



MINISTRY FOR WOMEN, SOCIAL WELFARE & POVERTY ALLEVIATION

"Enhancing human dignity, well-being and gender equality"

ADDRESS: 5<sup>th</sup> Floor Civic Towers, PO Box 14068, Suva, FIJI \* PHONE NO.: 3312848  
FAX NO.: (679) 3303829 \* EMAIL: ceowswpa@connect.com.fj \* WEBSITE: <http://women.fiji.gov.fj>

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Mr. Paulo S. Pinheiro  
UNOG-OHCHR  
**Ch-1211 Geneva 10**  
Telefax: 41 22 917 90 22

OHCHR REGISTRY

15 AUG 2005

Recipients: TCB/AM  
JC

Dear Professor Pinheiro,

Re: **Response to the Questionnaire for the UN Survey on  
Violence Against Children**

Greetings from Fiji.

Please find enclosed the Fiji country response to the questionnaire for the Secretary General's UN Global Study on Violence against Children. I understand that while UNICEF has forwarded the information for the purposes of Bangkok consultations, it has yet to be formally submitted.

I was pleased to meet in person in Bangkok and hope that you might be able to visit Fiji for the Pacific follow-up consultation scheduled for 26 - 28 September, 2005.

Kind regards.

Emele S. Duituturaga

**CHIEF EXECUTIVE OFFICER FOR WOMEN, SOCIAL WELFARE &  
POVERTY ALLEVIATION**



**East Asia and Pacific Regional Assessment  
under the UNSG's Study on Violence against Children**

**Data Collection Form**

**by 22 April 2005**

**Country: Fiji**

**Filled in by:**

Working Group comprised of:

- Department of Social Welfare, Fiji
- Save the Children Fiji
- Fiji Human Rights Commission
- Fiji Law Reform Commission (through reference to the Draft Report on the Progress of making our Laws compliant with the CRC; Legal Subcommittee of the Co-ordinating Committee on Children, 30 June 2004).
- UNICEF Pacific
- Pacific Children's Programme

**I. PERCEPTIONS of VIOLENCE AGAINST CHILDREN:**

*In this section we seek your assistance in understanding the perceptions of governments and media in relation to violence against children.*

**Government perception.**

**1. Which are the forms of violence which get more attention by the government?**

All forms of child abuse, for example, physical, emotional and sexual abuse receive more attention by the Government. Subsequent to Fiji's ratification of the CRC in 1993, Fiji reviewed the laws of Fiji as this related children's issues. In addition, Fiji has enacted the Family Law Act (2002) which provides added provisions for the welfare of children along with other legislation. Additionally, there are administrative mechanisms such as the Sexual Offences Unit in the Police Force, and the Child and Family Services Division of the Department of Social Welfare. Furthermore, the National Children's Coordinating Committee aims to advocate for the rights of the child through multi-sectoral membership.

**2. Which are the forms of violence which get least attention by the government?**

The form of violence that receives the least attention by Government is in relation to the commercial sexual exploitation of children (CSEC). Generally, the extent of this form of violence and exploitation towards children is less prevalent and perhaps further research should be conducted placing the Government in a more informed position to allocate appropriate resources for intervention and preventative measures. However, the problem of CSEC is perceived to be closely related to all forms of child abuse, and measures are in place in Fiji to address and respond to forms of violence against children.

Corporal punishment in the home is not specifically addressed by government. Parents are allowed to use 'reasonable punishment' however, this can be interpreted too widely. A wide range of physical and emotional punishments in the home was reported to the Pacific Children's Programme in two surveys conducted in 2002 (University of the South Pacific) and 2003 (Pacific Children's Programme).

## Media perception.

3. Do local media cover violence against children? In the table below, please indicate which areas receive media attention and how frequently (“Frequently” = when reports relating to violence against children occurring in local media daily or at least once a week).

- *The Working Group wish to emphasise that ‘frequently’ refers to when reports relating to violence against children occur in the local media ‘once per week’ and not daily.*

Forms of Violence against Children	Local media coverage of violence against children			
	Frequently	Occasionally	Almost Never	Don't know
in the home/family	✓			
in the school		✓		
against children in contact with the law		✓		
against institutionalized children			✓	
In work situations			✓	
In the street/community		✓		
In the online or cyberspace			✓	

## Respondent perception

4. According to you, which is the greatest area of concern regarding violence against children in the country you are working in?

Please rate answers from 1 (lowest level of concern) to 7 (highest level of concern).

Forms of Violence against Children	Rank
in the home/family	7
in the school	6
against children in contact with the law	5
against institutionalized children	4
in work situations	2
in the street/community	3
in the cyberspace / online environment	1

## II. EXISTING MATERIAL and INFORMATION:

*In this section we seek your assistance in identifying key research or studies undertaken in relation to violence against children.*

### Publications/Research

5. Please list in the table below any studies or research reports, advocacy publications or journals relating to violence against children in your country according to the different forms. Feel free to add more lines if needed.

NOTE: if a publication addresses two or more forms of violence, please report the title in all concerned sections.

<b>Violence against Children in the Home and the Family</b>					
<b>Name of Publication/ Report</b>	<b>Year</b>	<b>Source: Author or organization</b>	<b>Available at this web site</b>	<b>Doc with yr office (Yes/No)</b>	<b>Comments</b>
<i>"Community responses to child protection in Fiji: Fiji Knowledge Attitude Behaviour Practices (KABP) baseline survey"</i>	2003	Pacific Children's Programme		Pacific Children's Programme	<ul style="list-style-type: none"> <li>Children and parents responses regarding child protection in Fiji</li> </ul>
<i>"The incidence prevalence and nature of domestic violence and sexual assault in Fiji"</i>	2001	Fiji Women's Crisis Centre		Fiji Women's Crisis Centre	
<i>"Generation in transition (vol. 1): Pacific Youth and crisis of change in the late twentieth century"</i>	2000	Dr. Nii-K Plange (Academic)		University of the South Pacific	
Knowledge, Attitude, Behaviour and Practices (KABP) study on child protection in Fiji.	2002	Pacific Children's Programme		Pacific Children's Programme	<ul style="list-style-type: none"> <li>As a part of this the Pacific Children's Programme contracted the University of the South Pacific to undertake "Qualitative Studies on Child Protection Practices" in Fiji.</li> </ul>
<b>Violence against Children in the school</b>					
<b>Name of Publication/ Report</b>	<b>Year</b>	<b>Source: Author or organization</b>	<b>Available at this web site</b>	<b>Doc with yr office (Yes/No)</b>	<b>Comments</b>
<i>"A social perspective of students in Western Fiji"</i>	2001	Family Support and Education Group		Save the Children, Fiji	<ul style="list-style-type: none"> <li>Research conducted in selected Western schools canvassing student perspectives on social issues facing young people including violence and abuse issues.</li> </ul>

<i>"A Situation Analysis of Children and Women in Fiji"</i>	1996	UNICEF and Government of Fiji		UNICEF	
<i>"Secondary Education" in the publication "Learning together: directions for education in the Fiji Islands"</i>	2000	Helen Tavola from the Fiji Islands Education Commission/Panel (Ministry of Education)		Ministry of Education, Fiji.	<ul style="list-style-type: none"> <li>Examination of the influence of ethnicity, socio-economic status, gender, curriculum and religion played in relation to education</li> </ul>
<i>"Keeping children in school: Fiji school enrolments and Save the Children Fund's Child Scholarship Scheme"</i>	1998	Save the Children Fiji		Save the Children, Fiji	<ul style="list-style-type: none"> <li>Examined reasons why some children had limited access to, or no access to, education.</li> </ul>

### Violence against children in contact with the law

Name of Publication/ Report	Year	Source: Author or organization	Available at this web site	Doc with yr office (Yes/No)	Comments
<i>"A Situation Analysis of Children and Women in Fiji"</i>	1996	UNICEF and Government of Fiji		UNICEF	
<i>"Crime, deviance and delinquency in Fiji"</i>	1995	Dr. Mensah Adinkrah (Academic)		University of the South Pacific	
<i>"Survey of Teacher Attitudes, Behaviours and Practices"</i>	2004	Ministry of Education and the Pacific Children's Programme.		Pacific Children's Programme, UNICEF and the Ministry of Education.	<ul style="list-style-type: none"> <li>Examined classroom discipline and management</li> <li>The survey involved focus group discussions with around 70 teachers and questionnaire responses from 351 teachers.</li> </ul>

### Violence against institutionalized children

Name of Publication/ Report	Year	Source: Author or organization	Available at this web site	Doc with yr office (Yes/No)	Comments
No publications available					

### Violence against Children in work situations

Name of Publication/ Report	Year	Source: Author or organization	Available at this web site	Doc with yr office (Yes/No)	Comments

<i>"A Situation Analysis of Children and Women in Fiji"</i>	1996	UNICEF and Government of Fiji		UNICEF	
<i>"Child Labour in the Fiji Tobacco Industry"</i>	2004	British American Tobacco		Save the Children, Fiji	Study examined the situation of children working in the Tobacco fields of the Sigatoka Valley.
<b>Violence against Children in the street/community</b>					
<b>Name of Publication/ Report</b>	<b>Year</b>	<b>Source: Author or organization</b>	<b>Available at this web site</b>	<b>Doc with yr office (Yes/No)</b>	<b>Comments</b>
<i>"Keeping children in school: Fiji school enrolments and Save the Children Fund's Child Scholarship Scheme"</i>	1998	Save the Children Fiji		SC, Fiji	<ul style="list-style-type: none"> <li>Examined reasons why some children had limited access to, or no access to, education. Researched perspectives on this issue from communities.</li> </ul>
<i>"Listening to youth: A nationwide survey to gauge the fears, hopes and dreams of youths in Fiji"</i>	2002	ECREA – Ecumenical Centre for Research Education and Advocacy		Ecumenical Centre for Research Education and Advocacy	
<i>"Social change, contradictions, youth and violence in Fiji" in the publication "Reflections of violence in Melanesia."</i>	2000	Dr. Michael Monsell-Davis (Academic)		University of the South Pacific	
<i>"Generation in transition (vol. 1): Pacific Youth and crisis of change in the late twentieth century"</i>	2000	Dr. Nii-K Plange (Academic)		University of the South Pacific	
<i>"Street Wise"</i>	2001	Department of Social Welfare		Department of Social Welfare	<ul style="list-style-type: none"> <li>examined the dynamics, causes and nature of the issue in Fiji regarding street frequenting children</li> </ul>
<b>Violence against Children in the cyberspace/online</b>					
<b>Name of Publication/ Report</b>	<b>Year</b>	<b>Source: Author or organization</b>	<b>Available at this web site</b>	<b>Doc with yr office (Yes/No)</b>	<b>Comments</b>

No publications available					
Other form of Violence against Children					
Name of Publication/ Report	Year	Source: Author or organization	Available at this web site	Doc with yr office (Yes/No)	Comments
<i>Background Paper for Child Justice in Fiji, 2002,</i>	2002			UNICEF Pacific	<ul style="list-style-type: none"> <li>UNICEF Pacific facilitated a Child Justice Programme in the Pacific and piloted in Fiji for child offenders, victims and witnesses or any child in contact or in conflict with the law.</li> </ul>
<i>"Survey of the Impacts of the Political Crisis on Children and Families in Fiji"</i>	2001	Mereia Carling Colleen Peacock-Taylor		Save the Children, Fiji	<ul style="list-style-type: none"> <li>explored the impact of the political crisis in Fiji on women, children and families.</li> </ul>

### National Legislation & Protocols

6. Please list in the table below any relevant national or bilateral legislation existing in the country concerning aspects of violence against children (Also include other policy setting documents, for instance presidential decrees etc.). Feel free to add more lines if needed.

*NOTE: if a publication addresses two or more forms of violence, please report the title in all concerned sections.*

Violence against Children in the Home and the Family				
Name of Law/Decree/Act	Year	Availability		Comments
		Internet Access	Hardcopy With Yr office	
<b>Fiji Constitution</b>	1997		Yes	<ul style="list-style-type: none"> <li>S 25 provides a general prohibition on and cruel or degrading treatment.</li> <li>S 43 (2): Allows for direct reference to international law, where relevant, despite absence of National legislation or the absence of ratification.</li> </ul>
<b>Juveniles Act</b> Ss 45, 46, 50 (protection from some violence)			Fiji Law Reform Commission	<ul style="list-style-type: none"> <li>Care, protection and control of children and young people in family</li> </ul>



and abuse), s 57 (addresses cruelty and neglect)				and community
<b>Family Law Act</b>	2002		Fiji Law Reform Commission, Fiji Human Rights Commission, UNICEF Pacific.	<ul style="list-style-type: none"> <li>• prohibits family violence and violence against children</li> <li>• Defines family violence</li> <li>• Provides for the family violence order which is an order (including an interim order) made under a written law to protect a person from family violence.</li> <li>• Provides for maintenance and custody orders for children post-separation of parents</li> <li>• Protection and promotion of children's rights and to promote their welfare</li> <li>• References CRC and CEDAW</li> <li>• S43 to ensure that parents fulfil their duties and meet their responsibilities concerning the welfare and development of their children</li> <li>• Stipulates that the 'best interests' of the child is of paramount importance and places children at the centre of concern.</li> <li>• 'Fault' on the part of either parent is no longer relevant when considering access, custody, maintenance, and property division.</li> </ul>
<b>Domestic Violence Bill (proposed)</b>	2004		Fiji Law Reform Commission, Fiji Human Rights Commission, UNICEF Pacific.	<ul style="list-style-type: none"> <li>• Provides for 'no drop' policy of reported DV offences</li> <li>• Provides for police to apply for apprehended violence order on behalf of children</li> </ul>
<b>Juveniles Act; and Adoption of Infants Act (Cap 58)</b>			Fiji Law Reform Commission, Fiji Human Rights Commission.	<ul style="list-style-type: none"> <li>• Outlines procedure for protection of children undergoing adoption.</li> </ul>
<b>Adoption of Infants Act (Cap 58)</b>	1978		Department of Social Welfare.	<ul style="list-style-type: none"> <li>• No legislation formalising inter-</li> </ul>

				country adoptions currently. Discussions taking place about implementation of the Hague Convention in collaboration between Dept of Social Welfare and UNICEF. <ul style="list-style-type: none"> <li>• Currently inter-country agreement between Australia, New Zealand and Fiji.</li> </ul>
<b>Penal Code (cap 17)</b> s. 210 (parental responsibilities and duties) s. 235 (criminalizes use of excess of force), ss. 244-247 (assaults)	1945		Fiji Law Reform Commission	<ul style="list-style-type: none"> <li>• Reviewed sexual offences against children June 2003</li> </ul>
<b>Inter Agency Agreement: Guideline and Protocol on Child Abuse</b>	1997		Dept of Social Welfare	<ul style="list-style-type: none"> <li>• Inter agency cooperation between Police, Social Welfare and Ministry of Health to respond to children who have experienced sexual abuse.</li> </ul>

### Violence against Children in the school

Name of Law/Decree/Act	Year	Availability		Comments
		Internet Access	Hardcopy With Yr office	
<b>Fiji Constitution</b>	1997		Fiji Law Reform Commission, Fiji Human Rights Commission, UNICEF Pacific.	<ul style="list-style-type: none"> <li>• S 25 makes corporal punishment unlawful in schools, and is also provides a general prohibition on and cruel or degrading treatment.</li> <li>• S 43 (2): Allows for direct reference to international law, where relevant, despite absence of National legislation or the absence of ratification.</li> </ul>
<b>Penal Code (cap 17)</b>	1945		Fiji Law Reform Commission	<ul style="list-style-type: none"> <li>• Criminalises all offences against children</li> </ul>

### Violence against children in contact with the law

Name of Law/Decree/Act	Year	Availability		Comments
		Internet Access	Hardcopy With Yr office	
<b>Fiji Constitution</b>	1997		Fiji Law Reform Commission, Fiji Human Rights Commission,	<ul style="list-style-type: none"> <li>• S 25 provides a general prohibition on and cruel or degrading treatment.</li> <li>• S 43 (2): Allows for direct reference to international law,</li> </ul>

			UNICEF Pacific.	where relevant, despite absence of National legislation or the absence of ratification.
Juveniles Act (amendment)	1997		Fiji Law Reform Commission, Fiji Human Rights Commission.	<ul style="list-style-type: none"> <li>Provides for administration of juvenile justice and provides protection to children in conflict with the law</li> </ul>
Penal Code (cap 17) Amendment Act No 29 of 1997	1945			<ul style="list-style-type: none"> <li>Recent increase in penalties concerning offences against children</li> <li>Better implements the obligation of Government to protect children from sexual abuse and exploitation enshrined in Art 19 and 34 of the CRC.</li> </ul>

### Violence against institutionalized children

Name of Law/Decree/Act	Year	Availability		Comments
		Internet Access	Hardcopy With Yr office	
Mental Treatment Act (cap 113) Chapter 113, Ed. 1978 Legislated year: 1990	1990			<ul style="list-style-type: none"> <li>Provides for welfare of children in mental health facilities</li> </ul>
Fiji Constitution	1997		Fiji Law Reform Commission, Fiji Human Rights Commission, UNICEF Pacific.	<ul style="list-style-type: none"> <li>S 25 provides a general prohibition on and cruel or degrading treatment.</li> </ul>

### Violence against Children in work situations

Name of Law/Decree/Act	Year	Availability		Comments
		Internet Access	Hardcopy With Yr office	
Fiji Constitution	1997		Fiji Law Reform Commission, Fiji Human Rights Commission, UNICEF Pacific.	<ul style="list-style-type: none"> <li>S 25 provides a general prohibition on and cruel or degrading treatment.</li> <li>S 43 (2): Allows for direct reference to international law, where relevant, despite absence of National legislation or the absence of ratification.</li> </ul>
Industrial Relations Bill (currently being drafted 2005)	2005		Government Printers, ILO, Suva.	<ul style="list-style-type: none"> <li>Prohibit any person under 15 to be engaged in any employment</li> </ul>

Juveniles Act (s 58)	1997			<ul style="list-style-type: none"> <li>Prohibits children to be used for begging</li> </ul>
ILO Convention 138	Ratified 2001		ILO, Suva	<ul style="list-style-type: none"> <li>Minimum age for admission to employment not be less than the age of completion of compulsory schooling and, in any case, shall not be less than 15 years.</li> </ul>
ILO Convention 182	Ratified 1999			<ul style="list-style-type: none"> <li>Prohibition and immediate action for the elimination of the worst forms of child labour</li> </ul>
Employment Act (Cap 92)	1965		Department of Labour	<ul style="list-style-type: none"> <li>S59: no child under age of 12 should be employed in any capacity</li> <li>Ss59-68 outlines conditions of employment for children and young people.</li> <li>S71 stipulates that employers of children and young people must keep register of all children and young persons in their employment and shall include in such register particulars of their ages, date of commencement and termination of their employment, conditions and nature of their employment etc.</li> </ul>

### Violence against Children in the street/community

Name of Law/Decree/Act	Year	Availability		Comments
		Internet Access	Hardcopy With Yr office	
Fiji Constitution	1997		Fiji Law Reform Commission, Fiji Human Rights Commission, UNICEF Pacific.	<ul style="list-style-type: none"> <li>S 25 provides a general prohibition on and cruel or degrading treatment.</li> <li>S 43 (2): Allows for direct reference to international law, where relevant, despite absence of National legislation or the absence of ratification.</li> </ul>
Births, Deaths and Marriages Registration Act (cap 49)	1976			<ul style="list-style-type: none"> <li>Provides wide coverage of birth registration having positive implications largely cn</li> </ul>

				access to citizenship rights and serves
Penal Code (cap 17)	1945		No. With the Fiji Law Reform Commission	<ul style="list-style-type: none"> <li>Reviewed sexual offences against children June 2003</li> </ul>
<b>Violence against Children in the cyberspace/online</b>				
Name of Law/Decree/Act	Year	Availability		Comments
		Internet Access	Hardcopy With Yr office	
Fiji Constitution	1997		Fiji Law Reform Commission, Fiji Human Rights Commission, UNICEF Pacific.	<ul style="list-style-type: none"> <li>S 25 provides a general prohibition on and cruel or degrading treatment.</li> <li>S 43 (2): Allows for direct reference to international law, where relevant, despite absence of National legislation or the absence of ratification.</li> </ul>
Juveniles Amendment Act s62A; 'Pornographic Activities Involving Juveniles '			Fiji Law Reform Commission, Fiji Human Rights Commission.	<ul style="list-style-type: none"> <li>Focuses on sexual abuse of children unique to the electronic age</li> <li>Criminalises any person who accesses visual material by any form of technology that displays children and pornographic activity.</li> </ul>
<b>Other form of Violence against Children</b>				
Name of Law/Decree/Act	Year	Availability		Comments
		Internet Access	Hardcopy With Yr office	
Fiji Constitution	1997		Fiji Law Reform Commission, Fiji Human Rights Commission.	<ul style="list-style-type: none"> <li>S 25 provides a general prohibition on and cruel or degrading treatment.</li> <li>S 43 (2): Allows for direct reference to international law, where relevant, despite absence of National legislation or the absence of ratification.</li> </ul>

7. In your opinion what are the major gaps in domestic legislation relating to violence against children?

Reviews have been conducted into offences against children; juvenile justice; and adoption. However, the recommendations arising from these need to be implemented. This is

imperative given the obligation in the National Strategic Development Plan, Chapter 6.4, for the consideration of children and young persons legislation in Fiji.

The following is a summary of the legislative gaps in Fiji relating to violence against children. The information is taken from the Fiji Human Rights Commission response to the Questionnaire to Governments (Chapter 1) written by Ms Deveena Sudhakar Herman (Legal Officer, FLRC) with the assistance of Vuki Qionibaravi (Senior Legal Officer, Fiji Law Reform Commission).

Fiji ratified the Convention on the Rights of the Child in 1993 and since then the provisions of the CRC has been cited by the Courts when dealing with violence and abuse against children. Fiji has not ratified the two optional protocols to the CRC or the Palermo Protocol, however the courts in Fiji are not restricted in their use when dealing with cases at the local level. Fiji has also not legislated a national enabling legislation for the CRC for the provisions to be brought into the domestic context but a provision in the Constitution enables the courts give due regard public international law applicable to the protection of the rights set out in the Bill of Rights chapter.

### **Domestic Violence**

Currently there is no specific legislation in Fiji, which covers the issue of domestic violence. The Fiji Law Reform Commission is undertaking the review of the status of domestic violence laws and the likely outcome of that review is that there will be legislation, which will criminalise domestic violence, and provide specific legal protections for women and children.

### **Corporal Punishment**

Corporal punishment against children is not specifically prohibited in any setting, including in the family. The Penal Code has provisions for corporal punishment for criminal offences but in 2001 in the 'Naushad Ali's Case' the High Court ruled that corporal punishment was unconstitutional and illegal. However, the Penal Code has not been amended to remove the references of corporal punishment. The Fiji Law Reform Commission will review the Penal Code shortly and the Fiji Human Rights Commission would be making submissions to the Law Reform Commission to remove all references of corporal punishment from the Penal Code. Following the Naushad Ali decision, the Ministry of Education has established and implemented alternative methods of discipline that do not involve physical abuse.

There are no legal defences for those who administer corporal punishment to children. However, majority of people are of the view that corporal punishment is the best way to discipline children and this is used as a justification.

Those who administer corporal punishment on children can be taken to court after being charged under the Penal Code for offences like common assault and assault causing actual bodily harm, which is punishable for 1 year and 5 year prison term respectively.

### **Bullying / hazing**

Bullying/hazing is not specifically addressed in any of the legislation but the Fiji Human Rights Commission can take up matters under harassment. Sexual harassment is addressed in the Penal Code, the Human Rights Commission Act 1999 and the draft Employment Bill that is currently going through consultations before being submitted to Parliament.

The Penal Code has provisions under which people can be charged for sexual harassment, but

the provisions are very outdated and needs to be reviewed.

#### **Minimum age for sexual activity**

Section 14(3) of the Penal Code provides that “*a male person under the age of twelve years is presumed to be incapable of having carnal knowledge*”. There are no equivalent provisions relating to girls.

#### **Sexual exploitation of children**

The Penal Code and the Juveniles Act 1997 prohibits the commercial sexual exploitation of children in Fiji, including prostitution and other unlawful sexual activities. Fiji has not yet ratified the Optional Protocol to the CRC on the Sale, Child Prostitution and Child Pornography but when the need arises the courts in Fiji can use the provisions of the Optional Protocol through section 43 of the Constitution.

However, the Penal Code has major gaps in the protections provided children in relation to the restrictive definition of ‘rape’ being limited to vaginal/penile penetration, thus not prohibiting the rape of a boy through explicit statutory provisions other than reference to offences against morality under the Penal Code.

#### **Pornography and harmful information**

Following the discovery in 1997 of pornographic materials involving children in a private home and subsequent arrest and sentencing of an Australian national, it was evident that there was a lacuna in the law concerning children, pornography and computers. To address this, the Fiji Law Reform Commission was mandated by the Attorney General to review the Penal Code and the Criminal Procedure Code and make recommendations of their reform. There was no prohibition in the law on the accessing through technological means of pornographic material involving children; for example, through the internet by way of personal computers. As a result, the Juveniles (Amendment) Act was enacted in 1997 making it a criminal offence for a person who makes, participates in, uses, observes, publishes, solicits, advertises, distributes, traffics in, lets on hire, buys, sells, offers to sell, media or records of pornographic activity involving juveniles.

However, the laws regulating cyberspace and online exploitation and abuse of children need to be improved and enforced for the effective protection of children from this form of abuse.

#### **Reporting obligations relating to violence against children**

There is a memorandum of understanding between the Fiji Police and the Ministry of Health to report all incidents of abuse and other forms of sexual exploitation on children who seek medical treatment. However, there is no legal mandate to report child at risk matters.

### **Statistics**

8. What type of quantitative data or statistics is available relating to the key areas identified for the study on violence against children? Feel free to add more lines if needed.

*NOTE: Please consider both general statistics (e.g. number of children in detention, numbers of street children etc) as well as specific statistics (e.g. numbers of child*

victims of abuse, number of children treated for violence related injuries, data on abuse of children in institutions and prisons etc.)

<b>Violence against Children in the Home and the Family</b>					
Type of Data	Year	Source	Availability		Comments
			Internet Access	Hardcopy With Yr office	
Department of Police (reported cases)	2003 (2004 Annual Report pending)	<ul style="list-style-type: none"> <li>Terms derived from the Penal Code</li> </ul>		Dept of Police	
<b><u>Reported Cases of Sexual Abuse of Children and Young People</u></b>		Rape			<ul style="list-style-type: none"> <li>15</li> </ul>
		Attempted rape			<ul style="list-style-type: none"> <li>8</li> </ul>
		Defilement of Girls under the age of 13			<ul style="list-style-type: none"> <li>8</li> </ul>
		Defilement of girls between 14-16			<ul style="list-style-type: none"> <li>8</li> </ul>
		Unnatural offences			<ul style="list-style-type: none"> <li>Below 13 yrs: 7</li> <li>Between 14-16 yrs: 0</li> </ul>
		Indecent exposure			<ul style="list-style-type: none"> <li>Below 13 yrs: 18</li> <li>Between 14-16 years: 3</li> </ul>
		Incest			<ul style="list-style-type: none"> <li>Below 13 yrs: 0</li> </ul>
					<ul style="list-style-type: none"> <li>Bt 14-16: 0</li> </ul>
		Indecent Assault			<ul style="list-style-type: none"> <li>Below 13yrs: 33</li> </ul>
					<ul style="list-style-type: none"> <li>Bt 14-16 yrs: 6</li> </ul>
				<b>TOTAL number of child sexual abuse cases for 2003</b>	<ul style="list-style-type: none"> <li>121</li> </ul> <p><u>Breakdown of total figures</u></p> <ul style="list-style-type: none"> <li>Below 13 yrs: 96 cases</li> <li>Bt 14-16 yrs: 25</li> </ul>
<b>Reported cases of Child Physical</b>		Murder			<ul style="list-style-type: none"> <li>Below 13 yrs: 1</li> <li>14-16yrs: 0</li> </ul>



<b>Abuse</b>					
		Manslaughter			<ul style="list-style-type: none"> <li>Below 13 yrs: 0</li> <li>14-16yrs: 0</li> </ul>
		Assault with intent to cause grievous bodily harm			<ul style="list-style-type: none"> <li>Below 13 yrs: 7</li> <li>14-16yrs: 0</li> </ul>
		Assault occasioning actual bodily harm			<ul style="list-style-type: none"> <li>Below 13 yrs: 29</li> <li>14-16yrs: 3</li> </ul>
		Abduction			<ul style="list-style-type: none"> <li>Below 13 yrs: 3</li> <li>14-16yrs: 0</li> </ul>
		Criminal intimidation			<ul style="list-style-type: none"> <li>Below 13 yrs: 1</li> <li>14-16yrs: 0</li> </ul>
		Common assault			<ul style="list-style-type: none"> <li>Below 13 yrs: 10</li> <li>14-16yrs: 0</li> </ul>
		Others			<ul style="list-style-type: none"> <li>Below 13 yrs: 5</li> <li>14-16yrs: 4</li> </ul>
				<b>TOTAL:</b> child physical abuse cases	<ul style="list-style-type: none"> <li>Below 13 yrs: 56</li> <li>14-16yrs: 7</li> </ul>
<b>Department of Social Welfare: Child Welfare Services Statistics</b> (cases where Dept of Social Welfare intervened)	<b>2003</b>				
		Sexual Abuse			<ul style="list-style-type: none"> <li>42 cases</li> </ul>
		Child neglect			<ul style="list-style-type: none"> <li>57</li> </ul>
		Abandonment \ Lost \ Orphaned			<ul style="list-style-type: none"> <li>37</li> </ul>
		Beyond control (removal of child)			<ul style="list-style-type: none"> <li>48</li> </ul>
		Children available for adoption			<ul style="list-style-type: none"> <li>22</li> </ul>
		Victims of parental conflict			<ul style="list-style-type: none"> <li>75</li> </ul>
		Truancy			<ul style="list-style-type: none"> <li>7</li> </ul>
<b>Violence against Children in the school</b>					
Type of Data	Year	Source	Availability		Comments
			Internet Access	Hardcopy With Yr office	
No data available					
<b>Violence against children in contact with the law</b>					
Type of Data	Year	Source	Availability		Comments

			Internet Access	Hardcopy With Yr office	
No data available					
<b>Violence against institutionalized children</b>					
Type of Data	Year	Source	Availability		Comments
			Internet Access	Hardcopy With Yr office	
No data available					
<b>Violence against Children in work situations</b>					
Type of Data	Year	Source	Availability		Comments
			Internet Access	Hardcopy With Yr office	
No data available					
<b>Violence against Children in the street/community</b>					
Type of Data	Year	Source	Availability		Comments
			Internet Access	Hardcopy With Yr office	
No data available					
<b>Violence against Children in the cyberspace</b>					
Type of Data	Year	Source	Availability		Comments
			Internet Access	Hardcopy With Yr office	
No data available					
<b>Relevant General Data on Children</b>					
Type of Data	Year	Source	Availability		Comments
			Internet Access	Hardcopy With Yr office	
No data available					

9. In your opinion what are the major gaps in available national statistics in relation to violence against children?

The following gaps in national statistics were raised at a consultation meeting of stakeholders on the Study of the Physical and Emotional Punishment of Children in Fiji conducted by Save the Children Fiji, February 2005.

Major Gaps in available National Statistics:

- 1.0) Quantitative data available does not depict in detail the acts of violence administered on children. Acts of violence against children are grouped under broad categories.
- 2.0) National Statistics does not display specific information e.g. gender of victims.
- 3.0) Available data on emotional abuse is scarce.
- 4.0) Statistics available from the Social Welfare Department are only on cases of intervention.
- 5.0) There is a need for more information on the types of services available, which will be helpful to victims and the families supporting them following the sentencing of parent(s).
- 6.0) Baseline data is needed to fully understand the nature and scope of the incidence of punishment of children.
- 7.0) Lack of collaborative approach by agencies, departments and organizations working with children to address and record the issue of physical and emotional punishment of children. Sharing of existing information is vital.
- 8.0) Generate awareness to encourage people to report cases of violence and abuse of children

### III. NETWORKS and MAJOR ACTORS:

10. What, if any, major actors or networks active in fields relating to violence against children? I.g. professional groups or networks, national/international non-governmental organizations, academic institutions, etc.

*NOTE: Please use the same template for each contact.*

Organisation/ Institution	UNICEF Pacific
Contact Person	Holly Doel-Mackaway
Phone/Fax	+679 330 0439; +679 330 1667
E.mail	<a href="mailto:hdoelmackaway@unicef.org">hdoelmackaway@unicef.org</a>
Address	Private Mail Bag, Suva
Country	Fiji
Field of work	Physical and sexual abuse, juvenile justice, child rights, children in emergencies

Organisation/ Institution	UNIFEM
Contact Person	Ms Amelia Kinahoi Siamomua (Regional Director)
Phone/Fax	+679 330 1179; +679 330 1654
E.mail	<a href="mailto:amelia@unifempacific.com">amelia@unifempacific.com</a> ; <a href="mailto:amelia.siamomua@undp.org">amelia.siamomua@undp.org</a>
Address	Private Mail Bag, Suva
Country	Fiji
Field of work	

Organisation/ Institution	UNFPA
Contact Person	

Phone/Fax	+679 330 8022; +679 330 2785
E.mail	
Address	Private Mail Bag, Suva
Country	Fiji
Field of work	
Organisation/ Institution	UNDP
Contact Person	
Phone/Fax	+679 331 2500; +679 331 1718
E.mail	
Address	Private Mail Bag, Suva
Country	Fiji
Field of work	

Organisation/ Institution	ILO
Contact Person	
Phone/Fax	+679 331 3866; +679 331 0248
E.mail	
Address	Private Mail Bag, Suva
Country	Fiji
Field of work	

Organisation/ Institution	Save the Children Fiji
Contact Person	Lynette and Margaret
Phone/Fax	+679 331 3178/331 3938; +679 330 1078
E.mail	<a href="mailto:scf-fiji@mailhost.sopac.org.fj">scf-fiji@mailhost.sopac.org.fj</a>
Address	P O Box 2249, Government Buildings
Country	Fiji
Field of work	

Organisation/ Institution	Pacific Children's Programme
Contact Person	Ross Hardy (Team Leader)
Phone/Fax	+679 330 1714; +679 330 1724
E.mail	<a href="mailto:scf-fiji@mailhost.sopac.org.fj">scf-fiji@mailhost.sopac.org.fj</a>
Address	P O Box 13680, Suva
Country	Fiji
Field of work	Community awareness raising on child abuse prevention

Organisation/ Institution	Women's Action for Change
Contact Person	Ms Peni Moore (Director)
Phone/Fax	+679 3314363; +679 3305033
E.mail	
Address	P O Box 12398, Suva
Country	Fiji
Field of work	

Organisation/ Institution	Women's Action for Change
Contact Person	Ms Peni Moore (Director)
Phone/Fax	+679 331 4363; +679 330 5033
E.mail	
Address	P O Box 12398, Suva
Country	Fiji
Field of work	

Organisation/ Institution	Fiji Women's Rights Movement
Contact Person	Ms Virisila Buadromo, Co-ordinator
Phone/Fax	+679 3313156; +679 331 3466
E.mail	<a href="mailto:fwrm@is.com.fj">fwrm@is.com.fj</a>
Address	GPO Box 14194, Suva
Country	Fiji
Field of work	

Organisation/ Institution	Family Support and Education Group
Contact Person	
Phone/Fax	+679 665 0485
E.mail	
Address	Old Hospital Road, Lautoka
Country	Fiji
Field of work	

Organisation/ Institution	Fiji Council of Social Service
Contact Person	Mr Hassan Khan, Director
Phone/Fax	+679 331 3133/331 2649; +679 330 2936
E.mail	
Address	GPO Box 13476
Country	Fiji
Field of work	

Organisation/ Institution	Department of Social Welfare, Ministry of Women, Social Welfare and Poverty Alleviation
Contact Person	Mr Aseri Rika, Director
Phone/Fax	+679 331 5931/331 5585; +679 3305110
E.mail	<a href="mailto:arika@govnet.gov.fj">arika@govnet.gov.fj</a>
Address	P O Box 14068, Suva
Country	Fiji
Field of work	

Organisation/ Institution	Ministry of Labour, Industrial Relations & Productivity
Contact Person	Mr Brian Singh, Permanent Secretary

Phone/Fax	+679 321 1640; +679 330 4701
E.mail	
Address	P O Box 2216, Government Buildings, Suva
Country	Fiji
Field of work	

Organisation/ Institution	Fiji Police Force
Contact Person	Mr. Andrew Hughes, Commissioner
Phone/Fax	+679 331 2999/330 6222; +679 330 3218
E.mail	
Address	P O Box 239, Suva
Country	Fiji
Field of work	

Organisation/ Institution	Ministry of Health
Contact Person	Dr Lepani Waqatakirewa, Chief Executive Officer
Phone/Fax	+679 330 6177; +679 330 6163
E.mail	
Address	P O Box 2223, Government Buildings, Suva
Country	Fiji
Field of work	

Organisation/ Institution	Fiji Human Rights Commission
Contact Person	Dr. Shaista Shameem, Director and Deevana Sudhakar
Phone/Fax	+679 330 8577; +679 330 8661
E.mail	<a href="mailto:dsudhakar@humanrights.org.fj">dsudhakar@humanrights.org.fj</a>
Address	Private Mail Bag, Suva
Country	Fiji
Field of work	

Organisation/ Institution	Fiji Law Reform Commission
Contact Person	Mr Walter Rigamoto, Director
Phone/Fax	+679 330 3900/330 3895; +679 330 3646
E.mail	
Address	P O Box 2194, Government Buildings, Suva
Country	Fiji
Field of work	

Organisation/ Institution	Ministry of Education
Contact Person	Ms Alumita Taganesia , Chief Executive Officer
Phone/Fax	+679 331 4477; +679 330 3511
E.mail	
Address	Private Mail Bag, Suva

Country	Fiji
Field of work	

Organisation/ Institution	Legal Aid Commission
Contact Person	
Phone/Fax	+679 331 1195; +679 330 3023
E.mail	
Address	Private Mail Bag, Government Buildings, Suva
Country	Fiji
Field of work	

Organisation/ Institution	Office of the Director of Public Prosecutions
Contact Person	Ms Anuja Sukhdeo, Acting Senior Legal Officer
Phone/Fax	+679 3211750; +679 330 2780
E.mail	
Address	P O Box 2366, Government Buildings, Suva
Country	Fiji
Field of work	

Organisation/ Institution	National Coordinating Committee on Children (C/O the Ministry for Education – refer above)
Contact Person	
Phone/Fax	
E.mail	
Address	
Country	
Field of work	

Organisation/ Institution	Tourism Combined Law Agency Group
Contact Person	Mr Tevita Tuinalele
Phone/Fax	+679 3312 788; +679 3302 060
E.mail	
Address	GPO Box 1260 Suva
Country	Fiji
Field of work	Tourism Industry

Organisation/ Institution	Fiji Girl Guides Association
Contact Person	Aliti
Phone/Fax	+679 330 0980
E.mail	
Address	P O Box 222, Suva
Country	Fiji
Field of work	

Organisation/ Institution	Fiji Council of Churches
Contact Person	
Phone/Fax	+679 331 3798
E.mail	
Address	P O Box 2300, Government Buildings, Suva
Country	Fiji
Field of work	

Organisation/ Institution	Fiji Disabled People's Association
Contact Person	
Phone/Fax	+679 331 1203
E.mail	
Address	P O Box 15178, Suva
Country	Fiji
Field of work	

Organisation/ Institution	Fiji Early Childhood Association
Contact Person	
Phone/Fax	
E.mail	
Address	P O Box 1168, Suva
Country	Fiji
Field of work	

Organisation/ Institution	Fiji Red Cross
Contact Person	
Phone/Fax	+679 331 4133/330 1867; +679 330 3818
E.mail	<a href="mailto:redcross@is.com.fj">redcross@is.com.fj</a>
Address	P O Box 569, Suva
Country	Fiji
Field of work	

Organisation/ Institution	Fijian Teachers Association
Contact Person	
Phone/Fax	+679 331 5099/ 331 8156
E.mail	
Address	P O Box 14464, Suva
Country	Fiji
Field of work	

Organisation/ Institution	Fiji Teachers Union
Contact Person	



Phone/Fax	
E.mail	
Address	P O Box 2203, Government Buildings, Suva
Country	Fiji
Field of work	

Organisation/ Institution	The Reproductive and Family Health Association of Fiji
Contact Person	Dr Sakeo Varea, Executive Director
Phone/Fax	+679 331 2517/331 2360; +679 331 2278
E.mail	
Address	G P O Box 17259, Suva
Country	Fiji
Field of work	

Organisation/ Institution	Fijian Association of Social Workers
Contact Person	
Phone/Fax	
E.mail	
Address	C/- Fijian Council of Social Services (see above)
Country	Fiji
Field of work	

Organisation/ Institution	The National Council of Women
Contact Person	
Phone/Fax	+679 331 5429; +679 331 5429
E.mail	<a href="mailto:newf@is.com.fj">newf@is.com.fj</a>
Address	G P O Box 840, Suva
Country	Fiji
Field of work	

Organisation/ Institution	Project H.E.A.V.E.N Inc
Contact Person	
Phone/Fax	+679 666 4072
E.mail	
Address	C/- Fiji Red Cross, P O Box 6368, Lautoka
Country	Fiji
Field of work	

Organisation/ Institution	Fiji School of Nursing
Contact Person	Mrs Iloi Rabuka, Principal
Phone/Fax	+679 332 1499; +679 3321013
E.mail	
Address	Private Mail Bag, Suva

Country	Fiji
Field of work	

Organisation/ Institution	Family Life Ministries
Contact Person	
Phone/Fax	
E.mail	
Address	47 Grantham Road, Raiwai, Suva
Country	Fiji
Field of work	

Organisation/ Institution	Salvation Army
Contact Person	
Phone/Fax	+679 331 5177; +679 330 3112
E.mail	<a href="mailto:Fiji_rhq@nzf.salvationarmy.org">Fiji_rhq@nzf.salvationarmy.org</a>
Address	P O Box 14412, Suva
Country	Fiji
Field of work	

Organisation/ Institution	Ministry of Youth, Employment Opportunities and Sports
Contact Person	Ms Poasa Ravea, Permanent Secretary
Phone/Fax	+679 3315960; +679 330 5348
E.mail	
Address	P O Box 2448, Government Buildings, Suva
Country	Fiji
Field of work	

Organisation/ Institution	Ministry of Fijian Affairs, Culture, Heritage and Provincial Development
Contact Person	Mr Jioji Kotobalavu, Permanent Secretary, Office of the PM; Mr. Apisalome Tudreu, Permanent Secretary, National Recon.
Phone/Fax	+679 321 1201; +679 330 6034
E.mail	
Address	P O Box 2353, Government Buildings, Suva
Country	Fiji
Field of work	

11. Has any national workshops or conferences been held relating to violence against children. Please indicate name of conference, when it was held and contact persons/institutions. If there were some outcome documents or reports with relevance to the current subject matter please indicate so.

*NOTE: Please use the same template for each contact.*

Event	Pacific Regional Workshop on Combating Poverty and Commercial Sexual Exploitation of Children and Youth, 15-19
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	September 2003
Contact Person	UNESCAP Department of Social Welfare (see above)
Phone/Fax	+662 288 1502; +662 288 3031
E.mail	<a href="mailto:escap-healthdev@un.org">escap-healthdev@un.org</a>
Address	United Nations Buidling, Rjadamnern Avenue, Bangkok 10200, Thailand
Country	Fiji
Outcome Doc.	Report on Pacific Regional Workshop on Combating Poverty and Commercial Sexual Exploitation of Children and Youth

Event	Domestic Violence Reference, Consultative Workshops
Contact Person	C/- Fiji Law Reform Commission (Above)
Phone/Fax	
E.mail	
Address	
Country	
Outcome Doc.	Draft Domestic Violence Bill; Draft Report Parts 1, 2 and 3

12. If you have some further information or comments on violence against children in the country or region in which you work, please offer that below:

