)	The law makes birth registration compulsory and free for all.	Yes
13(2)	No discriminatory provisions in birth registration laws.	No

Summary:

- The minimum requirements for free and compulsory birth registration are in place.
- The discriminatory aspects of the provisions do not impact significantly on the child's right to birth registration.

Full Compliance: 1
Partial Compliance: 0
Non-Compliance: 1
Total: 2

Recommendations for Output 1.3

Child welfare/child protection system

- 1.3-R1.1** Submit the Report for Children: A Review of Laws Affecting Children, Fiji Law Reform Commission, May 2000 to the Office of the Attorney General together with a submission outlining this report's recommendations in relation to the Juveniles Act 1973 and any additional recommendations for reform. Consider ways of obtaining technical support for drafting due to the restricted drafting capacity of the Office of the Attorney General at present. Base any recommendations for reform on solid stakeholder consultation and an emphasis placed on addressing weaknesses in the Act through policy/protocol/court directions, rather than change of the Act, where legal discretions permit, to retain the Act's existing discretions and flexibility. **Relevant actor: NCCC**
- 1.3-R1.2** Re-sign the existing Protocols immediately and distribute multiple copies to all relevant Government services together with briefings on their contents and clarification that they continue to apply as practice until rescinded. The provisions should be reviewed and revised in the longer term. **Relevant actors: Fiji Police, DSW, Ministry of Health, Ministry of Education**
- 1.3-R1.3** Develop internal policies and protocols, including Court Directions, in the following areas and seek technical assistance to expedite the process if necessary:
- Social Welfare, Courts: guidelines and criteria for supportive and protective interventions;
 - Social Welfare: Minimum standards of qualification and training of social workers.
- First priority, however, should be given to consolidating and implementing existing policies and protocols. **Relevant actor: DSW**
- 1.3-R1.4** Continue the work by the NCCC towards the creation of a national child protection policy. Pursue individual, specific departmental policies, based on the provisions of the national policy, in all areas of government. **Relevant actor: NCCC**
- 1.3-R1.5** Undertake further research into the special needs of disabled children within the current protection system with a view to informing appropriate law and policy reform for this especially vulnerable group. **Relevant actor: NCCC**

Family separation and alternative care

- 1.3-R2.1** Reform the Juveniles Act 1973 as per Recommendation 1.1 above. **Relevant actor: NCCC**
- 1.3-R2.2** Submit the Report for Children: A Review of Laws Affecting children, Fiji Law Reform Commission, May 2000 to the Office of the Attorney General together with a submission outlining this report's recommendations in relation to the Adoption of Infants Act 1944, along with any additional recommendations for reform, and incorporating appropriate common law developments. Consider ways of obtaining technical support for drafting due to the restricted drafting capacity of the Office of the Attorney General at present. Base any recommendations for reform on solid stakeholder consultation. **Relevant actor: NCCC**
- 1.3-R2.3** Develop internal policies and protocols, including Court Directions, in the following areas and seek technical assistance to expedite the process if necessary:
- Social Welfare, Courts: guidelines and criteria for supportive and protective interventions;
 - Social Welfare: Minimum standards of qualification and training of social workers;
 - Social Welfare: Guidelines for assessment of prospective adoptive parents.
- First priority, however, should be given to consolidating and implementing existing policies and protocols. **Relevant Actors: DSW, Chief Justice**

Violence against children

- 1.3-R3.1** Submit Final Phase Three Consultation Workshop: the Legal Response to Domestic Violence, Fiji Law Reform Commission, Domestic Violence Reference to the Office of the Attorney General together with a submission supporting the tabling of the draft Domestic Violence Bill for promulgation/parliamentary assent. **Relevant actor: NCCC**
- 1.3-R3.2** Reform the Juveniles Act 1973 as per Recommendation 1.1 above. **Relevant actor: NCCC**
- 1.3-R3.3** The Ministry of Education to develop clear and public policies and protocols addressing the use of corporal punishment in schools and inter-student bullying and sexual harassment. **Relevant actor: Ministry of Education**
- 1.3-R3.4** Amend the Education Act 1966 to reflect the Common Law prohibition on the use of corporal punishment in schools. **Relevant actor: Ministry of Education**

Sexual abuse and sexual exploitation of children

- 1.3-R4.1** Support the new draft Crimes Act (which replaces the existing Penal Code 1944) and Criminal Procedure Code. **Relevant actor: NCCC**

Abduction, sale and trafficking

- 1.3-R5.1** Support the new draft Crimes Act (which replaces the existing Penal Code 1944) and Criminal Procedure Code. **Relevant actor: NCCC**

- 1.3-R5.2** Develop policies, guidelines and inter-agency protocols for police, DSW and Ministry of Immigration to address prevention, prosecution, repatriation and rehabilitation for child victims/survivors of trafficking. First priority, however, should be given to consolidating and implementing any complimentary existing policies and protocols. **Relevant actors: Fiji Police, DSW, Ministry of Immigration**

Child labour and children in street situations

- 1.3-R6.1** Prepare a submission for the Office of the Attorney General identifying specific recommendations for reform to the Employment Relations Promulgation 2007 and associated regulations. The submission should contain drafts of the proposed provisions to avoid potential delays in the promulgation process. **Relevant actor: Ministry of Labour**

Child-friendly investigative and court processes

- 1.3-R7.1** Reform the Juveniles Act 1973 as per Recommendation 1.1 with an emphasis on addressing weaknesses in the Act through policy/protocol/court directions, rather than change of the Act, where legal discretions permit. **Relevant actor: NCCC**
- 1.3-R7.2** Support the new draft Criminal Procedure Code. **Relevant actor: NCCC**
- 1.3-R7.3** Re-sign the existing Protocols [listed in Section One] immediately and distribute multiple copies to all relevant Government services together with briefings on their contents and clarification that they continue to apply as practice until rescinded. Review and revise their provisions in the longer term. **Relevant actors: Fiji Police, DSW, Ministry of Health, Ministry of Education**
- 1.3-R7.4** Draft a new chapter on child witness procedures and protections and include it in the existing Magistrates Bench Book with supporting training through the annual Judicial Conference. **Relevant actor: Chief Magistrate**
- 1.3-R7.5** Complete and distribute the ODPP Prosecutors' Manual with training as soon as possible. The Manual should make clear and detailed provision for specific procedures for child witnesses. **Relevant actor: ODPP**
- 1.3-R7.6** Refine and clarify the existing Police "No Drop" policy and disseminate copies widely throughout the Police Force. **Relevant actor: Fiji Police**

Rehabilitation

- 1.3-R8.1** The ODPP to establish a separate policy, or incorporate guidelines into the proposed Prosecutors' Manual, addressing applications for compensation for victims/survivors of crime. **Relevant actor: ODPP**
- 1.3-R8.2** All agencies dealing with child victims/survivors of neglect, abuse and exploitation put in place clear privacy and confidentiality policies, supported by institutional/departmental training and awareness-raising, copies of which are provided to all service users. **Relevant actors: All government services and agencies dealing with children**
- 1.3-R8.3** Incorporate rehabilitation support and referral measures into existing policies and protocols for handling of victims/survivors of neglect, abuse and exploitation, such as the:
- Protocol between the Fiji Police and the Department of Social Welfare regarding protective services for children and young people in Fiji May 2004;
 - Protocol between the Fiji Police and the Ministry of Health regarding the provision of Medical Services May 2004;
 - Memorandum of Understanding between the Fiji Police and the Ministry of Education and Technology.
- Relevant actors: Fiji Police, DSW, Ministry of Health, Ministry of Education**

Children in conflict with the law

- 1.3-R9.1** Reform the Juveniles Act 1973 as per Recommendation 1.1 with an emphasis on addressing weaknesses in the Act through policy/protocol/court directions, rather than change of the Act, where legal discretions permit. **Relevant actor: NCCC**
- 1.3-R9.2** Develop Police and DSW inter-agency protocols to address referral and case management of offenders, including where no charges are to be laid and/or the offender is below the age of criminal responsibility. **Relevant actors: Fiji Police, DSW**
- 1.3-R9.3** Revise Force Standing Orders provisions relating to treatment of young offenders and address weaknesses through the issuing of Force Routine Orders for immediate impact with a long term view of amending the Force Standing Orders. **Relevant actor: Fiji Police**
- 1.3-R9.4** Establish guidelines for both formal and informal diversion processes for Police, ODPP and Courts. **Relevant actors: Fiji Police, ODPP, Judiciary**
- 1.3-R9.5** Revise and finalise the existing Family Conferencing procedures. **Relevant actor: DSW, Fiji Police**
- 1.3-R9.6** Undertake further research into the accessibility of the current justice system and the impact of its procedures on disabled children with a view to informing appropriate law and policy reform for this especially vulnerable group. **Relevant actor: NCCC**
- 1.3-R9.7** Consider court directions/amendments to the existing Fiji Magistrates Bench Book to plug identified gaps in the Juveniles Act 1973, where the discretion exists, and to address areas of practice raised as a concern in the Institutional Stocktaking component of this report. **Relevant actor: Chief Justice**

1.3-R9.8 Issue court direction to prohibit the admission of any evidence obtained through police interview of a child under the age of 18 who is not accompanied by an independent support person. **Relevant actor: Chief Justice**

Refugee/unaccompanied migrant children

1.3-R10.1 Give consideration to enacting the relevant provisions of the UN Convention relating to the Status of Refugees 1951 into domestic law, taking into account the specific protective measures required for children. **Relevant actor: NCCC**

Children in armed conflict

1.3-R11.1 Prepare a submission for the Office of the Attorney General identifying specific recommendations for reform to the Republic of Fiji Military Forces Act 1949 and associated regulations. The submission should contain drafts of the proposed provisions to facilitate the reform process in light of the limited drafting capacity in the Office of the Attorney General at this point in time. **Relevant actor: NCCC**

Information access

1.3-R12.1 Consider amending Television Decree 1992, Broadcasting Commission Act 1952, Cinematographic Films Act 1971, Fiji Islands Audio Visual Commission Act 2002 to clearly address censorship issues for child audiences, or consider the creation of a new Censorship Act. **Relevant actor: NCCC**

Birth registration

[No recommendations for birth registration]

Cross-cutting recommendations

1.3-R14.1 There is limited specific provision in law and policy for child-friendly complaints avenues. Establish internal policies and procedures outlining confidential, child-friendly complaints processes for all government services that deal with children and young people. The Ombudsman and the Human Rights Commission, as the independent complaints avenues in Fiji, should create clear procedures for receiving and addressing complaints from children which are widely disseminated to young people. **Relevant actors: Ombudsman's Office, Human Rights Commission**

1.3-R14.2 Law and policy is essentially silent on the collection of disaggregated data in government departments and services. Develop and implement clear policies and procedures dealing with disaggregated data collection for all government departments and services. **Relevant actors: All Government agencies and departments**

3.4.2 Detailed findings for Outcome 2

Overview

Outcome 2 is made up of 4 Outputs. Output 2.1 examines plans and resources in place for government and other mandated child protection services. Output 2.2 looks at capacity building and monitoring of children's homes and institutions as well as the promotion of family-based care. Output 2.3 deals with inter-agency cooperation and procedures for handling child protection cases. Output 2.4 explores the capacity of Social Welfare Officers to prevent and respond to child protection issues.

In relation to international learning in the area of social services for child protection, the UNICEF East Asia Pacific Regional Office has developed a toolkit containing some guidelines for an 'ideal system'. The following is suggested: A specialised government agency is designated as responsible for child and family welfare services (including statutory) that:

- Has well-defined responsibilities with a mandate to prevent and respond to child protection issues;
- Is governed by child-centred and family-focused guidelines (solutions-focused/strengths-based approach), protocols and standards;
- Promotes integrated and child-friendly services for child victims/survivors and their families through coordination and a referral system with health, education and justice and CSOs;
- Has clearly accessible and identified services for children and families at sub-district level;
- Has designated practitioners at all administrative levels to carry out tertiary interventions and coordinate preventative services (qualified social workers, professional or para-professional social workers);
- Is adequately resourced;
- Has a functioning information management system for case management, able to provide statistics (includes surveillance system at local level and a database);
- Has mechanisms in place for reporting abuse that are child-friendly (telephone hotline, complaints mechanisms, focal persons);
- Has inter-agency guidelines in place and which consist of: agencies' roles and responsibilities; directory of services; reporting mechanisms and practice; practices and procedures after reporting (case management, care and protection plans, case review); managing information in child protection; criminal proceedings; principles for working with children and families;

- Has clear criteria and procedures for making decisions for designated child protection officials
- Ensures professional and para-professional social workers and civil society service providers receive specialist training (child protection and family systems, child and family welfare system functioning, mechanisms and tools);
- Provides a continuum of services between family support, tertiary intervention and out-of-home care.

The following overview is designed to provide a basic summary. It consists of a table for each institution and then text summary of strengths and opportunities. The table is based on a child protection toolkit developed by the UNICEF East Asia Pacific Regional Office (EAPRO) in late 2008. It has been adapted and simplified by researchers to consider the Pacific context.¹²²

WHOLE OF GOVERNMENT				
The below components constitute an ideal overarching child protection system at a whole of government level in the Pacific.				
#	Core component	Not compliant	Part-compliant	Fully compliant
1	A national inter-sectoral body for children exists to advise government and address issues of child protection and child justice.			√
2	A national policy exists addressing child protection and referencing legislation, regulations and standards to protect children. Ideal components of a National Child Protection Policy include:	X		
	• Definitions of abuse, neglect and exploitation • Guiding principles (best interests of the child, child and family participation, non-discrimination) • Outlines child protection operational areas and essential services that should be offered • Outlines lead agency or government focal point for child protection • Outlines inter-agency collaboration and annexes protocols agreed between different social welfare, health, education and justice agencies and non-government organisations • References legislation, regulations and standards for child welfare, child victims / survivors and child offenders • Outlines an independent supervisory or monitoring body and • responsibilities such as a Children's Commissioner or Ombudsman or Human Rights Office • Outlines the requirements to maintain data and conduct research on child protection • Mandates that financing and strategic planning at a national level incorporate child protection and child justice services		√ although there is not a written national policy, there are various internal policies such as the 'Child Protection Intervention Guide 2008' which do cover some of these components	
3	A mechanism or agency is available to conduct research and gather data on child protection and child justice.		√	
4	A registration and accreditation system exists for institutions and families providing out-of-home-care for children.	X out of home care		√ institutions
5	Social work and psychology tertiary training is available in the Pacific. Child protection and child justice training is available to law students within their degrees.	X psychology	√ some juvenile justice training available for law students	√ social work discontinued in 2009
6	Government disaster planning incorporates child protection principles and the lead agency / focal point for child protection is cognizant of responsibilities for children in the case of a disaster.			√
7	There is an independent supervisory and monitoring body for child protection and child justice such as a Children's Commissioner, Ombudsman or Human Rights Complaint Mechanism. The independent body is able to identify any justice sector officials who violate children's rights and ensure that agencies appropriately sanction such violations.	X		

¹²² This simplified table has been adapted to the region and to fit the categories of the Institutional Stock take component of the Pacific Child Protection Baseline Research. That is, researchers considered child protection and justice systems at a whole of government level and then within different government departments and civil society organisations. This matrix does not go into specific areas of child protection such as trafficked children, street children or child labour as the aim of the institutional stock take is to look at systems as a whole to support children, encompassing groups such as these. This matrix is a basic summary only and designed to assist the reader gain an overview of each institution. It is recommended that the EAPRO Child Protection Toolkit and country / region specific factors be considered when developing similar tools for other baseline studies.

Selected strengths and opportunities

Fiji has an active National Children's Coordinating Committee (NCCC) with representatives from all pertinent government departments and NGOs. There is a dedicated sub-committee for child protection, the Inter-Agency Committee on Child Abuse, Neglect and Abandonment (ICCANA). An opportunity exists for the NCCC to improve its efficacy through funding of a full time secretariat.

An opportunity exists to develop a National Child Protection Policy with standard definitions of abuse and neglect. This would also assist the development of a reporting protocol. The responsible groups for this would be the ICCANA and Department of Social Welfare.

Use of the CPBR data and data collected for the First Periodic Report on the UNCRC, and some of the innovations in the DSW's data section may provide impetus to collect even more centralized data about children in the social welfare and justice sectors. An opportunity exists to strengthen the gathering of data at a whole of government level.

Fiji Government departments and some NGOs have utilized the AusAID funded 'Australia-Fiji Justice Programme' to full capacity. As part of this programme a registration and accreditation programme is in full swing for institutions for children. An opportunity exists for similar work to be undertaken for the establishment of an out-of-home care / kinship / foster care system.

An exciting development in Social Work training was the introduction of the Social Work Degree at the University of the South Pacific (Suva Campus) in 2006. Unfortunately researchers were informed that due to resource issues the course would not continue after 2009. Psychology is not offered at this university. The closest universities offering bachelor level courses are Australia, New Zealand and Hawaii. An opportunity exists to gather resource support to reinstate the course or to provide scholarships and inter-university agreements for the study of these courses.

The January 2009 floods in Fiji provided an example of the disaster preparedness of the lead agency for child protection, DSW. To its credit, there were few if any reports of child protection issues during the floods. This was verified by UNICEF's rapid assessments at that time.

Unfortunately, Fiji does not have a politically independent monitoring body or complaint mechanism such as a Children's Commissioner. It is understood that the Fiji Human Rights Commission does not carry out this function. An opportunity may present for the establishment of such an office, perhaps under an Ombudsman, in the future.



SOCIAL WELFARE / HUMAN SERVICE INSTITUTIONS

The below components constitute an ideal situation for a social welfare / human service department in the Pacific.

#	Core component	Not compliant	Part-compliant	Fully compliant
1	A social welfare department exists with a legal mandate to provide child and welfare services.			√
2	The structure of the department situates child and family services within a broader social welfare services system and has a single section mandated to protect children. It has a clearly articulated structure for roles, responsibilities and accountabilities from the national level through all administrative levels. It coordinates and refers cases with other agencies and civil society organizations.		√ opportunities exist to improve the coordination and referral of cases	√
3	Policies and process An ideal set of policies includes the following: • Mandate and responsibility of the department • Guiding principles – i.e. solutions-focused, strengths-based approach • Integration of services and continuum of services so children are able to progress through services and are not lost in the system • Services that are accessible and identifiable at a district and sub-district level • Information management systems • Reporting systems – consideration of mandatory reporting • Complaint mechanisms and quality improvement including communication and feedback systems • Clear criteria for decision-making around interventions • Case management policy and procedures including care and protection plans and practice • Specialist qualifications and training for staff, minimum performance standards, ongoing and recurrent staff training linked to accreditation • Inter-agency protocols with pertinent agencies including: health, education, police, courts, public prosecutions, youth divisions, and agreements with CSOs who provide services for children¹²³ • Policy that removal of children from families is a last resort • Out-of-home care minimum standards, regulations and guidelines include an emphasis on kinship and foster care and adoption as alternatives to institutional care • Minimum standards to govern services provided by government and NGOs including defining types and quality of services, division and articulation of roles, responsibilities and accountabilities and compulsory accreditation and inspection of all child protection service providers	X reporting systems, complaint mechanisms, kinship and foster care, minimum standards for all services provided by government and NGOs	√	√ case management policy and procedures, protection plans, minimum standards for institutional care
4	Services Primary- prevention • Prevention, awareness and early intervention services – particularly in villages and remote areas. (Some areas have had a good basis in knowledge of child protection from the former Pacific Children's Programme). • A directory of services for child protection cases and juvenile justice matters is accessible to all social welfare officers, CSOs and the public.			√

¹²³ These should include agency-specific roles and responsibilities; reporting and referral mechanisms; practice and procedures after reporting (case management, care and protection plans, case review); managing information and sharing; principles for working with children and families.

#	Core component	Not compliant	Part-compliant	Fully compliant
5	Secondary - surveillance - A designated surveillance service to receive reports of abuse, neglect or exploitation from mandated officials and voluntary members of the public.¹²⁴ Ideally this would be a centralised telephone hotline.¹²⁵ - Social Welfare Officers in partnership with NGOs provide education and training to teachers and counsellors in schools to identify at-risk children and design appropriate interventions. - Daycare, respite care (including for children with disabilities) and safe home services exist (government or NGO). - Facilitation of registration, accreditation, inspection and compliance of all child protection service providers.	X		
6	Tertiary – family support and intervention - Case management for children who have experienced abuse - that is a Social Welfare Officer who is able to visit the child and monitor his/her situation and help to plan for the future of the child and family. (This may include family group conferencing where the whole family is involved in decisions/actions relating to the children where there are no criminal charges). - Support service is in place for child victims / survivors who come to the attention of the police or healthcare officials, i.e. they are assigned a Social Welfare Officer or trained volunteer to support them and a victim / survivor / witness support programme exists. Tertiary - rehabilitation - Psychological or counselling services for children and families or, if there is not sufficient training, a referral process to NGOs.		√	
7	Out-of-home care - A system of kinship care or foster care as an alternative to institutional care would be ideal in the Pacific.¹²⁶ - Where there are institutions such as children's homes, hostels, transitional accommodation, or accommodation for children with disabilities in schools they are registered and accredited against standards and monitored by the dedicated agency. - There is a care and protection plan for each child in an institution¹²⁷/ out-of-home-care and some support to family whilst child is in care. - There is a formal adoption process complying with international law for both in-country and overseas adoptions.	X kinship or foster care, accreditation of other residential accommodation		√ adoption process, care and protection plan for children in institutions
8	Capacities (financial, human, physical) - A financing and implementation or work plan articulates the budget and priorities for child protection including provision for services and allocation to salaries, training, inspection, cross-programme areas and planning, reporting, monitoring and research. - Professional and para-professional social workers and civil society providers receive specialist training in child protection, child justice and issues for children with disabilities. Professional child psychologists are available or, in the absence of these, specially trained counsellors who have training in post-trauma stress and mental health for children.		√	

¹²⁴ Current debate about the introduction and efficiency of mandatory reporting should be considered in relation to the Pacific region. Some arguments consider the impact on resources prohibitive (critics of the Australian system) and voluntary reporting (such as system in the UK) is more efficient. Other arguments articulate that mandatory reporting of cases of abuse and neglect of children is an essential responsibility of the State in protecting children. None of the States considered in the CPBR have mandatory reporting, much of the benefit of a mandatory system is the awareness it generates and the presence of a penalty for not reporting a case of abuse or neglect. At least as a pilot system of mandatory reporting in the Pacific States considered in this report could have some very positive effects in the community.

¹²⁵ When a report is made the service would include the recording and ranking of risk and urgency of each report and the subsequent investigation of each report by an official or, if resources are limited, trained volunteer / village leader or member of a CSO. The result of the investigation would then need to be fed back to the designated service and a recommendation made about whether to formally action the situation with case management. (This may now be accessible to many people in the Pacific due to the increased coverage of mobile telephones in 2008, particularly in Vanuatu and the Solomon Islands).

¹²⁶ In the Pacific many children are placed with relatives or live with extended family (without birth parents present). Ideally these living arrangements would be registered with the DSW as kinship care.

¹²⁷ Care and protection plans, through the contribution of different support services, aim at: reconnecting the child with family members, friends and community members, fostering social connections and interactions and normalizing daily life; providing a sense of competence and restoration and control of his/her life; and building on and encouraging the child's resilience.

#	Core component	Not compliant	Part-compliant	Fully compliant
	A data system exists that records information about reports and is maintained in a national database. The information system incorporates a primary prevention surveillance system at a local level capable of recording concerns by the public regarding instance of abuse, neglect or exploitation of children. The system should reference case files which are kept by name and birth date. Social Welfare Officers operate at regional levels and formal relationships exist with local communities, villages and chiefs.			

Selected strengths and opportunities

Fiji's Department of Social Welfare (DSW) provides a level of service leading other nations of the Pacific. Situated in the Ministry of Health, Women and Social Welfare, the DSW, has responsibility for human services in Fiji. This includes: social welfare payments (Child Protection Allowance, Poverty Alleviation Fund, Family Assistance Payment); child protection (including standard-setting function for children's homes and case management oversight of children in those homes); probation for young people diverted from the courts and from detention; prison welfare reports for inmates before release; adoptions; housing assistance; marriage counseling; and oversight of services for children and adults with disabilities.

Policy and Procedures

DSW has a number of policies relating to child protection including an Inter-Agency Guideline for the Handling of Neglected or Abandoned Child Abuse Victims; a Child Protection Intervention Guide 2008; a policy that no child is removed from its family except as a last resort; adoption policies; and minimum standards for children in institutional care. Opportunities exist for further development of reporting and information management protocols; further inter-agency protocols and minimum standards for children in out-of-home care not covered by the current arrangements.

Services

There are some leading services, both government and NGOs in Fiji for the protection of children. Recently an online Community Services Directory has been established through the DSW which will be an invaluable tool for all service providers and those wishing to refer clients or find services. Some case management and case planning services also exist through the DSW. The sector has a good history of primary prevention services and education through the former Pacific Children's Programme. Opportunities exist for: the development of a centralized reporting hotline/surveillance service and/or children's helpline; the expansion of case management and protection planning; crisis services for children coming to the attention of police or health workers; further psychological services for victims/survivors of trauma in the community; and a possible kinship/foster care system.

Capacities

Some capacities (particularly financial) within DSW and the sector may have changed since the time of research due to political reasons. The capacity of Social Welfare Officers to implement child protection case management was significantly increased in 2008 due to training and technical assistance by the Australia Fiji Community Justice Project. The Fiji Association of Social Workers provides further opportunity for up-skilling and training of Social Welfare Officers.

HOSPITALS AND HEALTH CENTRES

Hospitals and health centres (State-run and NGOs) will see children who come following an instance of abuse or neglect and who need tertiary services. The following are some basic services for children that can be offered by hospitals and health centres in the Pacific.

#	Core component	Not compliant	Part-compliant	Fully compliant
1	Child Protection Policy including Code of Conduct and background employment checks for health professionals.	X		
2	Formal collaboration protocols with the social welfare department and police articulating that a Social Welfare Officer or dedicated hospital social work professional is on call for child victims/survivors. The agreement will provide child victims/survivors with immediate child-sensitive medical treatment. The agreement will mandate that reports will be immediately provided to police for evidence and free of charge to the victim/survivor.		√	
3	Health professionals have the knowledge, skills and motivation to identify and report suspected incidents of violence, abuse and exploitation to a dedicated reporting hotline overseen by a specialised agency / focal point for child protection.	X		
4	Family planning and adolescent health services are available to children including child-friendly counseling and rehabilitation in case of health consequences of sexual and physical abuse.		√	
5	Standard systematic primary prevention programmes which include child protection principles are carried out by health professionals/para-professionals (home visiting, new and prospective parents education/ advice, alcohol and substance misuse reduction campaigns etc.).		√	

Selected strengths and opportunities

A Memorandum of Understanding (MOU) exists with the Ministry of Health and Police for hospitals to give victims/survivors immediate attention. An opportunity exists to review the implementation of this MOU and improve the procedures. Hospitals or DSW could also assign a staff member to police matters to be on call in the hospital if necessary. This would assist with the gathering of evidence.

An exciting development in 2008 saw the Ministry of Health and Ministry of Education specifically working on incorporating child protection into professional training curricula. An opportunity exists to develop this further.

SCHOOLS AND EARLY EDUCATION

At a primary prevention level, a school (outside of the family) can provide some of the best protection from abuse, neglect and exploitation for children. Universal free education is one of the best ways of ensuring children attend school and do not have to work in school hours. Welfare assistance for children to help them attend school including bus concessions and food is also ideal. Children who attend school can, however, be exposed to some forms of abuse including corporal punishment and bullying by teachers or other students. Within schools the following are some basic protections that can be offered:

#	Core component	Not compliant	Part-compliant	Fully compliant
1	Trained children, parents, teachers and school counsellors are able to educate the school community (including students) about child protection, effects and signs of abuse, acceptable behaviour by adults and other children, and referral points including how to get help		√	
2	A Child Protection Policy exists in all schools and day care centres. This includes: the requirement for a signed code of conduct and background employment checks for teachers; anti-bullying policy (including through current technologies); and corporal punishment bans.	X		
3	Trained, accredited counsellors (who are not teachers) are available for children to go to and make a confidential complaint about any abuse or neglect either at school or outside of school. Teachers are also equipped to advocate for children if approached by child.		√ currently available in schools with over 500 students	
4	Access for children at school to a reporting hotline provided by specialised agency for child protection.	X		
5	Access for school children to the independent supervisory and monitoring body for child protection and child justice such as a Children's Commissioner, Ombudsman or Human Rights Complaint Mechanism.	X		
6	Parents, teachers, school volunteers and other staff have the knowledge, skills and motivation to identify and report suspected incidents of violence, abuse and exploitation to a dedicated reporting hotline overseen by specialised agency for child protection. Parents, teachers, school volunteers and other staff also have knowledge, skills and motivation to action or refer any suicidal threats or attempts by students.		√	
7	Formal collaboration protocols exist with the social welfare department for reporting of cases and agreement about responsibilities where a child who attends the school is on a care and protection plan.		√	

Selected strengths and opportunities

The provision of counsellors in schools with over 500 children is unique in the countries considered as part of the CPBR. Opportunities for counsellors to be provided in smaller schools may now open up. Perhaps there is also an opportunity to monitor the efficacy of these counselling positions and improve on this programme with their input.

Although the Guidelines of the Permanent Secretary (Education Gazette Vol III, 2003) banning corporal punishment are in existence, an opportunity exists for these to be reviewed and incorporated as part of a more holistic Child Protection Policy – both at a departmental level

and at the level of each school. Opportunities for collaboration with Kidslink (children's NGO) and Save the Children may present and could assist MOE in this task.

Baseline data is now available through the NCCC Education Sub-Committee about the extent of child protection in training curricula for teachers and an opportunity now exists to develop a uniform training curriculum.

Opportunities also exist for greater collaboration with DSW for behaviour change within the school community regarding child protection, particularly on issues such as bullying.

BIRTH REGISTRATION

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.

#	Core component	Not compliant	Part-compliant	Fully compliant
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Selected strengths and opportunities

Birth registration was not researched as part of the CPBR Institutional Stocktake for Fiji as it is fully compliant.

YOUTH SERVICES

Youth services in the Pacific are sometimes under the umbrella of social welfare departments but more often than not are provided by separate divisions and NGOs which define 'youth' as anywhere from 15 to 35 years of age. Many youth services are provided by CSOs. Youth services can strengthen and support the protection of children and/or provide some rehabilitation services during probation or following imprisonment.

#	Core component	Not compliant	Part-compliant	Fully compliant
1	Community programmes and services exist to support children and adolescents, particularly children at social risk (e.g.: peer and adult mentoring programmes, drop-in centres, recreational programmes, life skills programmes, employment programmes).		√	
2	Where there are the above programmes Child Protection Policies exist and workers / volunteers have the knowledge, skills and motivation to identify and report suspected incidents of violence, abuse and exploitation to a dedicated reporting hotline overseen by specialised agency for child protection and to action or refer any need for counseling or rehabilitation or suicidal threats or attempts by young people.	X		

Selected strengths and opportunities

The Ministry of Youth and Sports has a National Youth Policy and runs some programmes to support young people such as life skills and employment readiness. Opportunities exist to train and provide information to workers in these programmes and other NGO-provided programmes about child protection. An opportunity exists to begin to develop some youth drop-in centres in Fiji, as there is a level of enthusiasm within the sector to do this.

CHILDREN WHO EXPERIENCE THE JUSTICE SYSTEM AS VICTIMS/SUVIVORS OR OFFENDERS

This section of the overview only considers the institutions in the Justice System. A separate part of the CPBR is dedicated to legislation.

1. WHOLE OF JUSTICE SECTOR (police, courts, prosecution, legal assistance, social welfare)

#	Core component	Not compliant	Part-compliant	Fully compliant
1	A mechanism (such as an inter-agency working group) exists for collaborative planning, implementing and monitoring by all justice sector agencies (police, prosecutors, lawyers, judges, and prison officials) and with social welfare agencies			√
2	There is a clearly articulated structure for roles, responsibilities and accountabilities within individual justice agencies and across the system.		√	
3	There is an information management mechanism across the sector including a case file management system to reduce delays and ensure efficient flow of cases through all stages of the justice system from arrest to adjudication, including a mechanism to flag and expedite all cases involving children.	X		

2. POLICE

The department ideally has the following basic policies, services and capacities:

#	Core component	Not compliant	Part-compliant	Fully compliant
1	Policy - Codes of conduct or ethical standards governing the conduct of police. - Standard operating procedures and referral procedures for all cases involving child victims/survivors and children in conflict with the law. - Arrest is used only as a measure of last resort, and laws/guidelines include restrictions on the use of force or restraints against children. - Parents or caregivers are notified immediately upon the arrest of a child, and are entitled to be present during all investigative and trial proceedings. - The use and duration of pre-trial detention is limited and there are alternative measures in place for supervising children accused pending trial. - Police have broad discretion to resolve cases of children in conflict with the law through diversion. - There are appropriate sanctions which are adhered to for officials who violate children's rights.		√	
2	Services - Child-friendly interview environments and techniques are in place. - There is a specialised unit to handle cases involving children in conflict with the law and child victims/survivors/witnesses			
3	Capacity (financial, human, physical) - A financing and implementation plan exists that includes and identifies allocated resources for special child justice measures. - Child-friendly interview environment (room). - Training for handling cases of child victims/survivors and children in conflict with the law is provided on an in-service basis and incorporated into police academy and induction processes. - Data on reported cases of violence and exploitation of children and children in conflict with the law is systematically collected and appropriately disaggregated.		√	

Selected strengths and opportunities

Policy and Procedures

Fiji's police have some policies in place to protect child victims/survivors and children in conflict with the law. These include: Juvenile Bureau procedures for children in conflict with the law and 'no drop policies' for sexual offences. Opportunities exist to develop holistic policies addressing the needs of children in conflict with the law and child victims/survivors including: codes of conduct for police; standard operating procedures for children in conflict with the law under 18 years of age; presence of parents at police interviews; more formal guidelines about diversion; Family Group Conferencing policy and practice; and renewal of the Memorandum of Understanding (MOU) with Hospitals for collection of evidence in sexual assault cases and the MOU with DSW about the treatment of victims/survivors.

Services

Strengths in services provided include the Child Abuse and Sexual Offences Units (CASOU) in Nabua, Lautoka and Labasa¹²⁸ and the Juveniles Bureau for children in conflict with the law which is in Suva, Nausori, Lautoka and Labasa and services the whole of Fiji. There have been some notable successes in community policing in Fiji, particularly crime prevention programmes in Raiwaqa and Navua and the Police School Involvement Programme. A significant crime rate drop has been noted as a result of the PCYC initiative. Opportunities exist for inter-agency collaboration to support children who attend police interviews and also for improvements in the treatment of children in conflict with the law by the police. An opportunity also exists for clear protocols and procedures to be established for police response to reports of abuse, neglect or exploitation of children. This could be in conjunction with DSW. An opportunity also exists to revive the roster system of on-call Social Welfare Officers.

¹²⁸ CASOU services only extend to cases of sexual assault of children. They do not address physical abuse or violence against children.

Capacities

Opportunities exist to extend the services of the Child Abuse and Sexual Offences Unit (CASOU) to investigate any form of child abuse reported to the police and to link the victim/survivor to support services throughout the legal process. This would also require that funding and resources to CASOU be dramatically increased. Opportunities exist to increase human capacity including specific training for the general police service on juvenile justice and introducing a trained counsellor

in the Juveniles Bureau. Child rights, child justice and child sensitization training could also be incorporated into the Police Academy curriculum. An opportunity for counseling training for Juveniles Bureau officers would enable those officers to train key officers from police posts. Physical resources such as transport would provide an opportunity to improve the services of both the Juveniles Bureau and CASOU.

3. COURTS

The courts ideally have the following basic policies, services and capacities:

#	Core component	Not compliant	Part-compliant	Fully compliant
1	Policy - Codes of conduct or ethical standards governing the conduct of Judges and court officials; - Standard operating procedures and referral procedures for all cases involving child victims/survivors and children in conflict with the law; - Judges have broad discretion to resolve cases of children in conflict with the law through diversion; - Special rules of procedures for conducting criminal trials involving children are in place to ensure they are conducted in an atmosphere of understanding which allows the child to participate fully; - Pre-sentence or social inquiry reports are prepared and considered prior to imposing sentence on a child (requires collaboration from social welfare department); - Deprivation of liberty is imposed only as a measure of last resort, for children who commit serious crimes of violence or persist in committing other serious offences; - There are appropriate sanctions which are adhered to for officials who violate children's rights.		√	
2	Services - Measures are in place to manage cases involving children so that they are expedited and tried by a specialised court (or specially designated judge) separate from adult court proceedings. - Measures are in place to protect the child's privacy, such as closed court proceedings and bans on publishing the child's identity.		√	
3	Capacity (financial, human, physical) - A financing and implementation plan exists that includes and identifies allocated resources for special child justice measures. - Child-friendly court procedures are in place, including alternative arrangements for giving testimony such as screens, video-taped evidence and closed circuit television. - Training for handling cases where children are involved is provided on an in-service basis and incorporated into law school syllabus (University of the South Pacific), and induction process. Training applies to judges and also to clerks. - Data on reported cases of violence and exploitation of children and children in conflict with the law is systematically collected and appropriately disaggregated. - Trained staff/volunteers provide court support and referral services to child victims/survivors.		√	

Selected strengths and opportunities

Policy and Procedures

A strength of the current system is that imprisonment is rarely considered for children, with suspended sentences being a common form of alternative sentencing. Many opportunities exist for improvements to policy and procedure for children in the courts. These include opportunities to: develop written procedures for children in conflict with the law in line with the Juvenile's Act; develop a court room child justice manual/bench book which is distributed and accompanied by comprehensive training for all judges, magistrates and all court officials in ideal courtroom set-up and process for children in conflict with the law and child victims/survivors; develop formal written guidelines for family group conferencing and conduct training for Social Welfare Officers together with awareness raising for magistrates.

Opportunities to improve the situation of child victims/survivors include: involving them more in the sentencing process (as requested by children in workshops 21.6.08); developing special written procedures for matters involving child witnesses and victims/survivors; the Chief Justice issuing a court direction that the impact on the victim/survivor be taken into account in all bail applications and conditions restricting contact with the victim/ survivor or their family.

Services

Strengths in terms of services provided by the court include the successful pilot Problem Solving Courts in Ba, and the Community Based Corrections initiative involving the systematic implementation and use of probation and community work orders in Ba, Navua and Suva Magistrate's Courts. Another strength is the use of family group conferencing in Nadi at the magistrate level. Opportunities for improvement include: the continuation of the rollout of the Community Based Corrections Project; the issue of pre-sentencing reports by DSW for all child matters which reach sentencing; and the production of victim/survivor impact statements by the DPP or other mechanism. An opportunity to improve the promotion of rights of

children in child protection / care and protection cases also exists. This is through the development of a protocol/MoU between the courts and DSW assigning clear responsibilities for all actions required under the Juvenile's Act for protection proceedings and alternative care arrangements.

Capacities

Strengths of the current system include: the separate juvenile court in Suva for all matters involving children in conflict with the law under 18. It has a lowered Magistrate's Bench and a policy of removal of wigs and gowns. The court operates as a closed court with a private court list. A legal aid representative, a social worker from DSW and three church representatives attend Juvenile Court sessions. However, opportunities for improvement also include: a role for police in making sure children are brought to that court; and outside of Suva that individual magistrates adhere to and establish separate child court days so that services such as Legal Aid and DSW can be coordinated to protect the child. Strength in Suva is that closed circuit television (CCTV) is available for children to provide evidence. Opportunities exist to extend this technology and also to encourage the routine use of screens at the Magistrate Court level. Further opportunities to improve physical capacities include: the provision of a separate courtroom designed for children with offices to accommodate court service providers and waiting areas for parents/guardians, children and support persons; establishment of information desks at the court entrance with verbal and printed information available to child victims/survivors and offenders on the court process, legal assistance, rights etc. staffed from 9am each morning; and the provision of collapsible screens provided to the DPP and police prosecutors to bring to court as needed, and return to the prosecutions department when not in use. Opportunities exist to put in place data training and systems in all courts, enabling disaggregation of data based on the age of the victim/survivor as well as of the offender. In terms of human capacity, an opportunity exists to provide specialised intensive training in child justice principles and alternative sentencing for designated juvenile court magistrates and officials.

4. PUBLIC PROSECUTOR / LEGAL AID

Prosecutors and defenders ideally have the following basic policies, services and capacities:

#	Core component	Not compliant	Part-compliant	Fully compliant
1	Policy - Codes of conduct or ethical standards governing the conduct of prosecutors / lawyers; - Standard operating procedures and referral procedures for all cases involving child victims/survivors and children in conflict with the law; - Prosecutors have broad discretion to resolve cases of children in conflict with the law through diversion.	X no specialist operating procedures or referral process for legal aid or DPP for children		✓ codes of conduct as part of legal practice admission
2	Services - Guarantee of children's right to participate in the proceedings, to legal representation. - There is a special unit or designated specialist prosecutor / defender to handle children in conflict with the law.	X no specialist unit / prosecutor		✓

#	Core component	Not compliant	Part-compliant	Fully compliant
3	Capacity (financial, human, physical) - A financing and implementation plan exists that includes and identifies allocated resources for special child justice measures. - Training for handling cases where children are involved is provided on an in-service basis and incorporated into law school syllabus (University of the South Pacific), and induction process. Training may be incorporated with judges and court officials. - Data on reported cases of violence and exploitation of children and children in conflict with the law is systematically collected and appropriately disaggregated.	X		

Selected strengths and opportunities

Strength of the current structure is that the DPP has the power to divert children in conflict with the law by withdrawing charges. However, an opportunity exists to develop this policy so that it is used in practice. Opportunities exist for the further protection of victims/survivors as this policy is implemented. Another innovation is that a manual with a checklist is currently being prepared for all prosecutors which aim to systematise victim/survivor/witness-sensitive procedures. Strengths of current Legal Aid procedure include the prioritization of child matters for services and the unwritten policy (supported by the Strategic Plan) not to turn away any child applicant. Opportunities existing for prosecutors include: the establishment of clear protocols for handling matters involving child victims/survivors and offenders accompanied by thorough training for existing police prosecutors in child sensitisation and child justice principles; establishment of communication and referral protocols between the Juveniles Bureau and police prosecutions; provision of training of trainers to the two designated children's matters prosecutors in the DPP; and internal trainings to be performed in relation to all aspects of child-friendly practice. Opportunities for Legal Aid services include: establishment of a free telephone advice hotline/internet advice service; written procedures or guidelines based on child justice principles to be established for handling of child matters; improved communication with courts for hearing dates; referral of children in conflict with the law to other services (to be assisted by online Community Services Directory currently being produced by DSW). Of course, opportunities for training would be embraced by all lawyers (together with training modules for future internal trainings) on child justice principles, alternative sentencing, child sensitisation and children's rights. Any training provided must be accompanied by regular follow-up consultations to address obstacles in relation to implementation of the principles conveyed by the training. (Advocated by Legal Aid – DPP and to seek technical assistance from RRRT / SPCYCC / UNICEF).

5. DIVERSION AND ALTERNATIVE SENTENCING

The below components constitute an ideal overarching child protection system at a whole of government level in the Pacific.

#	Core component	Not compliant	Part-compliant	Fully compliant
1	A responsible authority (e.g. probation, community-based corrections, or social welfare agency) has been designated as responsible for regulating and monitoring diversion and alternative sentencing programmes.			√
2	Traditional bodies are acknowledged as part of the diversion / alternative sentencing process; work is ongoing to skill traditional leaders in principles of child protection and diversion/alternative sentencing.		√	
3	Policy - Clearly articulated structure. - Facilitation of registration, accreditation		√	
4	Services - A case management and referral system is in place. - Links to adequate outreach programmes (community-based programmes) including mediation, restorative justice programmes, counselling and supervision) in order to facilitate diversion (pre-police charge or court sentence). - Links exist to adequate outreach programmes (community based programmes) to support alternative sentences, including: probation; care, guidance and supervision orders; counselling; community service work opportunities; education and vocational training etc.		√	

#	Core component	Not compliant	Part-compliant	Fully compliant
5	Capacity - An information management system is able to provide statistics and useful data for case management. - Professional or para-professional social workers are capable of providing development programmes for children in conflict with the law.		√	

Selected strengths and opportunities

Fiji has a strongly structured diversion/alternative sentencing division within the DSW. Standard Operating Procedures were produced for Community Corrections in 2008. A major first in the region is the successful Community Based Corrections Project. This is an initiative involving the systematic implementation and use of probation and community work orders and has been piloted in Ba, Navua and Suva Magistrate's Courts. A Draft Working Model for Community Corrections was developed as part of the Australia / Fiji Community Justice Project consultation in 2008. It includes: a) forming partnerships with government departments and NGOs; b) a court advice service; c) community participation; d) probation staff; and e) appropriate training.

Opportunities to further improve this initiative include: implementation of the initiative Fiji-wide; establishment of a community corrections management committee; additional training and support for staff, volunteers and service providers; specific case management training for all district managers, officers in charge of locations and staff who are designated as probation officers; implementation of a monitoring and evaluation policy that regularly collects and analyses performance data; establishment of a Community Corrections Advisory Committee (DSW) to provide a forum for major stakeholders to have input into programme development, provide programme oversight and accountability and promote community corrections in the courts and community.

6. OTHER SERVICES FOR CHILDREN IN THE JUSTICE SYSTEM

The following services are ideal for children who come into contact with the justice system. They can be provided by government and NGOs.

#	Core component	Not compliant	Part-compliant	Fully compliant
1	Victim/survivor/witness support programme to familiarize children with the court process and provide support at all stages of the process. It includes measures to protect the safety of child victims/survivors and their families and to prevent intimidation and retaliation		√	
2	Compensation for victims/survivors In the Pacific resources limit State sponsored victims of crime schemes. However, in many Pacific nations there are traditional compensation schemes. It is imperative that the best interests of the child and child participation are considered in these traditional procedures and reconciliation ceremonies.		√	

Selected strengths and opportunities

Attention to victims/survivors of crime in general has been spear-headed by the Australia-Fiji Community Justice Project during 2008. An innovation following this project is the production of a draft victim's/survivor's charter outlining the DPP's commitment to victims/survivors of crime. Officers of that project have also been active in promoting victim/survivor support groups. Opportunities presented by this

project include a viability study into a Victims' Compensation Scheme with the option of a court fine levy system for all criminal matters considered as a funding option in light of resource limitations. Further opportunities to come out of this work include the consideration of child victims/survivors particularly in traditional practices.

7. PLACES OF DETENTION

(including police custody, pre-trial detention and prisons)

These are basic elements around places of detention:

#	Core component	Not compliant	Part-compliant	Fully compliant
1	Policy - Regulations are in place setting special standards for all children deprived of their liberty; - Codes of conduct or ethical standards are in place governing the conduct of prison officials; - There are appropriate sanctions which are adhered to for officials who violate children's rights.			√
2	Services - All children deprived of liberty have access to effective complaints procedures concerning all aspects of their treatment. - There is an effective system for inspection and monitoring of all institutions in which children may be deprived of their liberty.	X		
3	Children released from detention are provided with support for their reintegration into the community. An authority (or NGO) has been designated responsible for child reintegration, and programmes are in place to assist children who are released from detention.	X		
4	Capacity (financial, human, physical) - Children are separated from adults in all places of detention, including police custody pre-trial detention centres and prisons. - Special facilities have been established for the detention of children including open-custody and small scale centres designed to promote rehabilitation and reintegration. - Training is conducted for all personnel about how to handle child prisoners / detainees.			√

Selected strengths and opportunities

Generally children sentenced to detention are detained in the Suva Boys Centre. A need has not arisen for a centre for girls in conflict with the law. The Director has been praised for maximizing the boys' opportunities within tight budgetary restraints and boys report being well treated and are happy to stay there [corroborated by workshop with young offenders]. Rehabilitation programmes include an emphasis on continuing education and development of a nearby vegetable plantation. Opportunities to develop an effective external complaints and monitoring system should be developed through the

Human Rights Commission or any future Children's Commissioner. In terms of rehabilitation programmes for children released from custody, opportunities may exist to link these children with the Department of Youth and Sports programmes and other programmes provided by NGOs.

See Figure 2 on the following page for a diagram of recommended social welfare / inter-agency collaboration.

Findings for Output 2.1: National Government and other mandated authorities dealing with children's protection have well resourced plans addressing

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		
Output 2.1 National Government and other mandated authorities dealing with children's protection have well resourced plans ¹²⁹ addressing	Indicator 2.1 Number of fully resourced Institutional Strengthening Plans or similar addressing child protection concerns	Target: At least Social Welfare Division and at least two other mandated authorities ¹³⁰ dealing with children's protection have Institutional Strengthening Plans (or similar) in place
Comments	Please note that the findings here have been extracted and summarised from a much broader more detailed 'institutional stocktaking' report which is available as a separate document. It is advisable to therefore read these findings and recommendations in the context of the full report. The full report examines the strengths and weaknesses of the different institutions which make up the child protection system and the effectiveness of inter-agency collaboration.	
Research tools used	Desk review Kills: DSW 21/07/08; Department of Youth and Sports 09/06/08; Department of Public Prosecutions 04/08/08; Juvenile's Bureau 08/04/08 Workshop with stakeholders held on 02/10/08	

Findings

1. The target is loosely met.

There are no fully resourced strategic or forward plans. The following plans address child protection concerns (they may be partially resourced or not resourced):

- a. **Ministry of Finance and National Planning: DRAFT Strategic Development Plan, 2007-2011¹³¹** : The plan does not mention resourcing, only that there is insufficient funding for all the implementing agencies to address young people and protection of children. It also states that ownership of key issues is scattered across multiple agencies. The Plan states the overall aim is to reduce the number of children in street situations, child abuse and teenage pregnancy. The Key Performance Indicators include: reduction in cases of sexual abuse of children from 194 (2004) to less than 100 by 2011; reduction in cases of violence against children from 110 (2004) to less than 60 by 2011; young people benefiting from placement services / work experience increased from 100-120 annually; number of small micro-enterprise projects supporting young people increased from 180-250 per year; teenage pregnancy reduced from 16% to 8% by 2011.
- b. **Department of Social Welfare:** The Ministry's Corporate Plan contains targets and performance indicators in the areas of child welfare services; licensing compliance and monitoring – residential centres for children; childcare counselling; supervision of non-custodial sentences. Each year each target is resourced.¹³²

- c. **Ministry of Youth:** 20 Year Strategic Plan for Youth Development: 2006-2025¹³³ The plan is thorough and identifies resources and infrastructure required for implementation. It addresses programmes which fit in a broader protective environment framework including: training and non-formal education; health and social services [including life skills training and reduction of youth crime and recidivism]; employment; and sports.
- d. **Police:** The Juveniles Bureau has a plan to enlarge and strengthen its human resources and services, but funding for its requests from the police budget is not guaranteed. (The Child Abuse and Sexual Offences Unit is grossly under resourced for its current activities).
- e. **Department of Public Prosecution:** An institutional strengthening plan exists that does not target children specifically, but rather, victims/survivors of crime in general.
- f. **The Ministry of Education's Annual Corporate Plan 2007¹³⁴** includes a strategic priority area for student's welfare and safety. The output for this component relates to career counselling, policy development for student behaviour management and HIV/AIDS and substance abuse programmes.¹³⁵

¹²⁹ Such plans should consider the role of civil society and the potential partnerships had with CSOs.

¹³⁰ Mandated authorities include Ministry of Education, Ministry of Health, Fiji Police, Department of Public Prosecution, Ministry of Youth, Ministry of Finance & National Planning

¹³¹ DRAFT Strategic Development Plan 2007-2011, Ministry of Finance and National Planning, accessed on 12/11/08 at http://www.mfnp.gov.fj/Documents/Draft_Strategic_%20Development_%20Plan_2007-2011.pdf.

¹³² Corporate Plan, Ministry of Health, Women and Social Welfare 2006-2008 (via email)

¹³³ Government of Fiji, 20 Year Strategic Plan for Youth Development: 2006-2025, The Ministry of Youth, Employment, Opportunities and Sports, Suva, 2006

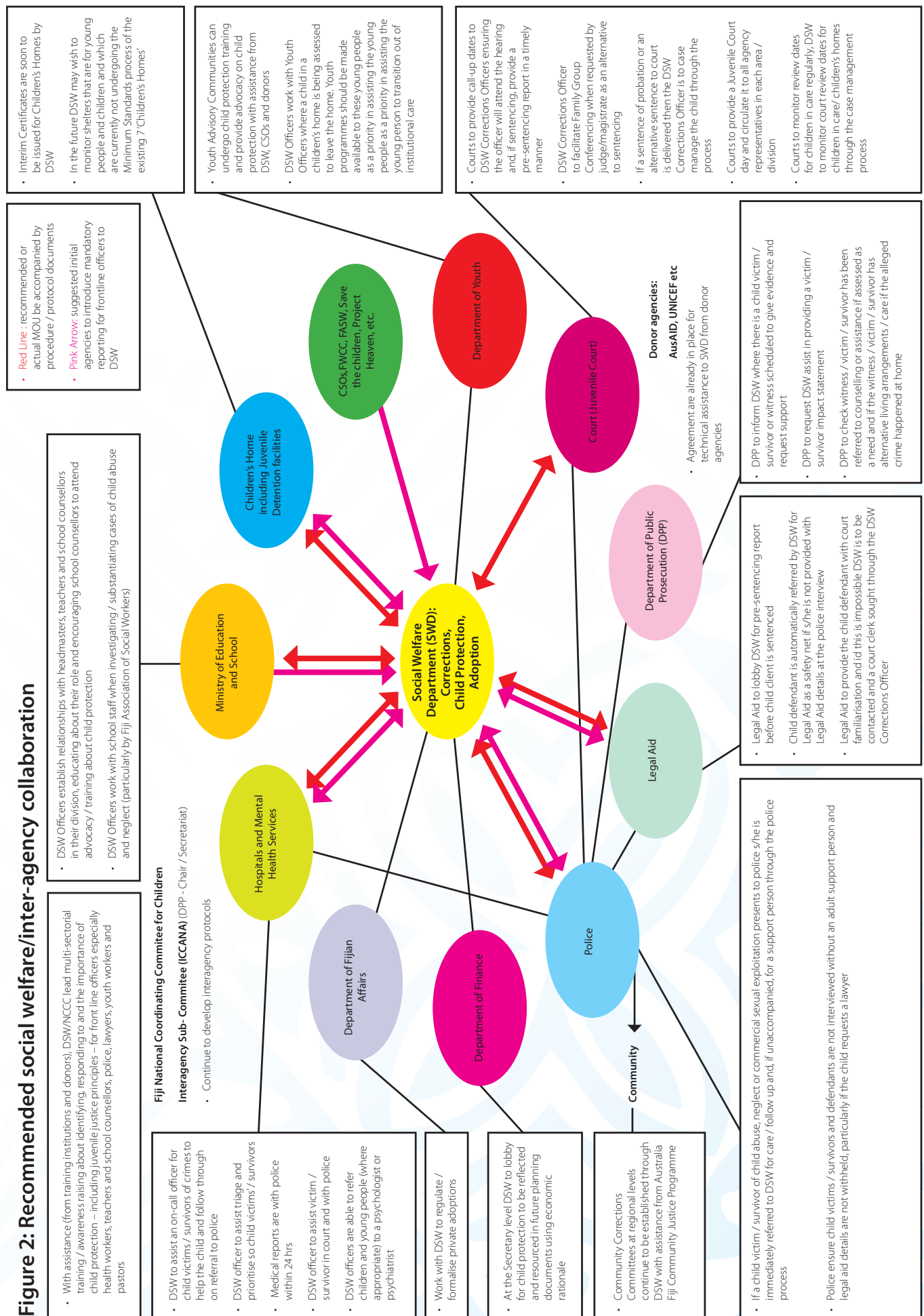
¹³⁴ <http://www.education.gov.fj/htm/Publication/ACP%202007.pdf> accessed on 01/11/08

¹³⁵ Ministry of Education Annual Corporate Plan 2007, Educating the Child Holistically for a Peaceful and Prosperous Fiji, p. 26

Recommendations for Output 2.1

- 2.1-R1** Forward Strategic Plans for agencies to include a child protection component for all mandated authorities. These plans can then be translated into Annual Corporate Plans for Portfolios of Finance and Planning, Social Welfare, Health, Education, Youth, Justice and Police.
- 2.1-R2** Child protection principles/activities to be incorporated into future Ministry of Education Corporate Plans – particularly in relation to the behaviour management policy and contracted student counsellors. The behaviour management policy should contain bans on corporal punishment and counsellors should be trained/ skilled in dealing with child abuse and neglect.
- 2.1-R3** Child protection principles/activities to be incorporated into future Ministry of Health Corporate/Annual or Strategic Plans including training activities.

Figure 2: Recommended social welfare/inter-agency collaboration



Findings for Output 2.2: DSW has the capacity to monitor and assist children's homes and institutions to meet minimum standards of care and promote family-based care as an alternative to institutionalization of children, including those who are victims of abuse and children with disabilities

Outcome 2: Children are better served by well informed and coordinated child protection social services which		
Output 2.2 DSW has the capacity to monitor and assist children's homes and institutions to meet minimum standards of care and promote family-based care as an alternative to institutionalization of children, including those who are victims of abuse and children with disabilities	Indicator 2.2.1 Proportion of children's homes that have been monitored and that have signed a Memorandum of Agreement ¹³⁶ with MWSWH	Target: 100% of children's homes have been monitored at least 2 times in the past year and have signed MoA
	Indicator 2.2.2 Proportion of children (including victims of abuse and children with disability) in family-based care arrangement in lieu of institutional care	Target: 25% of children
Comments	Please note that the findings here have been extracted and summarised from a much broader more detailed 'institutional stocktaking' report which is available as a separate document. It is advisable to therefore read these findings and recommendations in the context of the full report. The full report examines the strengths and weaknesses of the different institutions which make up the child protection system and the effectiveness of inter-agency collaboration.	
Research tools used	Desk review Stakeholder workshop 02/10/08 KIs with: AFCJP 17/07/08; DSW Child Protection Officers 21/07/08; DSW, Family Services 21/07/08; 10 social welfare representatives from 9 locations in Fiji (CPBR field research) Correspondence with: AFCJP 01/10/08; Child Protection Officer 24/11/08	

Findings

- DSW, with technical assistance from the Australia Fiji Community Justice Programme (AusAID), produced Minimum Standards of Care for Children in Residential Placement (2008).
- In 2008 each children's home conducted a self-audit against the Minimum Standards. They now have until 2010 to comply with the Standards.
- There is no specific legislation that provides a power to operate a Residential Care Facility for Children. Minimum Standards relate to: safety, security and protection from abuse; meeting the needs of the child; healthy living; education and training, ensuring child development, preparation for adulthood; maintenance of family contacts; encouraging children in decision-making; and skilled and trained care staff. There are 34 policies which make up the Minimum Standards, based on 9 Standards which have been adapted from the UNCRC.
- There are 7 registered children's homes eligible for interim certification. The homes cater for babies awaiting adoption, children under care orders, children in conflict with the law and those on remand awaiting a court appearance, maintained by the DSW. Child abuse cases can take 2 years to get to trial and in this time children can be placed in residential care.¹³⁷ Residential places exist in homes but are limited and there are few placements for children over 17 years of age¹³⁸, although St Christopher's, Dilkusha and Veilomani all have residents over 18 years of age.
- All children in certified residential care facilities are provided with long-term case management by DSW Officers. At the time of writing, all homes have been given training in the Minimum Standards, developing care plans for the children in residential care and child abuse and neglect (recognising signs and symptoms of abuse, how to care for abused children and how to develop a child protection policy, including reporting and responding to allegations or suspicions of abuse).
- There are a number of shelters/ hostels for young people in Fiji which are not considered 'children's homes' for the purpose of certification through the Minimum Standards process. These shelters are not 'children's homes' as they are not recognised as 'places of safety' for the care and protection of children under the care of the Director of Social Welfare.¹³⁹
- The shelters are: Church of Nazareth – provides residential and rehabilitation support for children in street situations (abuse and unhappiness being a major reason for leaving home to live on the street); Rescue Mission; Chevalier Hostel; Dream Boys from the Dream Centre; and Sabeto.
- There are a group of particularly isolated children excluded from admission to the certified children's residential facilities. These children have complex needs including disabilities and behavioural challenges. Their only option is to be cared for in a facility or private home that is not certified.¹⁴⁰ A small number of students at Hilton Special School are residing in a nearby hostel and are supervised by DSW.

¹³⁶ MOA ensures that the children's home or institution complies fully with the Minimum Standards and are licensed and registered.

¹³⁷ DRAFT Fiji Govt 2007, Op cit. Part 1, V.

¹³⁸ Draft Country Report to Committee on CRC Fiji [no date or page reference], in UNICEF Pacific, Assessment of Protective Environments for Children – Fiji, Kiribati, Solomon Islands, Vanuatu, Carling, M, UNICEF Pacific, 2004, p.18

¹³⁹ Sections 70(1)/71 Juveniles Act [Cap 56]

¹⁴⁰ Information was gathered at the Consultation Workshop on 02/10/08

¹⁴¹ DRAFT Fiji Govt, 2007, Op cit, Part 1, V, 6.4

9. Children who have been in conflict with the law or on remand and children in care do not live in separate residences.¹⁴¹ This was an area of debate in consultations. Participants were undecided whether children in conflict with the law should be placed with children who are under care. Statistics are not available on this issue.
10. 53% [N=97] out of a total number of 181 children adopted and in institutions in 1998 were in formal family-based care in lieu of residential care.¹⁴² It is unknown how many children are privately / informally adopted in 2007. Private adoption is a traditional practice in Fijian villages. Workshop participants cited anecdotal cases of children being handed over for sums of money on Suva streets. The Fiji Government has recommended that 'an urgent survey of private adoptions are required to determine' the issue.¹⁴³ Children in the informal system do not have the same protections as those children adopted through the formal channel.¹⁴⁴
11. In 2008 a research study is to begin for the availability of carers in the country who are willing to provide foster/kinship care. The study will be conducted by Anita Roth (USP).
12. A comprehensive Adoption Manual was produced in 2007. Information was not gathered on the compliance with this policy. In-country adoptions are managed in divisional offices (decentralised), but inter-country adoptions are through the head office in Suva. In the event a child is placed with the applicants, there is a minimum trial period (probationary) of adoption supervision by DSW¹⁴⁵ (3 months and only for adoptions).
13. An adoption panel has been established to consider adoption cases. The terms of reference for this panel need to be advanced.
14. Out of the 10 social welfare representative key informants from the field research component of the CPBR, 8 responded to the question: 'Are you aware of any children in your region who are in the care of adults other than their birth parents and who, if it wasn't for these carers, would be in a home or orphanage?' 7 said yes (of which 3 gave the sample figures of 3, 5 and 18 cases); 1 said 'don't know'.
15. 8 out of 10 social welfare representative key informants from the field research component of the CPBR also responded to the question: 'Have people in your region approached you about the possibility of adopting or fostering children who are in institutional care in the last year. If yes, how many?' 7 said yes (of which 5 specified that they had received 1, 2, 3, 4, and 7 applications); 1 said 'don't know'.

Recommendations for Output 2.2

- 2.2-R1** All children's homes should be legally authorised to operate as competent facilities after consideration by an advisory body to the pertinent Minister under legislation (such as the Juveniles Act) (This recommendation crosses over with Output 1.3).
- 2.2-R2** Consider in the future the oversight and monitoring of young people's shelters / hostels by DSW.
- 2.2-R3** Consider the living arrangements for children with disabilities needing intensive support and who are unable to be cared for in at home or in existing children's homes. Workshop participants suggested that a residential care facility for children with disability is urgently needed in Fiji.
- 2.2-R4** Workshop participants recommended that the NCCC consider the issue of children in conflict with the law or on remand living together in children's homes with children on care orders. Following from this issue it was also recommended that training is needed for staff to deal with children in conflict with the law and young people in the homes.
- 2.2-R5** Strengthen communication and collaboration between DSW officers and youth officers in the Ministry of Youth and Sports so that children who are assessed as competent to leave residential care can be assisted by this Ministry. A formal partnership may be required.
- 2.2-R6** Gradually incorporate disability access into the development of facilities in residential care for children.
- 2.2-R7** Provide child psychiatry and psychology services¹⁴⁶ to children in residential care to address behavioural issues such as risk-taking, depression, suicide ideation, glue-sniffing, running away, commercial sexual exploitation, etc.
- DSW**
- 2.2-R8** Residential care should be a temporary measure until children can move into family-based care. However, there is no alternative option at present.
- 2.2-R9** Adoption and kinship care should be further promoted to families in Fiji in processes which safeguard the protection of children.
- 2.2-R10** Private adoptions should be formalised through the Adoption Act. Provisions need to be pertinent to reflect traditional practices at village level.¹⁴⁷ This could be achieved by developing a kinship care procedure whereby the extended family becomes the legal guardian of the child with birth parents still retaining some rights. (This recommendation also relates to Output 1.3).
- NCCC – Inter-agency group**
- 2.2-R11** Seek the advice Department of Fijian Affairs about private adoptions at village level and the possibility of formalising such arrangements. Strengthen the working relationship between NCCC, DSW and Fijian Affairs.

¹⁴² More recent figures were unavailable at the time of research. The figure of 181 children is made up of the 97 children formally adopted in 1998 and 84 children who were reported as being resident in 3 institutions in 1998 (no data available for the remaining 4 children's homes).

¹⁴³ DRAFT Fiji Govt, 2007, Op cit, Part 1, V, 7.7

¹⁴⁴ DRAFT Fiji Govt, 2007, Op cit, Part 1, V, 7.7 'The Fiji Govt recommends that a formal authority be created to oversee all adoptions.'

¹⁴⁵ DRAFT Fiji Govt, 2007, Op cit, Part 1, V, 7.6

¹⁴⁶ Note that DoSW Welfare Officers have in the past obtained services from St Giles Psychiatric Hospital for children under their responsibility.

¹⁴⁷ Information from Workshop 02/11/08

Findings for Output 2.3: Inter-agency Child Protection systems and processes effectively manage child protection cases in line with established procedures

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

Output 2.3 Inter-agency Child Protection systems and processes effectively manage child protection cases in line with established procedures	Indicator 2.3 Proportion of agencies with inter-agency MoUs, protocols and Standard Operational Procedures in place ¹⁴⁸	Target: All relevant agencies recognizing and following MoUs, protocols and Standard Operational Procedures
Comments	Please note that the findings here have been extracted and summarised from a much broader more detailed 'institutional stocktaking' report which is available as a separate document. It is advisable to therefore read these findings and recommendations in the context of the full report. The full report examines the strengths and weaknesses of the different institutions which make up the child protection system and the effectiveness of inter-agency collaboration.	
Research tools used	Desk review Stakeholder workshop 02/10/08 KII: AFCJP 17/07/08; DSW Child Protection Officers 21/07/08; Ministry of Youth and Sports, 09/06/08; Save the Children, 09/06/08; Fiji Women's Crisis Centre, 17/07/08; Juveniles Bureau, 08/04/08; UNICEF Child Protection staff, 30/09/08; 22 police, 6 justice, 32 education, 22 health, 23 CSO representatives and 30 religious leaders and 22 youth leaders from 35 locations in Fiji (CPBR field research)	
Quotation	<i>"Teachers should be provided with workshops."</i> (Education KII)	

Findings

- The NCCC has a sub-group called the Inter-Agency Committee on Child Abuse, Neglect and Abandonment (ICCANA). The ICCANA is in the process of finalising its terms of reference and developing inter-agency protocols and guidelines. Current projects include: setting up a common database for reporting child abuse cases (including disaggregated data), promoting a National Advocate for Child Abuse, and information and educational awareness programs.¹⁴⁹
- ICCANA produced the Inter-agency Guideline for Handling of Neglected, Abandoned or Child Abuse Victims. Agencies include: police, health, education, Office of the Public Prosecutor, Fiji Women's Crisis Centre and Save the Children Fiji.¹⁵⁰ It was not established if this guideline is being used in practice.
- There are few active inter-agency protocols concerning/including child protection in Fiji.
 - A Protocol between the Fiji Police and the Ministry of Health Regarding the Provision of Medical Services is active. The Protocol of Referral says Health is required to report circumstances of abuse or suspicion of abuse to DSW (although the effectiveness of this is said to be problematic).¹⁵¹ Evidence loses value every hour it is left and sometimes the police are sitting in the waiting room with the victim/survivor for 10 hours before they are seen.¹⁵² There have been cases where crucial evidence should have been available but was lost due to the delay by the hospital. In addition to this the victim/survivor is distressed and exhausted. There is also a need for hospitals to prioritise the less urgent cases e.g. where reporting takes place a month after the event, hospitals do not prioritise these at all and victims/survivors wait months to be seen.¹⁵³
 - There were few reports of the utilisation or existence of a Mandatory Reporting Protocol (police, DSW, education, health).¹⁵⁴ In consultation it was mentioned that this protocol was only developed for the members of ICCANA.
- The Protocol between the Fiji Police and DSW Regarding Protective Services for Children and Young People in Fiji is dormant or lapsed.
- An MoU between the Fiji Police and the Ministry of Education and Technology is lapsed.
- DSW is currently establishing an On-line Community Services Directory with the technical assistance of the Australia-Fiji Community Justice Programme (AFCJP). This directory is anticipated to be completed and on-line by the end of 2009. It will assist in inter-agency collaboration and providing referrals and links between different service providers.
- When pertinent, some NGO organizations will report child abuse to DSW or a counsellor. Where Save the Children Fiji becomes aware of an instance of maltreatment of a child, a report is written and taken up to the Chief Executive Officer, as per Save the Children Fiji's Child Protection Policy. This is then referred to the appropriate authorities, either by counselling or referral to DSW. There is, however, no agreement or procedure in place between Save the Children Fiji and the DSW for feedback on reported cases. There are other NGOs who would report cases to DSW if they were given feedback or had some agreement about how the cases would be handled.
- In order to gather information more broadly on what is happening out in the field in terms of inter-agency collaboration in practice, questions about child protection cases were asked of key informants during the CPBR field research component. [See findings for Output 2.4 for information from social welfare representatives].

¹⁴⁸ Operational procedures to be based on the CRC and the international good social work practice for children.

¹⁴⁹ DRAFT Fiji Government 2007, Op cit, Part 1, V, 9.10

¹⁵⁰ DRAFT Fiji Government 2007, Op cit, Part 1, V, 9.7

¹⁵¹ Carling 2004, Op cit p. 82

¹⁵² UNICEF 2008, Op cit, p. 19

¹⁵³ UNICEF 2008, Op cit, p. 19

¹⁵⁴ Reporting by professional groups working with children to Department Social Welfare is required if there is a suspicion of abuse (DRAFT Fiji Government, 2007, Op cit, Part 1, VIII, 3.3.6)

Table 2.3-A: How many cases of child abuse or neglect did you deal with/ or witness in your capacity at work within the last year? [Selected key informants]¹⁵⁵

Key informants						
Number of cases	Religious Leader	Youth Leader	Health	CSO	Total	
0 cases	12	17	8 ¹⁵⁶	12	49	51%
1 case	5		2	1	8	8%
2 cases	1	1	5	1	8	8%
3 cases	1	2		2	5	5%
4 cases	2		1		3	3%
5 cases	1				1	1%
6 cases	2		1		3	3%
7 cases				1	1	1%
12 cases	1		1		2	2%
Do not know	1	1	1	2	5	5%
Other	3 ¹⁵⁷		1 ¹⁵⁸		4	4%
No response	1	1	2	4	8	8%
Total (responses)	30	22	22	23	97	100%

The majority (51%) – especially of youth leaders - have not come across any cases in the last year. For the rest the numbers of cases are relatively low but one religious leader reported 21 cases and one health worker reported 29 cases. It may well be that these figures are not so much representative of levels of child abuse and neglect in different communities so much as they are indicative of varying levels of community awareness and willingness to 'report' cases and/or the proactiveness and experience of certain individual key informants compared to others in identifying, 'acknowledging' and responding to such cases.

Healthcare workers

7. In relation to the more than 67 cases dealt with or witnessed collectively by the 11 health key informants over the past year (see Table 2.3-A), all 11 respondents stated that they notified another agency in at least some cases (police or DSW) and 7 of these also recorded the case in writing. However, in relation to other cases, 3 respondents neither recorded the case in writing nor notified another agency. In terms of follow up to these cases, 6 of the respondents notified their boss about the case and of these 5 received feedback.
8. 11 of the 22 health workers said they are aware of reports they should make if they suspect a child has been abused or neglected but the remaining 11 were not aware of any reports. When asked about any systems in place for child protection, 4 out of 22 mentioned a written protocol in place, 12 mentioned an unwritten duty of care and 6 said they didn't know of any systems in place. In terms of standard government operating procedures and guidance documents on how to deal with child protection cases, only one respondent was able to name such a document

(unspecified which one, unfortunately). 16 respondents were not able to name any such documents and 5 respondents did not answer the question.

9. 6 out of 22 health representatives (27%) interviewed throughout the country stated that they had received specific training in preventing or responding to child abuse and neglect from the Pacific Children's Programme (x2), Ministry of Health (x2), DSW and PCP (x1) and the police department (x1). This training lasted one day (x1), less than a week (x2), one week (x1) [no response (x2)]. It took place in 2006 (x2), 2007 (x2) and 'don't know' (x2). It included information on: child abuse and neglect in general (x6), childrearing or parenting skills (x2), family or child or youth issues in general (x1) and counselling in general (x1). One respondent said that the training was useful, another stated the need for more training in general, and a third wanted to 'train teenage girls to talk about family planning and the risks of getting HIV/AIDS'. When asked what further training they needed in order to better protect children, 8 respondents mentioned child protection policies or procedures, 7 requested general training on child abuse and protection, 3 wanted training on parenting or childrearing skills, 4 did not know, and one said they did not need any further training.
10. One of the 22 health representatives said that they had received funding to run awareness or advocacy programmes to stop abuse and neglect of children. The funding came from AusAID / PCP and was used for 'activities with children in the districts'.

Education representatives

11. Due to prioritising other questions in the education KII, education representatives were not asked about specific cases of child abuse they had dealt with or witnessed. However, 19 out of 32 said they are aware of reports they should make if they suspect a child has been abused or neglected. These have not been specified although one respondent specifically mentioned 'letters to parents'.
12. 10 out of 32 education representatives (31%) interviewed throughout the country stated that they had received specific training in preventing or responding to child abuse and neglect. This training was provided by the Ministry of Education (x4), PCP (x2), church (x1), National Substance Abuse Advisory Council (x1) and 'don't know' (x1). The training lasted less than one week (x8) and one week (x2) and took place in 2005 (x1), 2006 (x4), 2008 (x2) and 'don't know' (x1). Content included: child abuse and neglect in general, including prevention (x5); 'workshops' or 'principals conferences' (x2); childrearing or parenting skills (x1); family violence and abuse (x1); substance abuse (x1); counselling (x1); 'resources for families and parents to educate the classes 1-8 on health/ reproductive issues' (x1); and religious or spiritual aspects (x1). Comments on this training included: training was useful (x4); need more training in general (x3); and training was not detailed enough (x1). When asked what further training they needed in order to better protect children, 8 respondents requested general training on child protection, 7 on how to respond to abuse and neglect, 6 on child protection policies and procedures, 5 on collaboration between different sectors, 4 requested 'any' training,

¹⁵⁵ See Tables 1.1-A and 1.1-B for information on cases dealt with by the police and Output 2.4 for cases dealt with by social welfare representatives.

¹⁵⁶ 'No case so far - this my 1st year'; 'I've just transferred'.

¹⁵⁷ 21 and it continues to rise; my own child was abused by another community member.

¹⁵⁸ 29: 1 x physical, 3 x sexual and many neglected.

2 wanted 'workshops' on children's issues, one wanted training on counseling, 5 did not know and one said they did not need any training.

12. 2 of the 32 education representatives said that they have received funding to run awareness or advocacy programs to stop abuse and neglect of children. One of these respondents stated that the funding of \$506 came from the 'government' and/or PCP (this answer was not clear) and was used to buy 'toys for kindy'. In relation to this funding the respondent stated: "it was very useful to initiate an important need for prevention and prevention for early childhood". No further information was given by the second respondent who stated they had received funding.

"Teachers should be provided with workshops."

(Education KII)

Police

13. See Output 1.1 for findings relating to police training on child protection and how they deal with cases.
14. 2 of the 22 police representatives interviewed stated that they had received funding to run awareness or advocacy programmes to stop abuse and neglect of children. One received \$500 from PCP/AusAID for "a PCAN campaign in Nov 2004 -activities for children in villages in Namosi District". The second received \$1000 from PCP/AusAID for 'kindergarten materials for Korovou pre-school on prevention of child abuse' and stated: "It assisted well with the children. I hope the programme can continue the assistance. It was a happy day for the children. It keeps the children engaged and teaches them to develop with their peers – even though it's at the early years."

"The children's parents really appreciated the activities organised for them."

(Police KII in relation to 2004 campaign)

Justice Representatives

15. See Output 1.1 for findings relating to justice training on child protection and handling of cases.

16. One of the 6 justice representatives stated they had received funding to run awareness or advocacy programmes to stop abuse and neglect of children. The funding (\$1000) came from the PCP 'to conduct area/district workshops in the community, village & settlement, to raise awareness on prevention of child abuse'. The respondent stated that the community "responded very well" and that there were "less constraints on the community".

Religious leaders

17. In relation to the more than 68 cases dealt with or witnessed collectively by the 14 religious leaders over the past year (see Table 2.3-A), only 6 respondents stated that they notified another agency. Of these, one said 'we refer all of them to DSW. They come and wait in our shelter while papers are being processed, then they are referred to Christopher's Home'; 3 respondents stated they had referred one case to another agency; one respondent had referred 2 cases; and one had referred 6 cases. In addition, 3 respondents notified staff within the faith organisation (e.g. a priest) and another said that they 'console the child and advice the parents'. Of these 6 respondents who notified another agency, 4 also recorded the case in writing. Finally, one respondent recorded the case in writing but did not notify another agency.
17. 13 of the 30 religious leaders said they are aware of reports they should make if they suspect a child has been abused or neglected. When asked about any systems in place for child protection, 3 out of 30 mentioned a written protocol in place, 12 mentioned an unwritten duty of care, 12 said they didn't know of any systems in place and 3 were not sure.
18. 13 out of 30 religious leaders (43%) interviewed throughout the country stated that they had received specific training in preventing or responding to child abuse and neglect. Training was provided by: the church (x3); PCP (x2); own organisation (x2) and by FCOSS, the police department, Bible school, USP, Ministry of Education and 'don't know'. Training lasted: less than a week (x5); one week (x1); 2 weeks (x1); 2 months (x1); one year (x2); 'other' (not specified x2) and don't know (x1). Training contents included: childrearing or parenting skills (x6); child abuse and neglect in general (x5); family or child or youth issues in general (x2); counselling (x2); religious or spiritual aspects (x2); 'psychology in general / human development' (x1); and 'workshop' (x1). Comments on the training included: need more training in general (x4); and training was useful (x1). When asked what further training they needed in order to better protect children, 13 respondents requested training on child protection policies and procedures, 7 on child abuse and child protection in general, 6 on parenting / childrearing skills, one requested 'any training about children from social welfare', 4 did not know and 2 stated they did not require any further training.

Youth leaders

19. In relation to the 10 cases dealt with or witnessed collectively by the 3 youth leaders over the past year (see Table 2.3-A), only 5 were referred to another agency for help (by 2 of the respondents). One respondent notified someone within the organisation. None of the cases were recorded in writing.
20. 6 of the 22 youth leaders interviewed said they are aware of reports they should make if they suspect a child has been abused or neglected (not specified). The majority (18) did not know about any systems in place for child protection, but 3 mentioned an unwritten duty of care and one mentioned a 'written protocol'.

21. 4 out of 22 youth leaders (18%) interviewed throughout the country stated that they had received specific training in preventing or responding to child abuse and neglect. Training was conducted by the police department, Ministry of Health, St John's Ambulance and Red Cross and 'UN Mission'. Training lasted: less than one week, 2 weeks, 4 years¹⁵⁹ and no response. The only date given, by one participant, was 1990. The training consisted of: child abuse and neglect in general (x2); childrearing and parenting skills (x1); and first aid (x1). Comments included that the training was useful and that more training is needed in general. When asked what further training they needed in order to better protect children: 6 requested training on child abuse and child protection in general; 2 on child protection policies and procedures; one each asked for - awareness programmes on children's rights, parenting tips and parents' responsibilities, teenage pregnancy and drugs, family planning, how to care of children and the importance of children, and 'involve children in good parenting skills training'; 4 did not know; and 3 stated they did not need any further training.
22. 6 of the 22 youth leaders said that they had received funding to run awareness or advocacy programs to stop abuse and neglect of children but the only details given (by one respondent) was that they had received \$1500 from a Hong Kong International NGO.
- CSO representatives**
22. In relation to the more than 16 cases dealt with or witnessed collectively by the 5 CSO representatives over the past year (see Table 2.3-A), only 6 cases were referred to another agency for help (by 4 respondents). Of these 6 cases only 2 were recorded in writing. In addition, one respondent mentioned that the police had referred a case to them. In terms of follow-up, 2 respondents notified a social worker or counsellor attached to their organisation and of these, only one received feedback on the case.
23. 8 out of 23 CSO representatives interviewed said they are aware of reports they should make if they suspect a child has been abused or neglected (not specified). The majority did not know about any systems in place for child protection, but 6 mentioned an 'unwritten duty of care'.
24. 7 out of the 23 CSO representatives (30%) interviewed throughout the country stated that they had received specific training in preventing or responding to child abuse and neglect. This training came from a wide range of sources: police (x3), Ministry of Health, DSW, AFCJP, FCOSS, Fiji Women's Crisis Centre, Catholic Women's League, 'own overseas consultants' and 'local stakeholders'. The training lasted for less than one week (x3), one week (x2) and 3 months (x1). The content of this training consisted of: child abuse and neglect in general (x4); family violence and abuse (x2); childrearing or parenting skills (x2); counselling (x2). Commenting on this training, 2 respondents said that more training is needed in general. When asked what further training they needed in order to better protect children: 6 requested training on child protection policies and procedures; 6 on child abuse and protection in general; 2 on parenting skills; one on 'networking with other specialised organisations who deal with children e.g. Kidslink / Save the Children'; one on 'food and nutrition'; 4 did not know; and 2 stated they did not need further training.
25. None of the 23 CSO representatives interviewed stated that they had received funding to run awareness or advocacy programmes to stop abuse and neglect of children.

See also CPBR field research findings for Output 3.3 regarding key informants' understanding and promotion of child protection issues at community level. This includes further information on their awareness of other services available in the area to help on child protection issues and what they would do 'if a child were badly hurt by someone'.

Recommendations for Output 2.3

ICCANA or NCCC

- 2.3-R1** Consider attaching operational protocols to the Inter-agency Guideline for Handling of Neglected, Abandoned or Child Abuse Victims to ensure its effectiveness. Consider providing standard definitions for child abuse, neglect and exploitation.
- 2.3-R2** Establish a national children's helpline which can also serve as a reporting mechanism for child abuse and neglect.
- 2.3-R3** Produce a National Child Protection Policy with standard definitions and including interagency commitments.
- 2.3-R4** There is a need to consider and debate the merits of introducing mandatory reporting for designated professionals throughout Fiji.
- 2.3-R5** Garner the support of the Ministry of Women to support and contribute to the objectives of child protection in Fiji.

DSW, POLICE, HEALTH & EDUCATION

- 2.3-R6** Re-activate and further develop MOUs and Operational Protocols between police, DSW, health, and education. Consider developing relationships with NGOs to report and action cases of child abuse.
- 2.3-R7** Improve the inter-agency response to victims/survivors of child abuse so that when a child is referred to the police from a medical service the files and forensic evidence accompany the child.

COURTS

- 2.3-R8** Magistrates and courts need to build a relationship with DSW so that call updates are kept.

¹⁵⁹ Most likely referring to general training rather than specific training on child protection in this case.

DSW

- 2.3-R9** Improve inter-agency collaboration by training stakeholders in the 14 provinces about responding to child abuse and neglect, including in rural areas / villages. This would include training teachers, health workers, legal profession and police, but to be more effective it should also include traditional and administrative community leaders, religious leaders, youth leaders and CSOs. DSW would like assistance on how to disseminate information about child abuse from a strengths-based approach.

Findings for Output 2.4: Divisional Social Welfare Officers have increased capacity to prevent child abuse, make referrals and follow-up on abuse cases in line with established procedures

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

Output 2.4 Divisional Social Welfare Officers have increased capacity to prevent child abuse, make referrals and follow-up on abuse cases in line with established procedures	Indicator 2.4.1 Proportion of Divisional Social Welfare Officers who are actively engaged in social mobilization for prevention and who are referring and following up on cases	Target:100%
Comments	Please note that the findings here have been extracted and summarised from a much broader more detailed 'institutional stocktaking' report which is available as a separate document. It is advisable to therefore read these findings and recommendations in the context of the full report. The full report examines the strengths and weaknesses of the different institutions which make up the child protection system and the effectiveness of inter-agency collaboration.	
Research tools used	Desk review Stakeholder workshop 02/10/08 KIs: AFCJP 17/07/08; DSW Child Protection Officers, 21/07/08, Project HEAVEN Trust, 15/07/08; Fiji Association of Social Workers, 01/08/08; UNICEF Child Protection Officer, 30/09/08; 10 social welfare representatives from 9 locations in Fiji (CPBR field research)	
Quotation	<i>"All stakeholders should know about child protection"; "Awareness must be taken to the community."</i> (Social welfare KIs)	

Findings

Case management

- Only one of the 10 social welfare representatives interviewed during the field research component of the CPBR did not deal with or witness any child protection case within the past year. Although the range individually is from 0-27 cases, when averaged out, each respondent dealt with or witnessed 7.2 cases per year. This is higher than for the other CPBR field research key informants who were asked this question (see Table 2.4-A to the right and compare with Table 2.3-A above). It may well be that these figures are not so much representative of levels of child abuse and neglect in different communities so much as they are indicative of varying levels of community awareness and willingness to 'report' cases and/or the proactiveness and experience of certain individuals compared to others in identifying, 'acknowledging' and responding to such cases.
- In relation to the 72 cases dealt with or witnessed collectively by the 9 representatives over the past year, only 19 cases (26%) were referred to another agency for help. One respondent stated specifically that all their cases were referred to the police. 8 out of the 9 relevant respondents stated that they recoded the cases in writing. When asked about follow-up to the cases, 5 respondents said they notified their boss, 3 said they followed up to see how the child was doing within 3 months and one stated they did not follow up with the family or child or school.
- 8 out of the 10 SW representatives interviewed said they are aware of reports they should make if they suspect a child has been abused or neglected (not specified). When asked to name any DSW standard operating procedures or documents that give guidance on how you should deal with child abuse and neglect, 6 out of 10 respondents said they knew of such a document, but only 5 examples were given: Juveniles Act; 'MOU' (not specified which); 'standard operating procedures'; 'DSW Procedures Manual'; and the "child welfare manual done by the AFCJP entitled 'child protection intervention guide.'"

Table 2.4-A: How many cases of child abuse or neglect did you deal with/ or witness in your capacity at work within the last year? [Social Welfare representatives]

Number of cases	Number of responses
0 cases	1
1 case	1
2 cases	1
3 cases	2
6 cases	1
8 cases	1
11 cases	2
27 cases	1
Total (responses)	10

4. When asked: 'do you have an internal policy or Code of Conduct within your organization which regulates behaviour and communications with children?', 4 said 'yes', 5 said 'no' and one said 'don't know'. Respondents did not give clear information about who the Code of Conduct applies to. In response to the follow-up question 'what does this Code of Conduct say?' one respondent answered 'don't know' and in addition the following comments were received: "enacted by the Juveniles Act code of conduct,caps.56"; "we have to listen to children's interest and base decisions on their interest. (Source: Admin dept of DSW)".
5. When asked whether they were aware of any system in place in relation to dealing with child protection cases, 4 mentioned a 'written protocol', 4 mentioned an 'unwritten duty of care' and 2 said they were not aware of any such system.
6. Social welfare officers spend much of their time on social welfare assistance scheme administration leaving less time for child protection, case management and probation functions. According to data collected from social welfare representatives in the field (see Table 2.4-A), on average each respondent who gave an answer spends 39%-59% of their time on income support applications compared to 28%-43% of their time on child protection work [based on averaging out lower and upper figures of each band].

Table 2.4-B: Proportion of time spent on applications for income support compared to child protection work [based on 10 social welfare KIs from 9 location in Fiji]

% of time	What proportion of your time do you spend on applications for income support? (Number of responses)	What proportion of your time do you spend on child protection work? (Number of responses)
0-10%	1	1
10-20%		1
20-30%	1	3
30-50%	3	2
50-70%	2	1
70-100%	2	1
No response	1	1
Total (respondents)	10	10

Training

7. The capacity of social welfare officers to action child abuse cases was significantly increased in 2008 due to training and technical assistance by the Australia Fiji Community Justice Programme. In 2008 all Social Welfare officers in 5 divisions underwent training to implement the policies and processes in the Child Protection Intervention Guide 2008. The training was to ensure a consistent approach to child protection intervention and assessment and to do this within a child protection framework. Training topics included: understanding different forms of abuse; learning a holistic interview process and risk analysis in child protection; developing a holistic approach to risk assessment and decision making and developing child protection case plans which would address risk factors.

"If given the opportunity I would be interested [in more training]."

(Social welfare representative in field research interview)

8. The Social Work Degree offered at USP will be discontinued after 2009. Researchers were informed that due to resource issues the course would not continue after 2009.
9. The Fiji Association of Social Workers has the capacity to up-skill social workers and trains them. However, the issue is the utilisation/uptake of these skills and the reimbursement for providing training. (Government finance processes impede the delivery of services).
10. 7 out of the 10 interviewed (70%) stated that they had received specific training in preventing or responding to child abuse and neglect.¹⁶⁰ This training came from: DSW in-service training (x4); AFCJP (x1); ECREA (x1); don't know (x1). It lasted: less than 1 week (x4); 3 weeks (x1); one month (x1); 2 months (x1). No dates were given by respondents as to when this training took place.
11. According to relevant respondents, the contents included: child abuse and neglect in general (x5); childrearing or parenting skills (x4); investigating child abuse (x3); care plans for children in out-of-home care (x2); empowerment of women (x1). Comments on this training include: training was useful (x3); need more training in general (x2); "every welfare officer should have a training workshop or child care programme" (x1).
11. When asked what further training they needed in order to better protect children: 4 requested training on child abuse and protection in general; 3 on child protection
12. policies and procedures; 3 requested follow-up training; one requested training on "the scientific effects of child abuse because it's quite a complex issue"; one requested "more training on child welfare cases as it's a growing need; skills on how to deal with abused children; more involvement with the Pacific Children's Programme and community outreach"; one did not know; and one stated they did not need further training.
13. Respondents were also asked what qualifications they had before gaining their position as a Welfare Officer. The most popular answer was 'no specific training - just on the job' (x4). Only 2 respondents had, or were in the process of obtaining, specific social work qualifications: one respondent had a 'Certificate in Social Work' and another had a diploma in business management but was 'currently completing a BA in social work'. Other responses include: 'university degree in psychology' (x1); 'degree in economics and finance' (x1); 'BA ECO' [does this mean a degree in economics?]; 'completing a degree in economics and public administration'.

¹⁶⁰ CPBR field research took place in May-June 2008 and may have pre-dated the training undertaken as part of the AFCJP.

Prevention and other community-based work

14. Previously under the Pacific Children's Programme, divisional Social Welfare Officers undertook some social mobilisation for prevention activities. PCP was introduced in Fiji in 2001 funded by AusAID. It had a strong focus on prevention of violence, abuse and neglect of children by using a strength-based approach, tapping into communities' resilience and inherent capacity to protect children.
15. 4 of the 10 social welfare representatives interviewed stated that they had received funding to run awareness or advocacy programmes to stop abuse and neglect of children. The source of this funding was PCP/AusAID (x2) and UNICEF (x2). One respondent stated they received \$1500 to run community leader workshops. One stated they used the funding for the PCP in Nanukuloa. Further details were not provided.
15. When asked directly 'do you ever organise any prevention activities with the communities you work in specifically for child abuse and neglect?'; 5 out of 10 respondents replied 'yes'. Relevant respondents went on to describe the sort of prevention activities they have been involved in: providing information to parents (x2); providing information to children (x2); handing out information about child abuse and neglect (x2); community workshops (x1); providing information to communities (x1).

***"All stakeholders should know about child protection."
"Awareness must be taken to the community."
"The PCP should reach all communities in our division."***

(Social welfare representative in field research interviews commenting on the funding they had received to run awareness programmes)

See also CPBR field research findings for Output 3.3 regarding social welfare respondents' understanding and promotion of child protection issues at community level. This includes further information on their awareness of other services available in the area to help on child protection issues and what they would do 'if a child were badly hurt by someone'.

Recommendations for Output 2.4

DSW

- 2.4-R1** Continue social mobilisation for prevention activities.
- 2.4-R2** Continue to progress the specialisation of positions within DSW so that child protection, case management and probation functions are not swamped by social welfare assistance schemes.
- 2.4-R3** Future training for welfare officers should encompass: child protection theory and dynamics, casework, secondary risk assessment, court report assessments, affidavit writing, family assessments, adoption and foster care assessments, interviewing children, assessing potential alternative/adoptive carers etc.
- 2.4-R4** Lobby for the Social Work Degree to be continued at USP and for scholarships to be made available in Social Work and Psychology to other universities.
- 2.4-R5** Fully utilise the technical expertise of the Fiji Association of Social Workers for both accreditation and training.

3.4.3 Detailed findings for Outcome 3

Important note on the use of statistics in this section

- **Percentages have been rounded up or down to the nearest whole number** to make the report more user-friendly. Therefore in some cases the figures shown may not tally exactly to 100%.
- **Numbers and percentages refer either to 'respondents' or 'responses'** depending on whether there are one or multiple answers per respondent. For example, "16% of CHHQ respondents 'strongly agree' that children can speak out freely at home" means that each respondent had only one option for their response and therefore the total number shown [N=280] refers to the total number of respondents who answered the question. On the other hand, "15% of CHHQ responses mentioned that 'children have the right to be safe from violence'" means that respondents were free to give multiple answers to the same question. In this case the total number shown [N=135] refers to the total number of responses logged for the question, not the number of respondents. Care should be taken when citing statistics from this report not to confuse the two.
- **When statistics refer to 'relevant' respondents this means only those respondents for whom the question is relevant.** For example, "39% of relevant CHHQ respondents stated that they told someone about being physically hurt by an adult at home in the past month": not all CHHQ respondents were physically hurt by an adult at home in the past month. The statistic of 39% therefore applies only to CHHQ respondents who were physically hurt. It does not apply to all CHHQ respondents.
- To ensure the safety of CHHQ respondents during the survey, **CHHQ and AHHQ respondents are from the same locations but not from exactly the same households.** It must therefore be remembered that where CHHQ and AHHQ answers are juxtaposed, they are not direct correlated, but they nonetheless provide an interesting comparison of answers from 16-17 year-olds and adult caregivers of children within the same locations.
- It must also be remembered that **CHHQ respondents are aged 16-17 years.** Findings cannot therefore be extrapolated for the experience of younger children. Younger children's views are expressed through the group activities. See Section 2.4.3 of this report for more details of the methodology used to gather data for Outcome 3.
- **Tables are numbered using the RRF 'Output' followed by letters in alphabetical order.** For example, 'Table 3.1-A' is the first table relating to Output 3.1. Where there are more than 26 tables per output the lettering continues -ZA, -ZB, -ZC etc.
- **To avoid confusion, charts and graphs for CHHQs, AHHQs and KIs are labelled according to their CD-Rom index number** as they are taken from the full range available on the CD-Rom which accompanies this report.

Findings for Output 3.1 Children (boys and girls) are equipped and empowered to make informed choices to protect themselves from violence, abuse and exploitation

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

Output 3.1 Children (boys and girls) are equipped and empowered to make informed choices to protect themselves from violence, abuse and exploitation	Indicator 3.1 Proportion of children who report that they discuss child protection issues at home, in schools and with their friends and know where to seek assistance	Target: 30% increase from baseline
	Indicator 3.1 Additional 1 Proportion of children who are empowered and informed to protect themselves and others through knowledge of appropriate and inappropriate behaviour, good touch/bad touch and who are confident to speak out	
Comments	Output 3.1 has been interpreted by cross-referencing field research data from CHHQs, AHHQs, KIs and GAs to respond to the following questions: - Can children speak out about child protection issues in general? Do they speak out in reality? - Do children tell others when they experience violence? If so, who and why? - Are children empowered and informed to protect themselves? Do they understand concepts of appropriate and inappropriate behaviour and touch? - What is children's experience of inappropriate touching in reality and are they reporting this? - How do children feel about experiencing violence? What are their attitudes towards a range of child protection issues? Does this reflect 'empowerment'? - Do children know where to seek assistance for child protection issues? - What do children wish for the future? Findings are grouped below according to these questions. In many places the key informant interview data has been amalgamated to simplify comparisons with CHHQs and AHHQs but detailed data is available, per type of key informant, on the CD-Rom which accompanies this report.	

Research tools used	AHHQ: 17, 17a, 17b, 23-37, 38a-g CHHQ: 17, 17a, 17b, 29-32, 39-42, 47-50, 55-67, 68a, 68b, 81, 95-98, 103-106, 111-122, 123a-c, 123f-q, 124-129 GA: 1 & 2 KII: AI/TL 18f, 45a-d; RL 18f, 39a-d; YL 18f, 39a-d; SW 1f, 26a-d; E 18f, 39a-d; H 18f, 39a-d; P 18f, 45a-d; J 18f, 45a-d; CSO 18f, 45a-d
Quotation	‘What is your wish for the future?’: ‘I want to feel protected, and be something good in the future’ (16-year-old girl from Rewa); ‘To reach my dreams’ (17-year-old boy from Korotari); ‘To be successful and make parents proud’ (17-year-old girl from Korotogo); ‘To be an engineer and be good to children’ (17-year-old boy from Lutu); ‘To be a better person’ (16-year-old boys from Sawani and Martintar); ‘To finish school, get a good job that is being a pilot and take care of my family’ (16-year-old boy from Naro).

a. Can children speak out about child protection issues in general? Do they speak out in reality?

In Fiji the general assumption is that children exist as a social group without a voice. However, this situation is fast changing and children and young people are increasingly being more expressive, opinionated and are being encouraged to talk about issues that affect them. There are, however, issues considered taboo and existing structures that inhibit children’s participation, both of which constitute obstacles to strengthening children’s safety in the home, at school and in the community.

The ability of children to speak out freely is dependent on the context in which they exist and the spaces they occupy. Abuse of children occurs when their abusers have some kind of power over them, whether through age, status, gender, money or something else. This power imbalance can make it very difficult for children to speak out. Certain types of abuse, especially but not exclusively sexual abuse, are dependent on, and positively thrive in a context of secrecy and taboo. An essential element of the ‘empowerment’ of children in relation to child protection is therefore the ability of children to speak out, and the existence of ‘spaces’ where they can do this safely and where they will be listened to. Stakeholder groups were asked whether, in general, children can speak out at home, at school, in the community and with friends. The ability to ‘speak out’ in general is usually a prerequisite to being able to speak out about particularly sensitive issues such as child protection more specifically.

Table 3.1-A: Whether children can speak out freely according to CHHQ, AHHQ and KII respondents

		% of CHHQ respondents	% of AHHQ respondents	% of KII respondents
In general, children can speak out freely at home	Strongly agree	16%	18%	18%
	Agree	57%	68%	38%
	Sometimes yes, sometimes no	15%	8%	33%
	Disagree	11%	6%	10%
	Strongly disagree	1%		1%
	Don’t know			1%
	Refused			
		N=280	N=339	N=184
In general, children can speak out freely to teachers at school	Strongly agree	10%	15%	12%
	Agree	47%	64%	44%
	Sometimes yes, sometimes no	21%	6%	32%
	Disagree	18%	14%	12%
	Strongly disagree		1%	
	Don’t know	2%	1%	1%
	Refused	2%		
		N=256	N=339	N=154
In general, children can speak out freely in the community	Strongly agree	9%	5%	10%
	Agree	35%	57%	27%
	Sometimes yes, sometimes no	16%	15%	40%
	Disagree	33%	20%	22%
	Strongly disagree	4%	3%	
	Don’t know	3%		2%
	Refused	1%		
		N=280	N=339	N=184

		% of CHHQ respondents	% of AHHQ respondents	% of KII respondents
In general, children can speak out freely with friends	Strongly agree	20%	15%	42%
	Agree	64%	74%	49%
	Sometimes yes, sometimes no	10%	5%	3%
	Disagree	4%	4%	3%
	Strongly disagree		2%	1%
	Don't know	2%		2%
	Refused	1%		
		N=255	N=339	N=180
In general, children can speak out freely at their place of worship ¹⁶¹	Strongly agree			27%
	Agree			30%
	Sometimes yes, sometimes no			40%
	Disagree			3%
	Strongly disagree			
	Don't know			
	Refused			
				N=30

All stakeholder groups (children, adults and key informants) feel that children can speak out most freely with friends, followed by 'at home,' 'at school' and 'in the community' in that order. It is important to note that 'in the community' ranked significantly lower than the other spaces, especially according to children themselves. AHHQ respondents seem generally more optimistic about children's ability to speak out. For example, taking 'strongly agree' and 'agree' responses together, AHHQ respondents 'agree' 13% more than CHHQ respondents and 30% more than key informants that children can speak out freely at home. Likewise they 'agree' by an extra 22-23% that children can speak out freely at school and by an extra 18-25% that children can speak out freely in the community (compared to CHHQ respondents and key informants respectively).

On the whole key informants appear to be more cautious in their assessment, with a significant proportion of their responses falling into the 'sometimes yes, sometimes no' category for all statements except 'friends'. Within the key informants, the education, police and youth leader representatives were generally more hesitant to agree. Religious leaders generally agreed (57%) that children can express themselves freely at their place of worship, probably depending on the context (an additional 40% agreeing 'sometimes yes, sometimes no'). Although the nature of this expression was not specifically identified in the study, it is known that in Christian churches children participate in activities like Sunday Schools.

Table 3.1-B: In general, you have the right to say what you want to your parents without fearing punishment [CHHQ respondents]

	% of CHHQ respondents
Strongly agree	10%
Agree	47%
Sometimes yes sometimes no	19%
Disagree	21%
Strongly disagree	1%
Do not know	1%
Refused	1%
Total	N=281

Further questions were asked to explore the extent to which children can speak out in general. 22% of CHHQ respondents disagreed that they could say what they wanted to their parents without fearing punishment. Whilst this question might be taken to mean that it is not acceptable for children to be 'cheeky' to their parents, the findings might also, however, have a negative implication for children wanting to ask their parents questions about or wanting to report child protection issues if they fear they may be punished for talking about such sensitive things.

¹⁶¹ This question was put only to Religious Leaders.

Table 3.1-C: Whether respondents have regular family meetings where children can talk about their worries, according to CHHQ and AHHQ respondents

	% of CHHQ respondents	% of AHHQ respondents
Strongly agree	11%	28%
Agree	51%	67%
Sometimes yes sometimes no	14%	4%
Disagree	20%	1%
Strongly disagree	1%	
Do not know	1%	
Refused	1%	
Total	100% [N=282]	100% [N=339]

Another avenue used by children to speak out in the home is through family meetings. 95% of AHHQ respondents compared with only 62% of CHHQ respondents agreed that they have regular family meetings. 21% of CHHQ respondents disagreed that they have meetings. Once again it appears that AHHQ respondents were more optimistic or 'generous' than CHHQ respondents with their answers on this topic.

With regards to more formal opportunities for children to express themselves, only 14% of relevant CHHQ respondents claim to have been consulted about rules which exist 'to help keep children safe' in schools and even fewer, only 7% of relevant respondents, say they were consulted about the plan which exists in their communities to help keep children safe from violence.

Table 3.1-D: Whether respondents have heard a child talking about keeping children safe from violence, according to CHHQ and AHHQ respondents

	CHHQ responses		AHHQ responses	
Have you heard a child talking about keeping children safe from violence?	Yes:	28%	Yes: 24%	
	No:	70%	No: 76%	
	Don't know:	1%		
	[N=284 respondents]		[N=337 respondents]	
How often have you heard a child talking about keeping children safe from violence?	Every day	23%	Every day	14%
	Once per week	19%	Once per week	21%
	Once per 2 weeks	9%	Once per 2 weeks	4%
	Once per month	14%	Once per month	20%
	Once per 3 months	9%	Once per 3 months	7%
	Once per 6 months	4%	Once per 6 months	1%
	Once per year	4%	Once per year	2%
	Rarely	18%	Rarely	30%
	Don't know	1%	Don't know	1%
	Refused	1%		[N=81 respondents]
	[N=80 respondents]			
What sort of things does this child say about keeping children safe from violence? [Top 5 answers]	1. Children have the right to be safe (from violence):	15%	1. Explains what violence against children / child abuse is:	16%
	2. Other:	11%	2. We must protect children from bad influences:	9%
	3. We must protect children from bad influences:	10%	3. Protect children from smoking alcohol and drugs:	9%
	4. Children are precious /special and we need to keep them safe:	7%	4. Children have the right to be safe (from violence):	9%
	5. Do not talk to strangers:	7%	5. Children are precious /special and we need to keep them safe:	9%
	[N=135 responses]		[N=158 responses]	

Not surprisingly the 'speaking out' percentages drop when it comes to children speaking out specifically about child protection issues. Slightly more children than adults have heard a child talking about 'keeping children safe', and they have heard this child speak out more frequently than adults (CHHQ most common response was 'every day' compared with the AHHQ most common response of 'rarely'). In terms of what this child is allegedly saying, overall there is not much difference between the CHHQ and AHHQ interpretations of the sort of things they have heard although 'children have the right to be safe (from violence)' features higher up the list of CHHQ responses. These questions were part of a series about whether respondents had heard various 'community leaders' speaking about keeping children safe. 'Children' were heard speaking out less than traditional and administrative leaders, women's group leaders and head teachers, but about the same amount as youth leaders.¹⁶² There was no discernable pattern which linked children being heard speaking out with a particular ethnic group or location type. Adults hearing children talking about keeping children safe is nonetheless progressive and it is hoped that this is a trend which continues.

Summary: It appears that in general children can speak out more freely in informal spaces (with friends or at home) compared with more formal spaces (at school or in the community). Caregivers appear to be more confident than children themselves about children's ability to speak out. This suggests that adults need to question their own assumptions about children's ability to speak out and safe spaces where they can do this. It is encouraging that some children have been heard to speak out specifically about keeping children safe from violence, but these children are in a minority. Very few children have been consulted regarding the development of community plans and rules at school to help keep children safe.

b. Do children tell others when they experience violence? If so, who and why?

As already seen, on average 26% of AHHQ and CHHQ respondents have heard a child speaking out specifically about child protection issues in the form of general advocacy and awareness-raising messages. How does this compare with children talking about their own, personal experience of violence?

Table 3.1-E: Proportion of children who told someone when experiencing violence and who they told

	Types of violence	Number of children who reported experiencing this within the past 1 month (% of all CHHQ respondents)	Number of children experiencing this who told someone about it (% of CHHQ respondents who experienced this)	Who children told about experiencing this (% of CHHQ respondents who experienced this & told someone about it) [multiple responses possible]	Number of adults reporting that a child in their household had spoken to them about experiencing this within the past 1 month (% of all AHHQ respondents) ¹⁶³
Home & community	Physically hurt by an adult at home	104 (37%)	40 (39%)	Mother: 16 (35%)	99 (29%)
	Physically hurt by a child at home	No data	No data	No data	129 (38%)
	Physically hurt by someone in the community	No data ¹⁶⁴	No data	No data	44 (13%)
	Called an inappropriate name by an adult at home	59 (21%)	21 (36%)	Friend: 8 (33%) Father: 6 (25%) Mother: 4 (17%) Other relative: 3 (13%) Sibling: 2 (8%) Neighbour: 1 (4%)	61 (18%)
	Called an inappropriate name by a child at home	No data	No data	No data	87 (26%)
	Called an inappropriate name by someone in the community	No data	No data	No data	37 (11%)
	Made to feel unwanted at home	43 (15%)	19 (44%)	Friend: 10 (50%) Mother: 5 (25%) Father: 4 (20%) Other relative: 1 (5%)	45 (13%)
	Touched in a way that made child feel uncomfortable at home or in the community	19 (7%)	13 (68%)	Friend: 5 (31%) Mother: 4 (25%) Other relative: 3 (19%) Sibling: 2 (13%) Father: 2 (13%)	11 (3%) [jointly for touching at home, in the community & at school]

¹⁶² See Output 3.3 for further details regarding frequency and subject matter for these other 'leaders' speaking about keeping children safe.

¹⁶³ It is important to note that the AHHQ responses cannot be directly correlated to the CHHQ responses because interviews were not conducted with children and adults from within the same households (to ensure the safety of child respondents). However, the data still provides an interesting comparison.

¹⁶⁴ Some questions had to be cut from the CHHQ to reduce the length of the questionnaire.

School	Physically hurt by a teacher at school	74 (29%)	39 (53%)	Friend: 24 (49%) Father: 9 (18%) Mother: 9 (18%) Head teacher: 3 (6%) Sibling: 2 (4%) Do not know: 1 (2%) Other relative: 1 (2%)	30 (9%)
	Physically hurt by a child at school	54 (22%)	22 (41%)	Friend: 17 (74%) Mother: 2 (9%) Teacher: 2 (9%) Father: 1 (4%) Other relative: 1 (4%)	71 (21%)
	Called an inappropriate name by a teacher at school	49 (17%)	12 (24%)	Friend: 10 (77%) Other relative: 1 (8%) Father: 1 (8%) Mother: 1 (8%)	21 (6%)
	Called an inappropriate name by a child at school	87 (35%)	24 (28%)	Friend: 16 (62%) Teacher: 3 (12%) Father: 3 (12%) Mother: 3 (12%) Other: 1 (4%)	51 (15%)
	Touched in a way that made child feel uncomfortable at school	28 (11%)	14 (52%)	Friend: 11 (79%) Teacher: 2 (14%) Mother: 1 (7%)	11 (3%) [jointly for touching at home, in the community & at school]

Consistently, across all types of violence, children are experiencing more violence than they are reporting. Overall, across all types of violence, 43% CHHQ respondents who had experienced violence within the past 1 month told someone about it. According to CHHQ responses the highest percentage of reporting is in relation to 'touching' at home or in the community (68%) and the lowest is in relation to being called an inappropriate name by a teacher (24%). According to AHHQ responses the highest percentage of reporting is in relation to being physically hurt by a child at home (38%) and the lowest is in relation to 'touching' at home, school and in the community (3%). According to both CHHQ and AHHQ respondents, in general there appears to be a higher level of reporting of physical harm than of name-calling.

For all types of violence for which both CHHQ and AHHQ data exist, only 14% of AHHQ respondents reported that a child had spoken to them about experiencing violence within the past 1 month whereas 21.5% of CHHQ respondents report having experienced such violence.

Overwhelmingly, CHHQ respondents said they told a friend, followed by their mother and then father (see Graph CHHQ 16a below). This demonstrates the unquestionable importance of empowering children to give appropriate peer support to each other.

Fiji CHHQ 16a: Who children told about experiencing violence

