



Solomon Islands Non-Government Organisations' Alternative Report on the Combined Second and Third Periodic Reports of Solomon Islands to the United Nations Committee on the Rights of the Child

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Table of Contents

Abbreviations	4
I. Introduction	5
II. Methodology	6
III. Endorsement	7
IV. Cluster 5: Violence Against Children	8
Abuse and neglect, including physical and psychological recovery and social reintegration.....	8
<i>Recommendations</i>	11
Right not to be subjected to torture or other cruel, inhuman or degrading treatment or punishment, including corporal punishment	13
<i>Recommendations</i>	14
Sexual exploitation and sexual abuse.....	14
<i>Recommendations</i>	18
V. Cluster 6: Family Environment and Alternative Care	20
Parents' common responsibilities, assistance to parents and the provision of childcare services.....	20
<i>Recommendations</i>	21
VI. Cluster 7: Disability, Basic Health and Welfare	22
Measures taken to ensure dignity, self-reliance and active participation in the community for children with disabilities ..	22
<i>Recommendations</i>	26
Health and health services, in particular primary health care	27
<i>Recommendations</i>	30
Measures to protect children from substance abuse	31
<i>Recommendations</i>	32
VII. Cluster 8: Education, Leisure and Cultural Activities	33
Right to education, including vocational training and guidance	33
<i>Recommendations</i>	39
Cultural rights of children belonging to indigenous and minority groups.....	40
<i>Recommendations</i>	40

VIII. Cluster 9: Special Protection Measures	41
Administration of juvenile justice, the existence of specialized and separate courts and the applicable minimum age of criminal responsibility	41
<i>Recommendations</i>	42
References	44

Annex I. Recommendations

Annex II. Additional Findings and Recommendations

Cluster 5: Violence Against Children

Measures to prohibit and eliminate all forms of harmful traditional practices, including, but not limited to, female genital mutilation and early and forced marriages	1
<i>Recommendations</i>	2

Cluster 7: Disability, Basic Health and Welfare

Adolescent Health	2
<i>Recommendation</i>	3
Adolescent Mental Health	3
<i>Recommendations</i>	5

Cluster 8: Education, Leisure and Cultural Activities

School Infrastructure	6
<i>Recommendations</i>	7

Cluster 9: Special Protection Measures

Police and Juvenile Justice	8
<i>Recommendations</i>	9
Juvenile Justice Data Collection	9
<i>Recommendations</i>	10

Abbreviations

CBR	Community Based Rehabilitation
CDF(s)	Constituency Development Fund(s)
CRC	Convention on the Rights of the Child
CRPD	Convention on the Rights of Persons with Disabilities
CSEC	Commercial Sexual Exploitation of Children
ECE	Early Childhood Education
HIES	Household Income and Expenditure Survey
IOM	International Organisation for Migration
JIMS	Justice Information Management System
MCILI	Ministry of Commerce, Industry, Labour and Immigration
MEHRD	Ministry of Education and Human Resources Development
MHMS	Ministry of Health and Medical Services
MP	Member of Parliament
MWYCFA	Ministry of Women, Youth, Children and Family Affairs
NGO	Non-Government Organisation
NSO	National Statistics Office
OP2	Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography
PWDSI	People with Disabilities Solomon Islands
RSIPF	Royal Solomon Islands Police Force
SBD	Solomon Islands Dollar
SDG	Sustainable Development Goal
SIDHS	Solomon Islands Demographic and Health Survey
SPC	Secretariat of the Pacific Community
STI(s)	Sexually Transmitted Infection(s)
SWD	Social Welfare Division
UNICEF	United Nations Children's Fund
USD	United States Dollar
WaSH	Water, Sanitation and Hygiene
WHO	World Health Organisation

I. Introduction

Solomon Islands has now been a State Party to the Convention on the Rights of the Child (CRC, or the Convention) for 17 years, close to half of the country's short existence. During that time, the country has taken significant steps towards implementing the Convention, especially since its initial review by the Committee of the Rights of the Child (the Committee) in 2003. This progress has undoubtedly been assisted by the end of hostilities associated with a period of civil conflict from 1998 to 2003. Notably, important laws have recently been passed which have a direct impact on the wellbeing of children and child's rights. This has included legislation associated with domestic violence, the exploitation and abuse of children, and comprehensive laws, yet to be implemented, dealing with child welfare and protection. Most core child-related primary health indicators have vastly improved over the last fifteen years. There have been similarly significant improvements in school enrolment rates, albeit starting from a very low base.

Yet despite these gains, Solomon Islands continues to experience difficulties prioritising, resourcing, and monitoring child-related laws, policies and services, and major gaps and weaknesses remain. Many pieces of legislation remain outdated and do not follow the CRC. Various government policies are similarly out-of-date and/or seldom implemented. Child-related services, including in health and education, are generally weak, being under-resourced and geographically confined. A number of child health indicators have regressed in the post-conflict era and violence against children remains pervasive across the country.

While Solomon Islands has made various commitments to ensure greater compliance with the CRC, the country is yet to implement important provisions of the Convention, or ratify a number of key international child-relevant instruments, including those related to disability, child exploitation and trafficking.

Progress in achieving compliance with the Convention in Solomon Islands needs to be assessed against a broader backdrop of significant economic constraint, rapid population growth and the contemporary dynamics of the political economy of the country. These mean that Solomon Islands is highly reliant on the assistance of external partners when it comes to delivering many child-relevant services and raising awareness around issues related to the Convention. The NGO partners who contributed to this report are all involved in programs and/or advocacy efforts which either directly or indirectly affect children.

This report endeavours to provide an analysis of the main child-related issues which Solomon Islands is facing as at the end of 2017. It does not address all areas of the Convention. Rather, it focusses on those issues that are deemed to be of key relevance by the NGO partners involved in this report as well as a variety of other individuals and groups that were consulted during its preparation.

Where relevant, reference is made throughout this report to child-relevant Sustainable Development Goals (SDGs) – to which the Solomon Islands has committed to implementing. The key government policy directing the country's development, the 'National Development Strategy 2016 to 2035', extensively refers to, and is aligned with, the SDGs.

II. Methodology

The background research for this report was undertaken in October and November 2017. The report is based on discussions with individuals and groups that took place in three locations across Solomon Islands: Honiara, the capital, and Malaita and Western Provinces, in addition to primary and secondary information sources.

Malaita Province is the most populous of Solomon Islands' nine provinces (population approx. 170,000), while Western Province is the largest geographically, comprising eleven main islands (population approx. 91,000). Like all of Solomon Islands, both provinces experience key service-delivery challenges arising from small, dispersed populations, high transport and communication costs, and limited public or private infrastructure and investment. Both have experienced the impact of logging, which has been the main driver of economic growth in the post-conflict period.

Honiara is the only urban centre in the country and experiences unique service-delivery challenges (population approx. 70,000). It reportedly has the highest levels of population growth in the South Pacific and is characterised by a very young populace, with persons aged under 24 representing the highest demographic in the city. Despite being the home to all significant public services, the bulk of private sector activity, and the main international sea and air ports, service delivery in the capital is generally poor and has not kept pace with population growth.

The diversity of the three locations that were visited provided an opportunity to access, compare and contrast relevant child-related issues in geographic areas that differed in terms of ethnicity, population, geography, and accessibility to public and private services.

Over a three-week period, semi-structured interviews were conducted with a variety of individuals in the three locations discussed, including NGO staff, provincial and national government officials, police officers, teachers, health workers, donor community representatives, parents and children. In total, forty individual interviews were conducted. Ten focus group discussions also took place, including with the NGO partners involved in this report. Anonymity was assured to all of those spoken to, unless they agreed otherwise. Direct observation of schools, health clinics and other community services also took place.

Similar to Solomon Islands' 'Second and Third Combined Periodic Report' and its response to the 'List of Issues' submitted in October 2017, this report is not confined to the official reporting period (2002 to 2007). It contains information that is current to December 2017.

III. Endorsement

This report has been contributed to and endorsed by the following NGOs in the Solomon Islands: Caritas, Homes of Peace and Empowerment (HOPE) Trust, Live and Learn, Oxfam in the Solomon Islands, People with Disabilities Solomon Islands, Plan International and World Vision. The report is also endorsed by Save the Children Australia who facilitated its preparation. Preparation of the report was funded by the European Instrument for Democracy and Human Rights through Save the Children Australia's Solomon Islands Country Office.

IV. Cluster 5: Violence Against Children¹

Abuse and neglect, including physical and psychological recovery and social reintegration

1. Available data and discussions carried out for this report point to violence against children being widespread in Solomon Islands. Quantitative surveys, the most recent being conducted in 2015, have found that both verbal and physical violence are the most widely practised form of discipline meted out by parents/caregivers. Interviews with parents, teachers, children and others show such violence to have become normalised, tolerated and anticipated. As discussed below, intervention by others, including the state, is rare.
2. The main subject of the first part of this cluster is physical violence, or corporal punishment, in the home. Corporal punishment in schools is discussed in the proceeding section (“Torture, Cruel, Inhuman or Degrading Treatment”), while issues principally relevant to the commercial sexual exploitation of children in Solomon Islands’ natural resource sector are addressed under the “Sexual Exploitation and Sexual Abuse” section that follows. The remainder of the discussion focusses on care and protection and child marriage.
3. Data around the abuse and neglect of children in Solomon Islands is now dated. While limited contemporary information can be found in the ‘Solomon Islands Demographic and Health Survey 2015’ (SIDHS), released in June 2017, the two main sources for data related to violence against children, ‘The Solomon Islands Family Health and Safety Study’ by the Secretariat of the Pacific Community (SPC), and the ‘Protect Me with Love and Care’ baseline report on child exploitation and abuse by UNICEF, are now close to a decade old, both being published in 2009. These studies proved to be powerful advocacy and awareness tools when released, bringing to light the magnitude of violence being perpetrated against women and children within Solomon Islands’ families. More recent global surveys, such as the ‘Ending Violence in Childhood’ Report (2017) and UNICEF’s ‘A Familiar Face’ (2017), also contain Solomon Islands related data. However, in both instances this is drawn from now dated datasets. They do not assist in painting an accurate picture of the contemporary practice of violence against children in Solomon Islands, though remain important and influential documents.
4. “Reasonable punishment” by parents, teachers, or others who exercise “the lawful control of a child or young person” is allowed under Solomon Islands’ law. This means that physical violence against children is sanctioned when it is “reasonable”. Those actions that comprise “reasonable punishment” are not specified and, when reported, are a matter for the courts.
5. All individuals and groups consulted for this report indicated that physical punishment is the key form of child discipline across Solomon Islands. The results of the 2015 SIDHS show that the vast majority of children in Solomon

¹ Additional findings and recommendations specifically relating to ‘Measures to prohibit and eliminate all forms of traditional practices, including but not limited to, female genital mutilation and early and forced marriages’ are outlined in Annex II.

Islands, some 86 percent, had received some form of violent discipline in the month prior to the survey. This was either in the form of physical punishment, severe physical punishment, and/or psychological aggression. The 2009 UNICEF baseline survey suggests that this is a situation that is not changing. The survey found that 72 percent of adult respondents, “hit, smacked, kicked, pinched or flicked children or pulled or twisted their ears”, most commonly for reasons of disobedience.

6. A particularly alarming finding of the SIDHS is the degree of “severe physical punishment” being carried out in Solomon Islands, with 22 percent of children having experienced this while only 13 percent of all children had received non-violent discipline. It also illuminates the characteristics of those committing the violence. According to the data, children living in rural areas, children with mothers or caretakers who have little education, and children living in households characterised by lower wealth, are more likely to have experienced violent discipline.
7. The recent SIDHS outcomes add to the worrying finding revealed by the 2009 SPC study on the prevalence of violence against women and children in Solomon Islands that showed a cyclical element to violence in Solomon Islands families with an intergenerational transfer taking place. Those exposed to violence during their childhood or those who were directly the subject of physical violence were more likely to perpetrate violence against their partners than those who were not exposed/subjected to violence.
8. The Solomon Islands findings around the intergenerational transfer of violence are consistent with regional findings compiled by UNICEF in 2015 in their ‘Harmful Connections’ report as well as recent international findings contained in the 2017 ‘Ending Violence in Childhood’ Report. The former shows that generally across the Pacific region there is a correlation between being abused as a child, growing up in a household where domestic violence occurs, and the acceptance of violence as part of life. The latter discusses the global dimensions of this situation. The authors point to global evidence in arguing that the “single best predictor of children becoming either offenders or victims of domestic violence later in life is whether or not they grow up in a home where there is domestic violence.”
9. There are few signs in Solomon Islands of this intergenerational transmission being broken. In the 2009 SPC study, 59 percent of woman who had experienced violence at the hands of their partner reported that their children had witnessed at least one incident of such violence. In turn, these children exhibited greater aggressive behaviour than their peers who had not witnessed violence. Such violence is having a profound and largely unacknowledged effect on children in Solomon Islands. When groups of seven to 11-year-olds were asked in the 2009 UNICEF survey about actions they did not like at home, adults hitting, smacking or hurting them was their most common response.
10. In addition to the intergenerational transfer of violence described, there are often links between different forms of violence within Solomon Islands households. Conforming with international evidence, the existence of one form of violence in a family is a strong predictor of further forms, with a perpetrator of violence against a partner also likely to perpetrate child abuse in the same family. According to the 2009 SPC study discussed, female victims of intimate partner violence in Solomon Islands were over four times more likely to report that their partner had abused their children emotionally, physically and/or sexually.

11. Discussions conducted for this report and data collected as part of the 2009 SPC study demonstrate that violence against children in Solomon Islands' households is not confined to parents/caregivers. For what is often described as 'cultural reasons', older siblings or other relatives may also inflict physical violence upon their younger siblings/relatives. In most cases this is expected and tolerated, being an often-unrecognised aspect of family violence within the country.
12. There is a general culture of silence within Solomon Islands around the physical abuse of children within the family. Almost all of those who were spoken to on this topic during the preparation of this report indicated that known incidences of violence against children, including of a serious nature, would generally not be reported and the perpetrators not confronted. The disciplining of children through the infliction of violence was widely regarded a private, family concern. The comments of a woman from Western Province were reflective of this. She indicated that she "didn't have the right" to confront offenders. Research undertaken by Save the Children in 2014, and published in 2015, on the commercial sexual exploitation of children (CSEC) in Solomon Islands affirms the silence associated with "taboo topics", such as child exploitation and abuse, child trafficking and CSEC. Service providers interviewed for the study were of the belief that "low reported cases [of sexual assault] was due to the influence of cultural shaming ...".
13. The 2009 baseline report by UNICEF saw 72 percent of respondents indicate that if they did report an incident of abuse or neglect they would refer it to "informal measures", meaning chiefs, church leaders or the like. According to the 2009 SPC study, only a small number of abused women seek support from formal services, a situation which would undoubtedly be the same for children. The use of non-state systems demonstrates the marginal position of the state when it comes to the reporting of child abuse or neglect and can be problematic, given the discussion below around the role of *kastom* (loosely 'custom') in the perpetuation of sexual exploitation and abuse of children.
14. In some communities, the public assault and humiliation of children is taking place, often with the knowledge of the state. This was particularly reported as an issue in particular ethnic minority communities of Western Province, Choiseul Province and Honiara. During consultations while preparing this report instances of public canings of children by community leaders were recounted by government officials and NGO staff. This allegedly involves the victims receiving around twenty whips of a cane on their backside before an assembled audience. Some people stated that this is part of the specific culture and as such was considered a legitimate and effective disciplinary measure. This practice gained some attention in 2006 when government officials, including the Public Solicitor and the Commissioner of Police, visited a community in Choiseul Province and took part in discussions with community leaders in an effort to stop the practice. It was evident from discussions in Western Province, including with the police, that the present-day exercise of assaulting children was often done with the awareness of the state and without intervention.
15. Image-based abuse and online grooming involving children is an emerging issue in Honiara, although presently less of a concern in other parts of Solomon Islands. Image based abuse involves the distribution, or threatened distribution, of intimate images of children on social media or the internet without the consent of the subject/s. Such images are often of a sexual nature. While there is no data to indicate prevalence of image-based abuse or online

grooming in Solomon Islands, it was an issue raised by the NGO partners involved in this report. Anecdotally, most of the locally produced child-pornography in Solomon Islands involves consensual participants, mainly school-aged children, sharing their images with peers over social media, and then such images are further disseminated without the subject's/s' consent.

16. Image-based abuse and grooming is a particular concern in Honiara because of the enhanced connectivity that has been brought about by the rapid expansion of mobile phone technology over the last decade. The World Bank (2017) has reported that in 2015 the mobile network covered 89 percent of the population. Anecdotally, 'Facebook' is the most widely used social media platform amongst significant portions of the Honiara populace, especially children.
17. Police based in Honiara indicated that they were aware of issues relevant to image-based abuse and have received some complaints, although no prosecutions have taken place. In 2014 fifteen Royal Solomon Islands Police Force (RSIPF) 'Cyber Protection Trainers' conducted limited awareness exercises in a number of secondary schools in Honiara as part of the 'Cyber Safety Pasifika' program developed by the Australian Federal Police and the Pacific Transnational Crime Network. A senior community police officer interviewed in October 2017 said that when conducting routine awareness activities, he would address issues relevant to cyber security if the topic was raised. However, no dedicated community outreach has been conducted since initial efforts in 2014.
18. There are no laws or policies in Solomon Islands specifically related to image-based abuse and grooming or, more broadly, online bullying or victimisation. Newspaper reports in Solomon Islands have quoted police as saying there is "very little" they can do around issues related to cyber safety. They have also said that if laws need to be reviewed they will agitate to see that this is done. In 2016, amendments were made to the main criminal legislation in the country, the *Penal Code*, introducing a new provision related to "child exploitation material". This offence does not directly relate to image-based abuse and only applies to children aged under 15.

Recommendations

Recommendations related to Government

- In accordance with past commitments, dedicate the necessary human, financial and technical resources to meet the child-related SDGs directed towards eliminating all forms of violence against children, in particular SDG 16.2, and work in partnership with relevant external actors to prioritise and implement all child-related SDGs;
- in accordance with the 2003 Concluding Observations related to violence against children issued following Solomon Islands' initial CRC State Report, as well as SDG 16.2, repeal the provisions of the *Penal Code* related to the "reasonable punishment" of children;
- with external assistance, undertake a new national survey on violence against children drawing upon the methodology and questions contained in the 'Solomon Islands Family Health and Safety Study' (2009) and the 'Protect Me with Love and Care' Baseline Report (2009) to enable an assessment of longitudinal trends. Any new

data collection measures should seek to capture baseline information related to image-based abuse and online grooming, bullying and harassment;

- develop a comprehensive child protection policy which includes achievable goals in line with the recommendations contained in this report, working with external actors to ensure its implementation;
- undertake further training and awareness activities amongst police officers to ensure they are aware of, and follow, the Commissioner of Police's 'Directive' of 26 January 2016 instituting a zero-tolerance approach (a 'no-drop' policy) to family violence matters. Also reminding them that this Directive applies to children and that they must always proceed with charges where an assault has occurred, even in instances where the complainant requests they do not, and even in instances where a form of reconciliation has taken place;
- following consultations, develop policies and laws related to the image-based abuse of children and on-line grooming seeking technical assistance from relevant external partners if necessary. New laws or policies should not punish child victims who take part in consensual acts of producing intimate images which are then disseminated without their consent.

Recommendations related to Children and Families

- In accordance with the requirements of the *Child and Family Welfare Act 2017*, support existing, and develop new, services for child victims of abuse and neglect, particularly health, legal and social services, including psychological support, and ensure that the referral systems contemplated under the Act are instituted;
- through community awareness, school teachings and all other appropriate measures, ensure that children are made aware of their rights regarding abuse and neglect, including relevant provisions of the CRC, and in responding to instances of abuse and neglect are provided with an opportunity to voice their concerns and share their views;
- create resources for children who are the subject of image-based abuse, or threatened image-based abuse, and/or subjected to online grooming, and ensure that messages around such abuse, and online/social media bullying and harassment, are widely disseminated amongst children and families, not being limited to school students.

Recommendations related to Communities

- Revisit the recommendations contained in 'The Solomon Islands Family Health and Safety Study' (2009) and strengthen efforts directed towards promoting the primary prevention of abuse and neglect, including through nation-wide advocacy to counter violence against children within the family. This must include state and non-state partners and adopt a cross-sectoral approach. It should build on past work undertaken around positive parenting practices, including non-violent disciplinary measures; teach parents and community leaders about the long-term negative impacts of child abuse; and focus on rural families;

- ensure that efforts directed towards promoting the primary prevention of abuse and neglect take into account the correlation between violence perpetrated against children and violence perpetrated against women and ensure that in responding to this situation there are referral protocols established between relevant service-providers as envisaged by the yet to be implemented *Child and Family Welfare Act 2017*;
- further to the above recommendation, work with community leaders, including church leaders, to undertake awareness activities and community-based prevention programs (particularly targeting ethnic minority communities in Western Province, Choiseul Province and Honiara) around the long-term effects of violence against children and, where evidence exists, counsel and/or prosecute those community leaders or others who inflict violence against children.

Right not to be subjected to torture or other cruel, inhuman or degrading treatment or punishment, including corporal punishment

19. Corporal punishment has been an enduring issue within Solomon Islands' schools. Like violence within the household, it has been a tolerated and accepted form of disciplining children. Data from the 2009 UNICEF 'Protect Me with Love and Care' Baseline Report, discussed above, supports this statement, with 70 per cent of education informants admitting that "teachers... hit, smack, pinch, kick, knock or pull or twist children's ears" (although this was a limited sample of 20). This situation has not been assisted by the legislation discussed above related to "reasonable punishment" and by dated caselaw heard prior to Solomon Islands' ratification of the CRC) which provided that corporal punishment in schools was permissible in certain circumstances.
20. Despite past public commitments by successive governments to undertake reform, there are presently no laws in Solomon Islands which prohibit corporal punishment. A new 'Inclusive Education Policy' has been developed but not endorsed (see cluster 8). This policy is confined to issues of disability and is silent on the issue of corporal punishment. A new *Education Bill* has been drafted and is planned to be tabled at parliament in 'early 2018'. Unlike previous iterations, the version of the Bill sited during the preparation of this report (September 2017) is also silent on the issue of corporal punishment. The *Family and Child Welfare Act* was passed by parliament in February 2017 and provides for "the welfare and protection of children", however it does not cover the issue of "fair discipline" or corporal punishment. The latest iteration (May 2017) of Solomon Islands' new draft federal Constitution provides that children have the right to be "protected from abuse, neglect, harmful practices, any form of violence, inhuman or degrading punishment or treatment ...", but does not prescribe limitations on such rights.
21. Consultations conducted for this report registered generally mixed, but on balance positive, messages around corporal punishment in schools. By most accounts, it is now no longer a serious issue. Most teachers and parents consulted for this report indicated that corporal punishment was no longer practised in their schools, particularly those located in Honiara. The apparent change from the findings in the 2009 UNICEF Report to the current situation was generally credited by teachers to the prohibition of the practise in the 'Teaching Service Handbook' as

well as advocacy and awareness efforts carried out by groups including Save the Children and other non-state actors.

22. Despite this improvement, corporal punishment was said to still take place. For example, a primary school teacher interviewed in Western Province in October 2017 indicated that he would smack children if verbal efforts to discipline them were unsuccessful. He pointed out that parents often encouraged the use of physical punishment. Students at the same school confirmed this approach, stating that they would be hit on the hand with a ruler or whipped in front of the class with a stick. Likewise, a grade six female student at a school in Malaita Province recounted recent instances of corporal punishment involving students being whipped with a cane for breaking school rules.

Recommendations

Recommendations Related to Government

- In accordance with past commitments and recommendations, including the 2003 Concluding Observations related to violence against children following Solomon Islands' initial CRC State Report, as well as SDG 16.2, immediately repeal the provisions of the *Penal Code* related to the “reasonable punishment” of children;
- in accordance with SDG 4.a to “provide safe, non-violent, inclusive and effective learning environments” expressly prohibit all forms of corporal punishment, including in schools, by introducing legislative amendments which prohibit the practice;
- in undertaking a new national survey on violence against children (see recommendation under ‘abuse and neglect’ above), capture updated information which measures the extent of corporal punishment across all levels of schooling in Solomon Islands.

Recommendation Related to Communities

- Continue positive steps towards reinforcing the prohibition on the use of corporal punishment as contained in the ‘Teaching Service Handbook’ by using every opportunity available to communicate this position with teachers and parents, including through teacher training, incorporating this message into relevant policy documents, and through the mainstream media.

Sexual exploitation and sexual abuse

23. Sexual violence against young girls is alarming in Solomon Islands. Figures from the 2009 SPC study discussed show that 37 percent of girls and women between the ages of 15 and 49 had experienced sexual abuse before the age of 15. This is most commonly at the hands of a boyfriend or male family member.
24. During discussions, the sexual exploitation and abuse of children, especially of young girls, was raised as a critical concern by NGO workers, police and government officials. However, there is a general reluctance amongst many people to discuss these issues, including a reluctance on behalf of victims to seek assistance. Efforts to deal with sexual offending, particularly in rural communities, are often dealt with using non-state processes, a topic that is discussed in further detail below.
25. In 2016 Solomon Islands enacted a number of legislative provisions directed towards modernising the country's penal laws as well as strengthening the penalties applicable for the sexual exploitation and abuse of children. These relate to, *inter alia*, the commercial sexual exploitation of children, domestic child trafficking, sexual intercourse with a child aged under 15, and the production and dissemination of child exploitation material. The enactment of these provisions is a long-awaited and welcome initiative. However, despite such measures, enforcement by police remains an obstacle, largely linked to their limited geographic reach. In addition, Solomon Islands is yet to fulfil its commitment to ratify the 'Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography' (OP2).
26. Within Solomon Islands a key concern amongst law enforcement officials, NGOs and affected communities relates to CSEC in the country's natural resource sector, specifically in the logging and fishing industries. Instances of CSEC in both industries have been publicly documented for over a decade by a variety of NGOs, churches, donor partners and individuals.
27. The single largest contributor to economic growth of Solomon Islands in the post-conflict period has been logging. The dynamics of logging in Solomon Islands has been extensively documented by academics, NGOs and international organisations. It is carried out by a variety of Asian companies, primarily Malaysian, and logging deals are often forged quickly and without the consent of the majority of residents in logging locations. Children have no voice when it comes to agreement-making around logging, or, indeed, any natural resource decision-making). Logging companies establish camps in what are often remote, rural locations close to villages and may be active for months or years before departing. All of the key players in the logging sector are male. Even in matrilineal areas where lands are owned by women, these customary rights are not respected. Those involved in forging the logging deals, and then in extracting the trees, are male, be it chiefs, government representatives or foreign workers. Male labourers from all over Solomon Islands are commonly found working in logging camps.
28. The most recent comprehensive examination of CSEC was undertaken by Save the Children in 2014 (published in 2015). This study does not contain figures related to incidences of CSEC, but contains qualitative accounts and findings which point to heightened risks for children. Twenty-five percent of adult respondents had children who frequented logging and fishing sites. Their motivations for doing so varied. While they were often initially for legitimate livelihood activities, such as selling food, cleaning or cooking, this sometimes led to transactional sex. The

study confirms that transactional sex involving children in these environments is intricately linked with child marriage and forced labour. Another study published in 2014 by the 'American Bar Association' looked at knowledge, attitudes and perceptions on human trafficking, based on surveys undertaken in four provinces. According to the results of the study, 77 percent of respondents indicated that they personally knew of at least one case of trafficking involving forced labour, forced marriage or forced transactional sex with a child, going some way in demonstrating prevalence.

29. A further concern related to CSEC in Solomon Islands is the involvement of family members in facilitating sexual acts involving children. Boys and men, especially male relatives of girls, will often act as 'go-betweens', receiving monetary and/or in-kind payments from foreign or local workers for procuring their sisters, cousins or nieces.
30. In a number of instances – most recently documented by the World Bank (2013) but also by a group of UN agencies in 2006 – it has been reported that parents have been involved in arranging the sale of their children for sex or marriage to those working in the logging or fishing industries. This was a message recounted by those spoken to during the preparation of this report. Both staff of Save the Children working on a CSEC project in Western Province, together with Community Educators working on the same project, attested to this practice, as too did others. It is an issue that has been widely reported in the local media.
31. In August 2017 a Malaysian male, the manager of a logging camp in Isabel Province, was arrested for human trafficking and is presently being processed through the court system. Allegedly, the male entered a sexual relationship with a 13-year-old girl with whom he was said to be married. This relationship was reportedly facilitated by the parents of the girl who were also subsequently charged by police. If a conviction is recorded, this will be the first instance of an individual being successfully prosecuted in Solomon Islands for human trafficking offences. Government figures indicated that as at May 2017 there were three human trafficking cases under investigation in Solomon Islands.
32. In addition to some parents or relatives being complicit in the sexual exploitation or abuse of children, community leaders may also be assisting the perpetuation of such acts through failing to report them to state authorities and dealing with them using non-state processes. Incidents of sexual abuse and exploitation of children being dealt with exclusively by the non-state *kastom* system were recounted in both Malaita and Western Province. Most commonly, this involves the payment of monetary compensation by the perpetrator and is often carried out with the knowledge and/or encouragement of police.
33. A common practice in parts of Malaita Province is the production of written 'community by-laws'. These documents contain rules prepared with the assistance, and sanction, of the police. While they have no official legal standing, they purport to be legally binding in those communities where they apply. One community by-law applicable to a community in Malaita Province, and sited during the preparation of this report, imposed a fine of SBD \$50 (approx. USD \$6) for the offence of "selling of female members of the community for sex for personal monetary gain or beer". This was to be dealt with by chiefs, elders and traditional leaders "for custom resolution". Police in Auki, the capital of Malaita, indicated that they had assisted 68 communities in producing such by-laws. This practice has the

potential to diminish the seriousness of such offending and reinforce the ability of males to commit sexual crimes against children with minimal consequence.

34. There are political economy dynamics in Solomon Islands which can prevent coordinated government-led efforts to counter CSEC in the logging industry and, to a lesser extent the fishing industry. As the key industry funding the political patronage networks which characterise contemporary Solomon Islands' politics, it can prove difficult to sanction those logging companies that break the law. In addition, communities are largely unaware of what state services are available. The 2014 'American Bar Association' study referenced above found that almost one in four respondents did not know where to go for help when trafficking was believed to have occurred. The Solomon Islands Combined Periodic Report indicates that reporting to police is the exception: "CSEC is rarely reported to the police" (paragraph 294). In the rare event that police assistance is sought often the closest police station or post will be a long and expensive boat or truck trip away. Police in both Malaita and Western Provinces indicated that they rarely receive complaints from communities located close to logging camps for any form of alleged criminal offending.
35. The most recent example of NGO activity in the CSEC area has been a project conducted by Save the Children with local NGO Hope Trust. The project, which came to an end in November 2017, spanned two years and engaged with 24 targeted communities in three provinces. With the financial support of the European Union, it was directed towards "protecting children from sexual exploitation and sexual abuse through empowerment and cooperation". It involved working directly with parents and children to raise awareness around the commercial sexual exploitation of children.
36. Aside from the surveys already discussed, there is an absence of contemporary, reliable data related to CSEC in Solomon Islands as such data is not being routinely collected. This means there is little understanding of, for example, the prevalence of the problem across the country, those geographic locations where it is most commonly occurring, and the characteristics of victims and perpetrators. A lack of data in this area was recently the subject of extensive comment by the International Organisation for Migration (IOM). In early 2017 they assisted in the development of a template data collection tool and recommended that the Transnational Crime Unit of the RSIPF be primarily responsible for receiving, collecting and disseminating human-trafficking related data.
37. There is no government policy related to children and CSEC in Solomon Islands. The most relevant policy related to CSEC is the 'National Action Plan Against Human Trafficking and People Smuggling 2015-2020'. This document commits the government to various activities, including acceding to the 'Palermo Protocol' (the Protocol to 'Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children', supplementing the 'Convention against Transnational Organised Crime' of which Solomon Islands is not a state party); providing support services for victims of trafficking; and developing a "best labour management practise" for natural-resource companies aimed at ending child labour. To date, none of these activities have been carried out. The Action Plan establishes a 'Trafficking in Persons Advisory Committee' which seeks to bring together those working on trafficking-related issues in Solomon Islands and coordinate their activities.

38. There is talk amongst government and external actors of the Solomon Islands economy transitioning from logging to mining. If the mining industry follows a similar path to logging, then CSEC is a live concern. In early 2017 a new 'National Minerals Policy' was endorsed by cabinet. This requires mining companies to have publicly available policies and practices addressing human and sexual trafficking. The policy is presently in the process of being implemented. It is understood that the government will soon commence work to develop new legislation related to mines and minerals.
39. In addition to incidences of CSEC taking place in the natural resource sector, evidence points to transactional sex involving children, particularly young girls, occurring in Honiara and other urban locations. Anecdotally, this involves girls, including students, taking part in paid sex with older employed men. A concern raised during consultations undertaken for this report related to students engaging in transactional sex in order to obtain money for school contributions or fees (see the discussion related to school expenses in cluster 8). This was said to be a particular risk for those girls who travelled to Honiara to continue their education and lived with extended family members who were unable to support them financially.
40. There is limited and now dated data which helps to shed some light on transactional sex amongst Solomon Islands' youth. A 2009 study by UNICEF on HIV and AIDS risks amongst Solomon Islands youth found that 19 percent of females and 6.5 percent of males had engaged in "commercial sex" (i.e. sex for money). The number of youth being paid for sex was significantly higher in Honiara than elsewhere. Although contrary to the above discussion, the data indicated that the majority of youth who were being paid for sex were not students. Responses from adults surveyed in the 2009 UNICEF 'Protect Me with Love and Care' baseline study indicates that 91 percent had "heard stories about children being involved in prostitution". Poverty was cited by respondents as the main reason for this.

Recommendations

Recommendations related to Government

- In accordance with past commitments, as well as past recommendations of the Committee on the Rights of the Child, ratify OP2, take steps to introduce the legislative changes required to comply with OP2, and implement activities in accordance with OP2;
- In furtherance of SDG 5.2, ensure that a cross-sectorial approach to addressing CSEC is adopted, including through the incorporation of provisions relevant to CSEC in ministerial workplans and policies in the areas of, *inter alia*, forestry, fisheries, minerals, immigration, agriculture and education;
- increase the budget of the Immigration Division of the MCILI so that it has sufficient staffing and resources to fulfil its mandate around CSEC, including being able to raise public awareness on the issue, sufficiently monitor the natural resource sector, and implement the objectives of the 'National Action Plan Against Human Trafficking and People Smuggling 2015-2020';

- in accordance with the Commissioner of Police's 'Directive' of 26 January 2016, ensure there is a zero-tolerance approach to the sexual exploitation and abuse of children, with police being aware of their obligation to investigate and, where there is sufficient evidence, commence criminal proceedings;
- in accordance with the recent findings of the IOM (2017), ensure that those working on the enforcement of CSEC-related laws, including immigration officials and police, have sufficient training, particularly on identifying child trafficking and how to deal with child victims of such crimes;
- take steps to implement the 2017 IOM's recommendations around data collection related to CSEC, including child trafficking;
- take steps towards ratifying the 'Convention against Transnational Organised Crime' together with the 'Palermo Protocol' to 'Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children' and, following ratification, introduce the legislative changes and activities required to comply with these two instruments;
- in conformity with relevant legislation already in place, ensure that any new legislation related to mines and minerals contains provisions criminalising the commercial sexual exploitation of children in the mining sector, including trafficking.

Recommendation related to Children and Families

- As part of the development of a child protection policy (as detailed under the 'abuse and neglect' recommendations above), ensure that children affected by CSEC in Solomon Islands' natural resource sector are afforded the necessary services to support their physical, social and psychological recovery.

Recommendation related to Communities

- Ensure that public awareness activities amongst those communities at risk of CSEC, including those carried out by the Immigration Division of the MCILI and the police, incorporate messages on how such communities can proactively take steps to prevent instances of CSEC, stressing that it is not appropriate to resolve such matters through the exclusive use of non-state systems and that such matters must always be referred to police.

Recommendation related to Industry

- In furtherance of the 'National Action Plan Against Human Trafficking and People Smuggling 2015-2020' and the 2017 recommendations of the IOM, work with industries in the natural resource sector to develop binding codes of conduct or "best labour management practises" which prohibit CSEC, and sanction those companies whose

employees are found guilty of engaging in CSEC through potentially revoking applicable licenses and/or business registration/permits.

V. Cluster 6: Family Environment and Alternative Care

Parents' common responsibilities, assistance to parents and the provision of childcare services

41. In February 2017, the Solomon Islands' Parliament passed the *Child and Family Welfare Act 2017*. This is the most significant legislation related to child welfare ever passed by parliament in Solomon Islands. The Act is a much-anticipated and welcome initiative, although, while the Act has been passed it has not been enacted. This means that the Act is not presently operational and there is currently no established timeline detailing when the Act might be gazetted.
42. The *Child and Family Welfare Act 2017* provides for the protection of children and the strengthening of families. A significant portion of the Act is directed towards putting in place those processes and structures required in circumstances where parents, families or communities are unable to care for their children, including the establishment of a category of children "in need of care and protection". This includes children who have been subjected to, or are at risk of, physical abuse, sexual abuse or sexual exploitation, and emotional abuse.
43. The *Child and Family Welfare Act 2017* grants considerable powers and responsibilities to the Director of the Social Welfare Division (SWD) of the Ministry of Health and Medical Services (MHMS) and the staff of the SWD. During discussions carried out while preparing this report, including with a senior staff member of the SWD based in Honiara, no issues were raised in relation to the contents of the Act, however the key concern was the resources that would be required in order to successfully implement it. This corresponds with concerns raised during the Parliamentary Committee phase of the Bill. In its 2017 review, the Parliamentary Bills and Legislation Committee expressed unease about the extent of resources required to fulfil the requirements of the Bill and called for an updated cost analysis. It also noted that the SWD, has "a shortage of manpower, insufficient budget and dilapidated infrastructure" and "lacks the capacity to implement the Bill".
44. At present, the SWD has 6 staff members in Honiara and provincially-based officers, although according to the SWD staff member from Honiara, it does not have a presence in Central Islands Province, Guadalcanal, Renbel and Temotu provinces. While a SWD officer has been employed for Malaita Province, they have been based in Honiara for the past two years due to a lack of office space. The situation described here is made all the more challenging in circumstances where the SWD does not have sufficient resources to carry out its currently prescribed role, let alone the vastly expanded one contemplated by the *Child and Family Welfare Act 2017*. The SWD was also given additional responsibilities to issue protection orders following the passage of the *Family Protection Act 2014*.
45. As at November 2017, the SWD was visiting provinces to undertake awareness activities on the *Child and Family Welfare Act 2017* based on "advocacy materials" around the Act that have been produced. In addition, UNICEF in

Solomon Islands was working with the SWD around an implementation framework, a human resource plan and a cost analysis.

Recommendations

Recommendations Related to Government

- continue working with UNICEF and other relevant external partners around the implementation of the *Child and Family Welfare Act 2017*, ensuring that any cost analysis incorporates: costs related to nationwide publicity and awareness around the Act once it is gazetted; the substantial increase in staffing of the SWD which will be needed to meet the requirements of the Act, including filling presently vacant positions; the increase in the operational costs of the SWD that will be necessary to implement the Act, including transport costs; the costs of establishing, maintaining and staffing the referral systems that the Act contemplates; and the costs associated with new programs and services expected under the Act;
- following the costing of the *Child and Family Welfare Act 2017* and the completion of the human resource plan, increase the budget of the SWD, and other relevant agencies or Ministries which have prescribed obligations under the Act;
- gazette, implement and monitor the *Child and Family Welfare Act 2017*.

VI. Cluster 7: Disability, Basic Health and Welfare

Measures taken to ensure dignity, self-reliance and active participation in the community for children with disabilities

46. During the reporting period, successive Solomon Islands Governments have not met stated commitments to advance a number of domestic, regional and international disability-related agreements, laws and policies. Collectively, these measures, detailed below, have the potential to significantly improve the lives of children with disabilities in the country.
47. The only nationwide survey to have been undertaken on disability in Solomon Islands was conducted in 2005 and was coordinated by a group of NGOs and government stakeholders, assisted by 'Inclusion International Asia-Pacific'. It found that amongst those aged under 20 the main disabilities were deafness/hearing impairment (18.7 percent), physical impairment (15.25 percent), speech difficulties (13.5 percent), blindness/vision impairment (12.86 percent) and general intellectual disability (12.39 percent). More recent data contained in Solomon Islands 'Demographic and Health Survey' (2015) is disaggregated according to functional domain and generally accords with the earlier findings. The more recent data shows that visual impairment may be less of a problem than it was over a decade ago, with less than one percent of children having difficulties with seeing.
48. Solomon Islands has not ratified the 'Convention of the Rights of Persons with Disabilities' despite becoming a signatory in 2008. This is also the case concerning the Optional Protocol pertaining to an individual complaints mechanism which was signed in 2009. In 2006, progressive disability legislation was drafted containing numerous child-relevant provisions including in the areas of education, employment and health. If enacted, this law would have the effect of fundamentally advancing the recognition, protection, freedoms and rehabilitation of children with disabilities. Since 2009 efforts to advance the draft law have stalled with no indication of when, or if, discussions will be revived.
49. A 'National Disability Inclusive Development Policy 2016-2018' has been drafted by the MHMS and was intended to replace the 'Solomon Islands National Policy on Disability 2005-2010'. The previous national policy was not implemented, as government documents disclose, due to the key omission of appointment of a Coordinating Committee responsible for the policy's implementation. Similar to the previous policy, the new policy – which will lapse in one year – has not been advanced. People with Disabilities Solomon Islands (PWDSI), the main disability advocacy group in Solomon Islands, understands that the policy is awaiting executive approval within the MHMS, although the position is unclear.
50. Data published in 2011 in a government-commissioned 'Barriers to Education Study' shows that living with a disability is a significant reason for children not attending school in Solomon Islands. The Ministry of Education and Human Resource Development (MEHRD) has included the development of an 'Inclusive Education Policy' in various

plans dating prior to 2010, although this has never been achieved. Positive signs emerged in early 2016 with MEHRD finalising a draft 'National Disability Inclusive Education Policy 2016-2020'. The policy contains provisions which have the potential to vastly improve access to education for children with a disability. While it appears that the piecemeal implementation of parts of the policy is taking place, it is presently awaiting the endorsement of cabinet. Two teachers spoken to for the preparation of this report indicated that they were unaware of the policy.

51. The key health plan of Solomon Islands, 'The National Health Strategic Plan 2016 – 2020', contains minimal commentary pertaining to people with disabilities despite this group being identified in the Plan as a "priority population". In its tabular 'outcome statement' it commits the government to ensuring that "all health services and facility [sic] are accessible to people with a disability". While health facilities across Solomon Islands are generally free, accepting and open to people with disabilities, physical access issues can be a key impediment for some, particularly for children with disabilities. The World Bank in its recent 'Systematic Country Diagnostic' of Solomon Islands (2017) shows that for most households in Solomon Islands health facilities are, on average, a half-hour walk away, extending to one-hour-and-twenty-minutes in certain locations, and access to these facilities is typically via stairs. These physical access challenges are unlikely to be addressed in the remaining two years during which the current Strategic Plan is operational.
52. In addition to issues related to physical access, there are other barriers which prevent children with disabilities in Solomon Islands from accessing public and private services, particularly schools, clinics and transport. These barriers are attitudinal, structural and environmental, with obstacles differing according to the nature of the disability. Those with long-term physical, sensory, intellectual and/or mental disabilities all face unique access challenges requiring targeted responses.
53. Discrimination is a key access barrier in Solomon Islands and is often linked with 'cultural' attitudes or beliefs and a general lack of public information about disability. Work by academic Janine Simi in 2008, for example, and anecdotal evidence found that teachers in Solomon Islands often lack the confidence and training to communicate with students with disabilities, while academic Umesh Sharma's 2012 survey of teachers from three provinces reported discrimination being cited as the second most common barrier to children with disabilities attending school. This sees a refusal by schools to enrol some children. There are no coordinated, government-led efforts to counter such discrimination. In the absence of the draft legislation discussed, discrimination based on disability is not punishable under the law and the Constitution does not prohibit discrimination on the grounds of disability. However, it is welcome news that in 2016 a reference to "idiot and imbecile" to describe disabled people in the country's key criminal legislation was repealed (although references to "idiot" remain in other laws). Inappropriate language often extends to popular usage. Several people who were interviewed for this report used insensitive language when describing people with disabilities.
54. Government and private infrastructure and services in Solomon Islands are most frequently characterised by a lack of resourcing, together with a failure to adequately plan for the unique needs of children with disabilities. Children who are hearing or vision impaired may face difficulties communicating with service-providers. There are no

government-mandated public transport services for people with disabilities and the physical environment in Solomon Islands, including streetscapes, offices and stores, are far from being 'disability-friendly'. During discussions, instances were recounted of parents not accessing services for their children with disabilities, including schools and health facilities in order to protect them from possible bullying, teasing or being the subject of public gaze or comment.

55. Girls with disabilities in Solomon Islands are the subject of unique access issues. The peak political body in the Pacific region, the 'Pacific Islands Forum', has said in its 'Pacific Framework for the Rights of Persons with Disabilities, 2016-2025' that "girls with disabilities face multiple and compounding forms of discrimination. They are targets of discrimination not only because of their disability, but also their gender." International research has shown that girls with disabilities are less educated, experience higher unemployment, are more likely to be physically and sexually abused and experience worse health outcomes. There is a lack of data in Solomon Islands documenting the unique experience of girls with disabilities. The 2005 nationwide disability survey discussed above did not contain a specific focus on this demographic.
56. As detailed above, PWDSI is an advocacy organisation of and for people with disabilities. It plays a vital role in advocating for children with disabilities. PWDSI uses a human rights approach, referring to the CRPD to help define its objectives and activities. It has translated the CRPD into Pijin, the *lingua franca* of Solomon Islands, and has conducted awareness activities around the Convention. From discussions with government officials, PWDSI understands that the main obstacle to ratification of the CRPD is a concern around the resources that would be required to implement it. PWDSI's view is that the government is not committed to its obligations to address disability-related issues, despite opportunities to do so. PWDSI is concerned that the failure of successive governments to advance important child-relevant disability laws, policies, plans and agreements sets a poor example for the rest of the population, contributing to the continued marginalisation of people with disabilities.
57. There is an acute lack of specialised services for children with disabilities in Solomon Islands. There are no speech therapists in Solomon Islands (with foreign volunteers periodically carrying out this role but being confined to Honiara), and there are a limited number of occupational therapists, all based in Honiara. There are no opportunities for sign language interpreters to train in the country.
58. The government ministry with the main responsibility in relation to disability is the MHMS. Within the MHMS, the Community Based Rehabilitation (CBR) program provides disability-related services, including home-based rehabilitation and disability support services. CBR's roles encompass conducting exercise therapy, issuing mobility devices, assisting families with disabled children and raising community awareness around disability. CBR was generally acknowledged during the preparation of this report as providing a valuable service where available, however is highly constrained in what it can achieve. During the reporting period CBR has had a reduction in its budget and its staffing has declined.
59. CBR services do not extend across the country. In October 2017, for example, the mother of a 14-year-old girl with a disability was spoken to in Aisalinga, a small village around a 30-minute drive from Auki, the capital of the Malaita Province. Despite four CBR officers being based in Auki, the mother indicated that she had never heard of

CBR or its services. According to Solomon Islands combined second and third periodic report, as at mid-2016 there were 18 CBR workers across the country. If the World Health Organization's prevalence of disability (15 percent) is applied to the Solomon Islands population (615,804), then there is around one CBR worker for every 5,130 persons with disabilities in the country.

60. The situation described here affirms what CBR officers stated during the preparation of this report: the key obstacle that they face pertains to budget and transport. Such constraints mean that CBR is unable to reach all children with disabilities in Solomon Islands. As a result, many miss out on any form of government-provided assistance. Official health data, as captured in the 2016 Health Core Indicator Report, confirms this position. Of those people registered with CBR as having a disability only 14.7 percent received rehabilitation services from CBR staff during 2016 (this being a marked improvement on the previous five-year average of 7 percent). Many people with disabilities, including children, are not registered, as the above example demonstrates.
61. UNICEF documented in its 2010 'Pacific Children with Disabilities' report that less than two percent of all children with a disability attend primary or secondary schools in Solomon Islands, based on "official statistics". According to the draft 'National Disability Inclusive Education Policy 2016-2020' of MEHRD, students with disabilities who do attend school generally only remain for a few years. This accords with international experience as documented in the World Health Organization's (WHO's) 'World Report on Disability' (2011), although the gap in primary school enrolment rates between disabled and non-disabled students would appear to be significantly higher in Solomon Islands than in other "poorer countries" documented by WHO. While it is difficult to make comparisons owing to a lack of data, assuming that around 2 percent of children with disabilities are enrolled in primary school in Solomon Islands then the gap is roughly 86 percent (based on 2014 net enrolment rates). This compares with a gap of 60 percent for Indonesia, the highest gap recorded by WHO amongst "poorer countries". More recent data for Solomon Islands as contained in the 'Demographic and Health Survey' discussed above (2015), does not appear to correlate with the 2010 data cited by UNICEF, suggesting that 46.2 percent of respondents with a "moderate to severe disability" and 27.9 percent of respondents with a "severe disability" had attained primary school education.
62. In addition to the widespread discrimination already described, the key barriers identified around school attendance for children with disabilities amongst those spoken to during the preparation of this report were: an inability by parents/caregivers to meet school expenses, difficulties with physical access, an inability of teachers to communicate/engage with students with disabilities, and a belief by parents/caregivers that there is little point sending their child with a disability to school. Similar concerns have been documented in relation to Solomon Islands by academics and by UNICEF in its 2010 'Pacific Children with Disabilities' report.
63. Education issues are discussed in further detail in cluster 8 below. Suffice to say, the challenges documented there are often compounded in relation to children with disabilities. Accordingly, school resourcing is a major issue. For example, disability advocates stated that they were unaware of any government-run schools in Solomon Islands possessing low vision aids, braille resources or technology to improve the learning and communication ability of students with disabilities. Access to WASH facilities in schools is highly challenging. The mother of the student with

a disability discussed above indicated that her daughter would need to leave school and go home if she wished to use the toilet. This is often also the case for children without a disability.

64. As previously mentioned, a new *Education Bill* for Solomon Islands is currently in its eighth draft and is planned to be presented to parliament in 'early 2018'. While the draft Bill deals with minimum infrastructure obligations for schools, it fails to mention issues of access or inclusion for students with disabilities. In contrast, the yet to be endorsed 'National Disability Inclusive Education Policy 2016-2020', discussed above, contains 'key objectives' relating to access to schools for students with disabilities. If implemented, this will be a positive step for government as it includes a reference to Education Authorities supporting schools to "improve existing classrooms and other facilities for better access to children with special needs who will require additional assistance."
65. Data on disability in Solomon Islands, especially child-related data, has been historically weak. It is encouraging that the National Statistics Office (NSO) has adopted the disability dataset established by the 'Washington Group on Disability Statistics'. This was included in the recently released 2015 SIDHS discussed above. In a workshop conducted in Honiara in October 2017 the NSO indicated that the Washington Group Dataset would be included in the 2019 National Census. It will be important that these questions include children aged 2 and up, which was not captured in the most recent SIDHS. This could be achieved by the NSO adopting the two special datasets devoted to measuring child functioning ("The Child Functioning Module") developed in 2016 by the Washington Group with the assistance of UNICEF.
66. Despite the positive data initiatives detailed, there are weaknesses. Regular national data collection exercises such as the census are generally limited to demographic data and basic derivations. It has now been over a decade since a nationwide disability survey was last carried out in Solomon Islands. A nationwide survey process, if repeated, could provide an opportunity to overcome some of the gaps associated with current data collection exercises related to disability, including child disability.

Recommendations

Recommendations Related to Government

- In accordance with past commitments, take steps to ratify the 'Convention on the Rights of People with Disabilities' and its Optional Protocol;
- recommence the process of finalising the draft *Persons' with Disability (Equal Opportunities, Protection of Rights and Full Participation) Bill*, ensuring that consultations around the draft Bill are conducted with relevant domestic, regional and international organisations and that the Bill meets the requirements of international and regional disability-related agreements that Solomon Islands has agreed to, including SDG 10.2 and General Comment No. 9 (2006) on the rights of children with disabilities;
- take action to endorse the 'National Disability Inclusive Development Policy 2016-2018' and commence policy implementation activities;

- in furtherance of SDG 4.5, ensure cabinet endorsement of the ‘National Disability Inclusive Education Policy 2016-2020’ and undertake steps to meet the policy outcomes contained in the document;
- pursue the ‘outcome statement’ of ‘The National Health Strategic Plan 2016 – 2020’ related to disability, as well as SDGs 11.2 and 11.7, by improving access for people with disabilities to health facilities, schools, public buildings, public spaces and public and private transport services, paying particular attention to rural communities;
- review all laws, policies and official documents to ensure that they use appropriate, non-discriminatory language when describing people with disabilities;
- in accordance with SDG 4.a, include minimum infrastructure requirements related to disability in the draft *Education Bill*;
- increase the budget of CBR so that it has adequate levels of trained staff and sufficient logistical capacity to ensure it can provide services to all children with disabilities in Solomon Islands and their families;
- in furtherance of SDG 17.18, work with relevant internal and external partners to strengthen data collection related to children with disabilities, particularly at the provincial level, including by instituting the Washington Group Dataset in the 2019 census together with the two child datasets related to child functioning;
- work with donor partners to undertake a further nationwide survey on disability incorporating lessons learnt from the 2005 exercise.

Recommendations Related to Children and Families

- Undertake efforts to make available the necessary professional specialists to assist children with disabilities, particularly in rural areas, including speech therapists, occupational therapists and sign language teachers;
- following SDG 4.5, undertake all efforts to increase the enrolment of children with disabilities across all levels of education, including: ensuring that in-country teacher education programs are adequately preparing new teachers to teach students with disabilities; schools are made accessible for students with disabilities; schools have the necessary resources to teach children with different abilities, and; ensuring that schools do not impose contributions or fees on children with disabilities to ease the financial burden on parents/caregivers.

Recommendations Related to Communities

- Undertake education activities in schools and amongst the public at large to address the widespread discrimination against children with disabilities, including by advancing the agreed upon recommendation of the Working Group on the Universal Periodic Review (2016) that Solomon Islands “develop partnerships with civil society and community-based organisations and international stakeholders to identify women and girls with disabilities in the State party who are facing discrimination based on their disability”.

Health and health services, in particular primary health care²

67. During the reporting period, and up to the present date, Solomon Islands has shown an improvement in various core child-related health indicators, assisted by the end of the civil conflict and an increase in government and external funding to the health sector. The World Bank has recently (2017) pointed out that there has been half a decade of increasing real per capita public expenditure on health. In general, immunizations rates and coverage have grown, incidences of key communicable diseases affecting children have declined, and there have been steady reductions in maternal, child and infant mortality.
68. However, despite progress, preventable child-related health problems persist. Within the last four years, outbreaks of dengue, measles and rotavirus with accompanying child fatalities suggest weaknesses with immunisation, treatment and education. Taking measles as an example, vaccination coverage for those aged under one has been volatile over the last two decades, actually decreasing between 2011 to 2013, however there are signs of recent improvement. Acute respiratory infection rates for children, while also variable, have increased over the last five years in most places across the country. 2016 health indicators and discussions with health practitioners in Malaita Province show that malaria remains a cause of death.
69. Discussions held for the preparation of this report saw a consistent concern raised amongst health practitioners and parents around childhood nutrition. This concern is mirrored in official data. According to the 2012/13 HIES, 38 percent of children aged five and under in Solomon Islands were stunted. More concerning are figures which show that 16 percent of children are wasted, a level considered “alarming” by the World Health Organisation. Both figures represent a significant increase on earlier surveys. Rates for these conditions reported in the more recent SIDHS (released in June 2017) show a slight reduction with 32 percent of children under 5 being stunted and 8 percent wasted. Health practitioners spoken to indicated that unlike other core indicators, monthly stunting and wasting data is not collected in Solomon Islands, it only being obtained during nationwide survey exercises.
70. Outside of Honiara, the key government service-providers for information related to nutrition are Health Promotion Officers employed by the MHMS. These officers are based in every province. This program was established after the first, and to-date, only, National Nutrition Survey was conducted in 1989. In October 2017, a Health Promotion Officer based in Gizo, said that based on her ten years of experience she believed that childhood malnutrition linked to unhealthy or poor diet was common in Solomon Islands. She attributed this to various factors: a lack of awareness around the effects of eating unhealthy, processed foods; parents/caregivers living active lives and not having time to prepare healthy meals; a growing preference for the taste of processed foods, and; parents/caregivers leaving their children to be cared for by others, including other children, who did not feed them properly.

² Additional findings and recommendations specifically related to Adolescent Health and Adolescent Mental Health are outlined in Annex II.

71. Like all health outreach programs in Solomon Islands, Health Promotion Officers are constrained in the geographic locations that they can reach, with the timing of community visits being ad hoc. This is particularly the case for remote, rural locations. This means that outside of outpatient visits to capital-based antenatal clinics many parents are not exposed to their messaging around nutrition. In its 2017 'Systematic Country Diagnostic' for Solomon Islands, the World Bank commented upon the performance of the government in this space: “[t]o date, the Ministry of Health and Medical Services has not adopted or consistently implemented interventions proven to prevent and treat undernutrition.”
72. Owing to a general shortage of dedicated nutrition workers, most nutrition-related activities are undertaken by other health practitioners, including nurses working at antenatal and postnatal clinics. In recognition of its importance, and the challenges which the government faces, there have been various nutrition-related interventions by external actors, including UNICEF, churches and NGOs. Amongst other activities, UNICEF is currently providing support around infant and young child feeding and World Vision has established a network of Village Health Volunteers in select locations in three provinces. The Village Health Volunteers help parents monitor their children’s health, and raise awareness around healthy diets and lifestyles.
73. Associated with malnutrition, the other key concern that was commonly raised in discussions around the preparation of this report was childhood diarrhoea. In part, this may relate to enduring memories of a rotavirus outbreak across six provinces in 2014 which saw 18 child fatalities. Recent data also confirms the continued risks posed to children by diarrhoea. The 2015 SIDHS indicates that in the two weeks prior to the survey being conducted (between April and September 2015), 8 percent of children aged under 5 had diarrhoea, with 1 percent having diarrhoea with blood. Twelve percent of these children had received no treatment, with treatment being lower in rural areas.
74. According to health practitioners, teachers and parents interviewed for this report, the key causes of childhood diarrhoea were drinking contaminated water, unhygienic food preparation practices, and poor sanitation, including the incorrect disposal of excrement. The recent SIDHS survey shows the dire need for education in this area: 58 percent of children’s excrement is disposed of unsafely across the country. Like nutrition, the key government source for information related to diarrhoea prevention, particularly in rural areas, is Health Promotion Officers. Accordingly, the various constraints related to imparting information around nutrition also apply to communicating information around water, sanitation and hygiene. The present situation also points to a need for more government assistance in providing sources of clean drinking water and toilets, especially in rural-based schools and health facilities.
75. A common issue recorded and observed during the preparation of this report was the poor state of government-run health facilities. This mainly related to rural health clinics or nurse-aide posts which serve the vast bulk of the Solomon Islands populace, including children. This was a specific concern raised by a senior health practitioner and parents in Malaita Province. According to the MHMS there are 344 health facilities across Solomon Islands, most of which are more than thirty-years old. In 2011 the MHMS estimated that 70 to 80 percent of all health facilities

needed to be replaced or the subject of major repairs. A key concern is the quality of facilities available for women to give birth.

76. According to a 2015 Australian ‘design document’ related to the Solomon Islands health sector, exacerbating the issue of maintenance and upgrading of health facilities is confusion within the MHMS around who is responsible for what levels of maintenance and refurbishment. Poor financial management is said to be contributing to this position. This is evidenced by past budget under-spending by the MHMS around infrastructure. The situation is also not helped by an absence of core indicators related to water supply, sanitation, and the availability of standard medical equipment at health facilities.
77. There have, however, been improvements in the supply of essential medicines. In 2017, the World Bank pointed out that pharmaceutical supply availability had improved across the country, from 50 percent in 2007 to 90 percent in 2016. Even so, discussions with a senior medical officer in Malaita Province revealed that the province would sometimes run out of malaria treatment. This is a critical issue given the high prevalence of malaria in the province and accompanying fatalities. Similarly, a health manager based in Honiara said that syphilis treatment and HIV testing kits would also sometimes run out across the country.

Recommendations

Recommendations Related to Government

- In furtherance of SDGs 2.1 and 2.2, engage with external partners to develop and test new evidence-based interventions to improve early childhood nutrition, adopting a coordinated, multi-sectorial approach, working in partnership with those working in areas which include education, women, agriculture, fisheries, water and sanitation;
- in furtherance of SDG 17.18, work with relevant internal and external partners to improve data collection, collation and dissemination related to children’s health, particularly those found in the 35 ‘national core indicators’, ensuring that stunting and wasting rates are regularly captured and ensuring that all data is disaggregated according to gender, age, disability and location;
- work with relevant internal and external parties to allocate the necessary resources to commence the iterative process of rehabilitating health facilities across the country, paying attention to the quality of facilities available for women to give birth and ensuring that up-to-date data around the physical condition of health facilities and equipment is routinely collected and shared;
- continue to improve the pharmaceutical supply chain to ensure essential child medicines do not run out across the country.

Recommendations Related to Communities

- In furtherance of SDG 2.2, address the severe rates of childhood stunting and wasting by ensuring the appropriate human technical and financial support to the MHMS, in particular the Health Promotion Department, so it can undertake regular, nationwide efforts to raise awareness around childhood nutrition, including activities which address infant feeding practices and target hard to reach populations and those minority groups which are known to be particularly susceptible to these conditions
- undertake efforts to address childhood diarrhoea by ensuring the appropriate human technical and financial support to the MHMS, in particular the Health Promotion Department, so it can undertake regular, nationwide efforts to raise awareness around the prevention and treatment of childhood diarrhea, focussing particularly on imparting messages around the importance of correctly disposing of excrement;
- further compliance with SDGs 6.1 and 6.2 related to safe drinker water and sanitation, by working with relevant external and internal partners, including communities, to ensure appropriate levels of support, funding and technical assistance for the construction of toilets and clean drinking water sources, especially in rural areas and at government-run schools and health facilities.

Measures to protect children from substance abuse

78. The use of both legal and illegal substances by children and youth in Solomon Islands is widespread. In discussions with police in the three locations visited for the preparation of this report, all nominated the drinking of alcohol and associated social disturbances as their key policing challenge. The most prevalent substances consumed across the country are store-bought alcohol (particularly beer), tobacco, cannabis, and *kwaso*, a homemade distilled alcohol. Children are key consumers with the police indicating that boys and girls as young as 12 are often found drinking alcohol and smoking cannabis.
79. Available data helps to demonstrate the ubiquity of alcohol and cannabis use in Solomon Islands. In a 2011 survey conducted by UNICEF and the Ministry of Women, Youth, Children and Family Affairs, children aged 12 to 17 across most of the provinces nominated alcohol and drugs as the most pressing problems in their communities. These concerns remain just as pressing today. Research on consumption conducted by Save the Children and the Burnet Institute in late 2015, and published in 2016, found that amongst respondents aged 15 to 24 in select locations, some 79 percent had drunk alcohol in their lifetime, 48 percent had tried cannabis, and 60 percent had consumed *kwaso*. When confined to consumption in the month prior to the survey the figures remained high: 65 percent, 37 percent and 46 percent respectively. Relatively high rates of drinking alone were recorded, and the authors found significant “harmful alcohol use patterns”, a reference to consuming more than six licit drinks in one session in the month before the survey.
80. A number of sources suggest that alcohol and cannabis use has risen amongst youth since the end of the 1998-2003 civil conflict. Quantitative research conducted in 2007 in a number of Honiara’s settlements published as a youth

and mental health 'Situational Analysis' points to increased *kwaso* and cannabis consumption amongst youth since the end of the conflict. The end of the fighting also most likely contributed to an environment conducive to production and cultivation.

81. The use of most of the substances described manifests in an array of community and social problems. In addition to health-related concerns, when children are intoxicated they often cause a variety of disturbances or commit criminal offences, including fighting, swearing, stealing and the destruction of property. Amongst those respondents to the Save the Children research who had drunk alcohol in the year prior to the survey, some 76 percent indicated that their drinking had caused relationship problems within their family or with a partner and/or friends.
82. Children in Solomon Islands, especially in Honiara, are also involved in illicit livelihoods, often assisting their parents or other relatives in the production of *kwaso* or the cultivation of cannabis. They are also involved in the sale of these items. A 2009 livelihoods study by 'Union Aid Abroad' included an analysis of illicit livelihoods in various Honiara locations, including four settlement communities. While there are limitations with the methodology applied, a striking feature of the analysis was the perceived pervasiveness of illicit livelihoods amongst respondents. The authors stated: "[t]he most reported livelihoods were illegal activities, which are associated with youth livelihoods and perceived to be significant in the settlements. It is impossible to know how big these illegal livelihoods have become but the respondents in our study suggest they have become very significant."
83. Despite the use, abuse, production and sale of alcohol and cannabis by children, there has been no government action outside of a punitive police response. This is problematic because, as one Malaita provincial official spoken to pointed out, the pervasiveness of the problem is now beyond the capacity of police to deal with. A police response also fails to deal with the underlying issues which are contributing to widespread use. Stymieing a police response is the issue that, on the accounts of those involved in the sale of illicit items, and police themselves, some officers are intricately involved in illicit livelihoods, either as consumers or in receiving some form of commission from producers or sellers for non-disclosure of their activities. There are presently no coordinated government-led approaches to tackling substance abuse in Solomon Islands.

Recommendations

Recommendations Related to Government

- in accordance with SDG 3.5 related to preventing substance abuse, with external and internal assistance, and drawing on regional and international experience and past experience of such programs in Solomon Islands, implement evidence-based, targeted, cross-sectorial, long-term responses to address alcohol and cannabis use amongst children, being aware that different responses are likely to be required in different locations, amongst different age groups, and for boys and girls.

Recommendation related to Children and Families

- In accordance with SDG 3.5 related to treating substance abuse, introduce support services for children who have substance abuse problems to assist them with addressing their addiction as well as the societal and health-related consequences of their substance use.

Recommendation related to Communities

- Ensure that parents, caregivers and communities play a key role in any responses devised to address alcohol and cannabis consumption, production and distribution.

VII. Cluster 8: Education, Leisure and Cultural Activities

Right to education, including vocational training and guidance³

84. Schooling in Solomon Islands is not compulsory at any level, however there is a widespread societal expectation that children will attend school. While data shows that most people will complete primary school, there are various obstacles making progression to higher school levels difficult. As discussed below, completion rates decline as students proceed through the education system.
85. Interviews with parents, teachers and others for the preparation of this report universally disclosed that the key factor limiting children's enrolment and attendance at school in Solomon Islands is an inability to meet the requisite expenses. Since 2009 there has been a government instituted 'Fee Free Education Policy' for grade 1 (primary school, age approximately 6/7) to year 9 (junior secondary school, age approximately 14/15). Fees remain for senior secondary school (year 10 onwards). In theory, this means that it is free for most children to attend school in Solomon Islands. In practise, the opposite is true. All schools impose a financial contribution on attendance from grade 1 to form 3. While contributions are allowed, they are largely unregulated. The amount varies from school to school, with secondary schools typically imposing higher contributions than primary schools. Demonstrating difficulties with the 'Fee Free Education Policy' is data around barriers to education published by MEHRD in 2011 in which 42.4 percent of respondent parents indicated that the policy had helped "a little" but that education was still expensive, with 8.5 percent saying it had not helped at all.
86. Coinciding with the 'Fee Free Education Policy' was the introduction of school grants. Since 2009, individual schools across Solomon Islands have received a bi-annual grant from the government calculated largely according to enrolment, education level and school location. According to MEHRD's 'Up-dated Policy Statement and Guidelines for Grants to Schools in Solomon Islands' (2012), their aim is to "eliminate school fees for basic education and to reduce the fees for higher secondary education." The policy contains a list of eligible expenses for which grants may be used for. These broadly relate to teaching and learning materials, as well as building maintenance.
87. Teachers raised a number of concerns regarding the implementation of the 'Fee Free Education Policy' and the imposition of contributions. One being that the policy had actually had a detrimental effect on how some parents engage with schools. An expectation had developed that the government would meet all education costs with an accompanying reluctance by parents, and others, to assist schools through voluntary community work or contributing to fundraising activities. At one school visited in Malaita Province the headteacher said that he now had to pay parents and community members to undertake labour related to capital works, something that would have previously have been done on a voluntary basis. The same concerns were registered by a headteacher of a primary school in Western Province. This issue was also touched upon in the 2011 'Barriers to Education Study' discussed,

³ Additional findings and recommendations specifically relating to school infrastructure are outlined in Annex II.

with the authors stating that the 'Fee Free Education Policy' had, according to some principals, resulted in parents being "reluctant to assist schools".

88. Contributions and fees create difficulties for headteachers and principals. Teachers act as de facto debt collectors, pursuing parents who had not paid their child's contribution or fee. The 'Statement and Guidelines for Basic Education in Solomon Islands', approved in 2009, provides that children are not to be removed from school because of non-payment of fees or contributions. Nevertheless, while different schools institute different policies, it is common to see a failure to pay result in removal. Contrary to the prescribed policy, headteachers and principals are often placed in the difficult position of making decisions about whether enrolled students who have not paid their contribution or fee can continue their education. This was demonstrated at a school on a small island in Western Province. The headteacher was confronted by only six students having paid their full contribution. He said that he felt sorry for those students who had not paid, and as a result he was unwilling to enforce the (informal) school rule about contributions. He stated that he would only follow the rule for grade 6 students, preventing those who had not paid from sitting their compulsory exams. In contrast, another school visited in Malaita Province excluded all non-paying students without question.
89. Added to the expense of school contributions are costs related to transport, school uniforms and other learning materials. The costs associated with secondary school attendance generally tend to be higher than primary, this is mainly because students will often have to live away from home in order to attend. In Honiara, transport costs for students can be a significant barrier to school attendance. A major concern for students in Honiara, and the subject of a Parliamentary Inquiry in 2013, are the expenses incurred through short-bus routes. This refers to a trend that has developed since 2011 of buses (the key form of public transport for students in Honiara) covering short distances, meaning that multiple bus trips, and multiple fare payments, need to be made for students to travel from their home to their school. A parliamentary special select committee report with recommendations was released in mid-2013 on this issue. The majority of these recommendations have not been acted upon.
90. Owing to the expenses detailed, some people spoken to said that girls were discriminated against when it came to school attendance. This is because in cases where families need to make a decision about which child they will send to school they will more often than not choose their male child. This concern was raised in both Malaita and Western Provinces. In the former, NGO workers said that "culture" dictated that girls stay at home and help with domestic chores. HIES data (from 2013/14) confirms this position, with there being a lower school placement rate for girls across the country, particularly in rural areas.
91. Enrolment of females into vocational institutions is significantly lower compared to males. According to the 2009 Census, only 34% of students enrolled in vocational education are females. Key factors identified as obstacles to women and girls' access to education is the geographical settings and locations of schools and vocational centres. Students have to travel long distance either by walking or travel by canoe to schools and therefore the security and safety concerns particularly for girls is higher. Most vocational schools offer only traditionally male courses which females are most unlikely to attend. In a recent positive development, the Solomon Islands Tertiary Education and

Skills Authority (SITESA) Act was passed by parliament in March 2017 and contains special provisions for the education and training of women girls.

92. The draft *Education Bill* sited during the preparation of this report (September 2017) seeks to implement a system of compulsory enrolment and attendance for children aged between 5 and 14 (i.e. primary school). An exemption can be granted for individual children in certain circumstances and penalties are imposed on parents who fail to comply. This is a welcome initiative, ensuring that Solomon Islands meets a key obligation under the CRC. However, before this law can be successfully implemented there is a need for government action to address school contributions, fees and expenses. Currently, many parents who want to send their children to school are simply unable to, despite the 'Fee Free Education Policy'.
93. Early childhood education (ECE) is an area of key proven importance for long-term education outcomes yet is currently experiencing various problems. In Solomon Islands, ECE refers to a variety of pre-primary programs (e.g. nursery, playschool, preschool, kindergarten, day care, and preparatory class etc.) that provide educational, social, emotional, moral, and physical support for children aged 3 to 4, although older children also attend ECE. Issues related to ECE were frequently raised in discussions carried out for this report. While data around ECE is generally lacking, a late 2015 independent ECE sector review (discussed below) stated that there were 479 ECE centres across the country, of which 338 were registered with the government and around 21,700 children being enrolled. About 50 percent of five-year-olds and 62 percent of 3 and 4-year-olds were enrolled in some form of centre-based ECE program.
94. In 2014, some six years after the introduction of a 'National Early Childhood Education Policy Statement', the government placed a moratorium on new ECE development. This moratorium was still in place in December 2017. This has meant that there are no new ECE centres being registered by the government, no further teachers/community volunteers trained, no work on establishing national ECE standards being conducted, and no further advancements taking place around the development of an ECE curriculum. The present hiatus has been attributed by government to financial constraints, with there being a lack of resources to implement the 2008 policy and there being no structure within the MEHRD to implement it.
95. Adding to the urgency for a coherent, evidence-based approach to ECE in Solomon Islands was an independent assessment conducted in 2015 ('The Early Childhood Education Sector Review') which found there was no evidence of improved education outcomes for children attending government-run ECE centres. The quality of ECE programs was described as "very low" and numerous problems were identified, including the imposition of an inappropriate centre-based ECE model (as opposed to a holistic, community-based, parent-supported model).
96. In 2016 the government stated that a "new and affordable solution to provide access to 3-4-year-olds [to ECE] still needs to be conceptualised, costed and developed." The MEHRD committed to a new, costed ECE policy to be developed by 2017 and implemented from 2018. There are no signs that such a policy will emerge in 2017. Discussions with staff from the MEHRD in October 2017 disclosed that the immediate focus of the Ministry was on

establishing a “pre-primary class” for children aged 5. In 2018 efforts would be undertaken to initially collect baseline data related to ECE.

97. While preparing this report, a number of specific ECE problems were identified. The two most commonly repeated were a misunderstanding by parents about what ECE actually was and why it was important for their children to attend; and difficulties with children accessing ECE centres. The latter issue related to children having to travel long distances by foot, often several kilometres. This was viewed as unsafe and beyond the physical capacity of small children. Discussions with the Principal Education Officer for Malaita Province confirmed this. He said that within Malaita Province there are many communities with over 60 children of ECE age who are unable to travel distances of up to 5 kilometres to attend an ECE centre. Both challenges raised here are well-known, having been the topic of discussion in various government reports, including the ECE sector review discussed and the barriers to education study (2011) also mentioned above.
98. A further ECE-related issue was whether attending ECE was a prerequisite to attending primary school. In those communities visited where there was a functioning ECE centre, headteachers of nearby primary schools were insisting that students complete ECE before enrolling in primary school. In contrast, in communities where there were no proximate ECE centres, such a requirement was not being observed. These policies did not appear to be common knowledge. This meant that in some instances older children were being enrolled in ECE so that they could then attend primary school. The access issue discussed above was also leading to delayed enrolment, with older children considered more capable of traveling the often-long distances to attend ECE centres. These matters were seeing late-age enrolment in primary school. In turn, there was a concern that this was leading to school drop-outs with older students, sometimes aged 8 or 9, finding themselves in classrooms with 5 or 6-year-olds. The World Bank (2017) has pointed out that almost one in five students in primary school in Solomon Islands is over-age. This was said to be a source of shame for these older students, discouraging them from continuing their schooling.
99. Two NGO partners involved in the preparation of this report, Save the Children and World Vision are currently implementing ECE programs in Solomon Islands. The former through its ‘Play to be School Ready’ project in 35 communities across four provinces and the latter via its ‘Early Childhood Education Project’ in parts of Guadalcanal and Malaita Provinces. Both projects utilise available community resources, including training community members to facilitate ECE learning. These projects were valued by community members, including efforts to involve parents and teach them the value of ECE.
100. Students in Solomon Islands sit exams at the end of grade 6, form 3 and form 5. At each of these points transition rates decrease, being particularly problematic in secondary school. The most recent HIES data (2013/14) found that at the national level, of those who attended school, 54 percent reported completing primary education, 22 percent reported completing junior secondary and 14 percent completed senior secondary. According to a recent World Bank analysis (2017), in 2013 the proportion of students entering prep and reaching form 7 without repeating or dropping out was only 5.7 percent. That said, government data points to improved transition rates

from grade 6 to form 1, such that consideration is (again) being given to abolishing compulsory exams at the end of grade 6.

101. A further topic of concern that was raised in discussions while preparing this report was that of pregnant students. Girls who fall pregnant are currently unable to continue their education, being expelled from school. This is implemented as a form of discipline. They are also prevented from returning to school. There are no laws or government policies which pertain to pregnant students, despite government officials having indicated in at least one international forum that policies/laws to enable pregnant students to continue their education would be forthcoming. In late 2014, the expulsion of pregnant girls from school and their subsequent exclusion was commented upon by the 'Committee on the Elimination of Discrimination against Women', with a recommendation for reform being made. This recommendation is yet to be acted upon.
102. A recurring issue over the reporting period has been teacher absenteeism. This is not a new problem in Solomon Islands, being of such a level of concern that in 2011 the 'Office of the Auditor General' conducted an audit into the issue. Teacher absenteeism remains a problem and was raised as such by all teachers spoken to for this report. It is also the topic of discussion in current government documents and policies, with the 'Education Strategic Framework' (2016) stating that the education system is characterised by "high absenteeism, estimated to be around 20%, which is substantially higher than the internationally recognised standard of 2-3%". In those schools visited for this report there was a common narrative of absenteeism being confined to 'one-or-two' teachers, with the majority meeting their attendance obligations.
103. The reasons for absenteeism listed in the 2011 audit report remain just as pertinent today. It stated that absenteeism was caused by, or exacerbated by: teachers being unhappy with their conditions of service; teachers having an "inappropriate attitude" towards absenteeism; headteachers not enforcing attendance; the late commencement of teachers at the start of the academic year; the long distances teachers often needed to travel to access banks to collect their salary; the long distances teachers had to travel from their staff housing to schools, and poor transport. It is evident from the 2011 audit report that not all of the answers to high rates of teacher absenteeism in Solomon Islands lie with MEHRD and a degree of shared responsibility and action is required to address this issue.
104. In the same year as the audit, MEHRD commissioned the study around barriers to education already discussed. As pointed out in Solomon Islands Second and Third Combined Periodic Report, the results showed that teacher absenteeism was the fourth most important reason for students being absent from school during the two weeks prior to the survey (at 10.6 percent of respondents). The study described teacher absenteeism as having reached a "crisis point". Nothing has changed since the time the study was released to warrant a different description today. If the 2016 data from MEHRD around teacher absenteeism is accurate – estimating 20 percent absenteeism – then it appears that the problem has only become worse. The "long-term objective" of the government is to reduce teacher absenteeism to less than 7 percent by "applying stronger controls and supervision". The government has given itself a timeframe of achieving this target by 2020.

105. There are detailed rules to be followed in cases of teacher absenteeism. A teacher who is absent without authorisation for more than 15 consecutive working days is liable to be dismissed. However, it appears that headteachers and principals may be having difficulties applying these rules. A school visited in Western Province in October 2017 exemplified this. The school was located in a small island community characterised by close familial and community connections. One teacher, a single-mother with often ill children, was persistently absent. The headteacher indicated that he felt sorry for the teacher and could not bring himself to report her. The 'Barriers to Education Study' (2011), frankly assessed the official procedures in place around teacher absenteeism, finding them to be "widely seen as weak and ineffective". Particular problems arise for those schools located in remote locations where it may be difficult for the headteacher or principal to report an absent teacher to centrally-based education officials, and where the prospect of having a dismissed teacher replaced promptly is highly unlikely.
106. There is a correlation between teacher absenteeism and student absenteeism. Data contained in the 'Barriers to Education' study shows that student absenteeism at the primary level worsened in three provinces between 2007 and 2009 and describes it as a "serious problem". The study contains the most current data on student absenteeism. Based on quantitative interviews of children, parents and principals across five locations in the country, over 20 percent of principals surveyed described it as "a major problem". The survey found that the key reasons for student absenteeism in the two weeks prior to the survey were: illness, unsupportive parents, movement of parents, distance from school and teacher absenteeism. While exact figures were not provided, a further 'frequent' reason was a fear of punishment and a general fear of teachers. It is difficult to know if this situation has changed since the 2011 survey, with recent government policy documents not addressing the issue, instead focussing on teacher absenteeism.
107. A link can also be drawn between student absenteeism and poor-quality teaching. The 'barriers to education' study found that students "were very vocal about poor teaching practice being a key driver for student absenteeism and eventual dropping out". The pedagogical approach employed in schools was criticised by students in the study, but also of concern was the quality of the teachers employed.
108. Government documents, in particular the 'National Education Action Plan 2016-2020', have raised the issue of poor teacher quality, seeking to put in place steps to address it. The Action Plan is blunt: "[t]he current system cannot ensure the adequate supply of sufficient quantities of motivated teachers, that have the necessary skills to teach...". Many teachers lack qualifications, although the situation is improving. Government figures contained in the current 'Education Strategic Framework' (2016) indicate that in 2006 only eight percent of primary school teachers were qualified, increasing significantly to 64 percent by 2014.
109. There are "very limited" training opportunities for existing teachers in Solomon Islands wanting to improve their qualifications according to the government's Action Plan. The teacher training courses that are offered are considered inflexible and expensive, requiring teachers based in rural locations to travel to Honiara and undertake lengthy, face-to-face learning. The government recognises that existing teacher training and professional

development needs to be reviewed and a new approach developed. It hopes to implement a system of flexible, modular, qualifications-based training by 2020.

110. Finally, an issue that has been of continuing concern for students, parents and teachers in Solomon Islands is exam paper leakage. As discussed, in Solomon Islands, students sit compulsory exams in grade 6, form 3 and form 5. These exams dictate whether students will progress to their next level of education. Over the last decade, exam papers have been regularly leaked prior to the exam date, being widely disseminated, including over social media. This occurred again in November 2017 and was the topic of widespread public comment and criticism. This practice creates unfairness, skews exam outcomes and demoralises students and teachers. The topic of exam paper leakage was the subject of parliamentary debate in 2009 with the then Minister for Education indicating that MEHRD had written to the Office of Auditor General requesting that an audit take place. An audit has not been undertaken.

Recommendations

Recommendations Related to Government

- In furtherance of SDG 4.1 relating to free, equitable primary and secondary education for all boys and girls, regulate the imposition of contributions for grade 1 to year 9 to ensure they are equitable and non-payment does not lead to the exclusion of children from school or the prevention of children from sitting exams;
- ensure that all key education-related expenses are monitored and controlled, including by introducing the provisions contained in the draft *Education Bill* (September 2017) which enable the Minister to regulate the fees that may be charged for materials and services provided to students, and acting upon the recommendations of the Special Select Committee on short bus routes in Honiara;
- in furtherance of SDG 4.1, institute compulsory education for primary school as soon as possible, ensuring consideration is given to the difficulties many parents face with school-related expenses;
- in furtherance of SDG 4.2 related to access to early childhood development, care and pre-primary education, resolve the current position of ECE by determining which ECE model is appropriate for Solomon Islands, ensuring that any new model is based on evidence, the advice of experts, and is cognisant of the key obstacle which many children presently face in attending ECE;
- in accordance with the recommendations of the Committee on the Right of the Child in its Concluding Observations to Solomon Islands initial state report and the Solomon Islands' 'Education White Paper' (2015), establish ages for admission to, and completion of, primary education;

- revisit the recommendations of the 2011 Auditor General’s report related to teacher absenteeism and seek to adopt a holistic, iterative, evidence-based approach towards addressing absenteeism which does not rely solely on “stronger controls and supervision” by staff of the MEHRD;
- undertake new nationwide research on student absenteeism, including rates of absenteeism and reasons for absenteeism, seeking to assess trends since the 2011 ‘Barriers to Education’ study, and, on the basis of findings, assess where interventions to address absenteeism might be most appropriately directed;
- in accordance with SDG 4.c calling for a substantial increase in the supply of qualified teachers, review the current training provided to existing teachers and ensure that a flexible, contextually-relevant model is established and funded;
- undertake a comprehensive independent audit on exam paper leakage, including an assessment of whether exam paper printing should be outsourced to private printing companies, and act on the recommendations made.

Recommendations Related to Children and Families

- Undertake nationwide efforts to raise awareness amongst parents about the importance of ECE, including what ECE is and why ECE is critical to a child’s social and educational development;
- in accordance with the recommendations of the ‘Committee on the Elimination of Discrimination against Women’ in its Concluding Observations to ‘Solomon Islands’ Combined Initial to Third Periodic Report’ under the ‘Convention on the Elimination of Discrimination against Women’, ensure that girls are not expelled from school because they are pregnant and strengthen efforts to retain all girls in school, including pregnant girls and young mothers.

Cultural rights of children belonging to indigenous and minority groups

111. The language of instruction used in schools is an issue which has been the subject of attention due to the immense linguistic diversity of Solomon Islands. English, while being the official language of the country, is the third language of usage for most people, behind the *lingua franca*, Pijin, and vernacular languages, of which, according to most experts, there are between 64 and 71.
112. While there is no data to show which languages are presently being used for teaching in Solomon Islands, at the schools visited a combination of all three languages was being employed. Teachers at the primary school level said that English would typically be used when working with text-books or writing, while Pijin and/or vernacular language/s would be used when explaining concepts, especially to young children who were not familiar with English or Pijin. Teachers pointed out that vernacular language could only be used in those schools where there was a degree of ethnic homogeneity, most commonly in rural locations, and where the teacher was able to speak the

relevant language. Schools in Honiara are most commonly characterised by students of multiple ethnicities speaking different languages. The use of vernacular language was seen to be most helpful at lower education levels.

113. Government policies directed towards the introduction of vernacular language teaching in Solomon Islands schools are yet to be implemented. As detailed in the 'National Education Action Plan 2016-2020', the government seeks to ensure vernacular language is mainstreamed in primary schools and ECE by 2018/19, with piloting already conducted. Various costing exercises related to the introduction of vernacular learning are also planned under the Action Plan. The new draft *Education Bill* (September 2017) provides that teachers must "endeavour to use English" as the principal language from grade four of primary school, but vernacular languages, Pijin, English or sign language "should be used individually or in combination" to help learning according to the needs of students.

Recommendations

Recommendations Related to Government

- Ensure that government vernacular education policies are implemented having regard to the differences between rural and urban locations and sufficient resources are dedicated for teacher training and the updating of learning materials, including free and online training through provision of internet access in key locations;
- monitor the implementation of government vernacular education policies to gauge their effectiveness in relation to learning outcomes.

VIII. Cluster 9: Special Protection Measures

Administration of juvenile justice, the existence of specialised and separate courts and the applicable minimum age of criminal responsibility⁴

114. Solomon Islands key legislation related to juvenile justice, the *Juvenile Offenders Act*, is now 45-years-old. It is presently the subject of a much-welcomed review. Consultations related to the review have involved government officials working in partnership with Save the Children in Solomon Islands. According to staff of Save the Children involved in the review, community meetings have revealed significant understanding of, and sympathy for, children in conflict with the law and overwhelming support for raising the minimum age of criminal responsibility (currently 8) and implementing new diversionary options for police.
115. A copy of the legislative drafting instructions (dated September 2017) for a new *Youth Justice Bill* were reviewed for the preparation of this report. While there are many positive features, including a much-needed increase in the

⁴ Additional findings and recommendations specifically relating to Police and Juvenile Justice, and Juvenile Justice Data Collection are outlined in Annex II.

minimum age of criminal responsibility to 12, there are omissions. The key oversight is a failure to include the “best interests of the child” as the primary consideration guiding the actions of decision-makers working in juvenile justice.

116. The omission to include the ‘best interests’ principle’ in the drafting instructions not only means that any new draft juvenile justice legislation will potentially be out-of-step with the CRC, it will also be contrary to recent legislative enactments in Solomon Islands. The best interest principle is a consideration for decision-makers under the recently passed *Child and Family Welfare Act 2017*, the *Family Protection Act 2014*, and is included in the latest draft of Solomon Islands Federal Constitution (May 2017). The enactment of new legislation could also assist decision-makers by detailing what the principle means, including by listing those issues that need to be considered when making a decision related to children.
117. The review of juvenile justice legislation provides the opportunity to modernise Solomon Islands’ penal legislation related to children in other ways which presently are not provided for in the drafting instructions. The following issues are important:
118. In 2006 the Court of Appeal of Solomon Islands determined that compulsory life imprisonment for children found guilty of murder – thought to be the penalty provided for by the *Penal Code* – was repealed or displaced by the *Juvenile Offenders Act*, with the appropriate sentence being a matter for judicial discretion. Through consequential amendments to the *Penal Code*, or a new provision in the *Youth Justice Bill*, the review represents the ideal opportunity to enshrine the decision of the Court of Appeal for those offences which would purport to impose the sentence of life imprisonment on children. This would ensure that Solomon Islands meets the recommendation of the ‘Committee on the Rights of the Child’ contained in its Concluding Observations following Solomon Islands initial state report to “[r]eview legislation to ensure that children cannot be sentenced to life imprisonment.”
119. In line with the above comment of the Committee and the CRC, new juvenile justice legislation also provides an opportunity to ensure that children are never sentenced to life imprisonment without the possibility of release. This could be ensured by prescribing new penalties for children for those offences which currently attract a maximum penalty of life imprisonment.
120. The drafting instructions do not contain any requirements that a child formally interviewed by police has in his or her presence a parent, relative, responsible adult or legal practitioner. The inclusion of such provisions would mean that any new law is in-line with the current police practice of ensuring such a person is present as detailed in the ‘Juvenile Justice Module’ taught to police recruits. It would also ensure that Solomon Islands complies with ‘General Comment No. 10 on children’s rights in juvenile justice’ (2007).
121. The *Juvenile Offenders Act* contains an express prohibition on a child (those aged under 14) being sentenced to imprisonment. This has been the situation for the last 45 years in Solomon Islands and was celebrated as a key feature of the Act when it was introduced. The drafting instructions for the proposed *Youth Justice Bill* contain no provisions to continue this prohibition. The drafting instructions apply to “youth”, that is, those aged 12 to 18. In

this regard, the new regime, if implemented in accordance with the drafting instructions, has the potential to fundamentally alter the power of the courts when it comes to sentencing a child aged 12 and 13 to imprisonment.

122. The drafting instructions do not institute rules which would see cases involving children expedited by police and courts. In accordance with the CRC and international best practice in juvenile justice, a ‘decision-making without delay’ principle should be included. This could include the imposition of time limits for the period between the commission of the offence and the completion of the police investigation, the decision of the police to bring charges against the child, and the final decision by the court. While the *Evidence Act 2009* in Solomon Islands provides that cases involving children “should be resolved as quickly as possible”, to signify the key importance of the swift resolution of such matters it should be a key guiding principle in any new juvenile justice legislation. In addition, the *Evidence Act* provisions do not apply to the actions of police.

Recommendations

Recommendations Related to Government

- Revisit the drafting instructions for the proposed *Youth Justice Bill* and remedy the deficiencies identified above, particularly the failure to incorporate the ‘best interest of the child’ principle;
- carefully evaluate the compliance of the drafting instructions for the proposed *Youth Justice Bill*, and any subsequent Bill which is drafted, against the CRC, ‘General Comment No. 10 on children’s rights in juvenile justice’ issued by the Committee on the Rights of the Child in 2007, and the ‘United Nations Standard Minimum Rules for the Administration of Juvenile Justice’ (‘The Beijing Rules’) issued in 1985;
- monitor any new juvenile justice legislation enacted to ensure it is being applied in a manner consistent with the CRC.

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