

Prevention of Sexual Exploitation and Abuse (PSEA)

Country Mapping of Known Context, Legislation, Reporting and Referral Pathways — Fiji

An initiative
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Prevention of Sexual Exploitation and Abuse (PSEA) – Fiji

This document has been prepared to assist your organisation to better understand a) the general Prevention of Sexual Exploitation and Abuse (PSEA) context b) relevant PSEA legislation and c) available reporting and referral pathways for SEA in a particular country. **This document is not intended to be a definitive analysis of a country's PSEA system and should not be read as such. The information may have been updated at the source since its publication and the reader should follow links provided to fact check before they quote or share this information. It is recommended that you test contact details provided prior to sharing these referral pathways.**

Your organisation must refer to and follow your PSEA Policy when responding to SEA. If a victim/survivor of SEA is under the age of 18 years, consult your organisation's Child Protection Policy.

OVERVIEW OF PSEA ISSUES

Demographics & Population	The population of Fiji is approximately 918,000, with a median age of 27.9 years. As of 2018, life expectancy at birth is 67.3 years, for every 100,000 live births, 30.0 women die from pregnancy related causes; and the adolescent birth rate is 49.4 births per 1,000 women of ages 15-19.
Children and the Law	The Juvenile Act (1973) recognises that no child under the age of 10 can be guilty of any offence, those 10 to 14 are not criminally responsible for an act or omission (unless capacity proven), and a male person under the age of 12 years is presumed incapable of having carnal knowledge.
Child Labour	Children are at risk of forced labour in agriculture, retail or other sectors.
Gender and Sexuality	The Pacific has some of the highest rates of Gender Based Violence in the world. National research shows that 72% of Fijian women experience gender-based violence, compared to the global average of 35%. ¹ Of women in Fiji who have ever been in an intimate relationship, 64% have experienced physical and/or sexual violence by their partner in their lifetime ² and 24% are suffering from physical or sexual partner violence today. ³
Poverty	30.6% of Fijians live in income poverty, primarily concentrated in rural areas and peri-urban slums. 59% are deprived in at least one dimension of poverty, 30% in at least two dimensions and 14% in at least three dimensions. ⁴
Trafficking	Fijian women and children, and female and male foreigners (largely from Asia) are trafficked domestically within Fijian borders, and internationally to Fiji or to commercial fishing vessels transiting Fijian ports and waters for the purposes of commercial sexual exploitation, domestic servitude, and forced labour. ⁵

1 UNAIDS, 2020. [Raising the Voice of Women at the Forefront of Climate Change](#)
 2 UN Women, 2018. [Fiji Services for Survivors of Gender-Based Violence Set to Further Improve](#)
 3 Talanoa Treks, Ra Naari Parishad, Rise Beyond the Reef, and Fiji Women's Fund, 2019. [Promising Practices from Fiji in Empowering Women Economically](#)
 4 UNICEF and Ministry of Women, Children and Poverty Alleviation, 2015. [Child-Sensitive Social Protection in Fiji: Assessment of the Care and Protection Allowance](#)
 5 US State Department, 2020. [Trafficking in Persons Report](#)

Women's Empowerment

Fiji is a country comprised of over 300 islands and has one of the more developed economies in the Pacific region. As such, it fares well compared to neighbours, ranking 98 out of 189 in the Human Development Index.⁶ However, the 2017 Global Gender Gap Report ranked Fiji 125 out of 144 countries in terms of the Global Gender Gap Index,⁷ which measures gender disparity across four broad areas including economic participation and opportunity, educational attainment, political empowerment, and health and survival.⁸

Women are more likely than men to be extremely disadvantaged and to have limited capacity to raise concerns and effect change in their community. Women are twice as likely to be deprived of Voice, with the gender difference being largest in urban areas.⁹ 78.3% of adult women have reached at least a secondary level of education compared to 70.2% of their male counterparts, yet only 19.6% of parliamentary seats are held by women.¹⁰

The Australian Government, through the Pacific Women initiative, have committed approximately \$26m over 10 years (2012–2022) on initiatives to support women's empowerment in Fiji. With regard to crisis support and prevention services there have been two changes in Fijian laws including a new tariff for child rape and the introduction of special measures for survivors during trials. Crime prevention committees are enabling vendors to drive improved safety in markets, and councils are including women in leadership and decision making to ensure market design and construction is gender responsive (such as ensuring more women's toilets).¹¹

Female participation in the labour market is 38.1% compared to 76.1%.¹² Research has found increased earnings help to relieve stress and tension in relationships and household settings, and have found no links between women's economic empowerment and increases in violence.¹³ Following a business case for employer-supported childcare, the Government of Fiji has now allocated funding for an exploratory committee to establish day-care centres near major hubs of employment.¹⁴

The Government of Fiji has committed to gender equality and the empowerment of women and girls. The Fiji National Gender Policy 2014¹⁵ focuses on the promotion of women's human rights and gender mainstreaming across development planning and decision-making processes within government, as well as addressing structural and social barriers that impede gender equality.¹⁶

6 UNDP, 2019. [Human Development Report, Fiji](#)
 7 World Economic Forum, 2017. [Global Gender Gap Report](#)
 8 UNDP, 2019. [Human Development Report, Fiji](#)
 9 Pacific Women, 2020. [Pacific Women Shaping Pacific Development: Fiji Highlights](#)
 10 Talanoa Treks, Ra Naari Parishad, Rise Beyond the Reef, and Fiji Women's Fund, 2019. [Promising Practices from Fiji in Empowering Women Economically](#)
 11 Pacific Women, 2020. [Pacific Women Shaping Pacific Development: Fiji Highlights](#)
 12 UNDP, 2019. [Human Development Report, Fiji](#)
 13 Talanoa Treks, Ra Naari Parishad, Rise Beyond the Reef, and Fiji Women's Fund, 2019. [Promising Practices from Fiji in Empowering Women Economically](#)
 14 Pacific Women, 2020. [Pacific Women Shaping Pacific Development: Fiji Highlights](#)
 15 Ministry for Social Welfare, Women, and Poverty Alleviation, 2014. [Fiji National Gender Policy](#)
 16 Pacific Women, 2020. [Pacific Women Shaping Pacific Development: Fiji Country Plan Summary](#)

RELEVANT PSEA LEGISLATION

International Instruments

The **Convention on the Rights of the Child**¹⁷ (CRC) was ratified in 1993 but Fiji has not yet ratified the Optional Protocols on the Involvement of Children in Armed Conflict, or the Sale of Children, Child Prostitution, and Child Pornography.

Fiji ratified the **Convention on the Elimination of All Forms of Discrimination Against Women**¹⁸ (CEDAW) in 1995. Described as an international bill of rights for women, CEDAW focuses on non-discrimination and the prevention of sex trafficking, rights in the public sphere, economic and social rights, and equality in marriage and family life and equality before the law.

Additional ratification status for Treaties include:

- Convention against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment (CAT) ratified 2016, but not the Optional Protocol of the Convention against Torture.
- International Covenant on Civil and Political Rights (CCPR) ratified 2018, but not the Second Optional Protocol Aiming to the Abolition of the Death Penalty.
- Convention for the Protection of All Persons from Enforced Disappearance (CED) ratified 2019.
- International Convention on the Elimination of all Forms of Racial Discrimination (CERD) ratified 1973.
- International Covenant on Economic, Social, and Cultural Rights (CESCR) ratified 2018.
- International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (CWM) ratified 2019.
- Convention on the Rights of Persons with Disabilities (CRPD) ratified 2017.

The Constitution Amendment 1997 states the court must consider relevant international law, whereas the **Constitution 2013**, supreme law, states that the law may consider relevant international law.

Legal Framework

The **Women's Plan of Action (2010-2019)**¹⁹ identified broad directions for action by Government, and also its stakeholders and development partners, in order to fulfil its national and international obligations. Priority areas included formal sector employment and livelihoods, equal participation in decision making, elimination of violence against women and children, access to basic services, and women and the law. The Plan was aligned to the commitment in the Beijing Platform of Action (1995), the Pacific Platform of Action (1993), Millennium Development Goal 3 to promote gender equality and empower women, and the Roadmap for Democracy and Sustainable Socio-Economic Development (2009-2014) at the national level.

The **National Policy on Sexual Harassment in the Workplace (2007)**²⁰ sets out conditions for equality of opportunity and treatment within each workplace, and that each workplace must establish a Sexual Harassment Monitoring and Evaluation System. The National Policy defines sexual harassment, employers' responsibilities, workers' responsibilities, complainants' statutory rights under the Human Rights Act 1999; the Penal Code (section 154); and the personal grievance procedure under the Employment Relations Promulgation 2007.

The **National Gender Policy (2014)**²¹ promotes gender equity, equality, social justice and sustainable development; and highlights the Government's commitment to remove gender inequality in Fiji. The Gender Policy aims to improve quality of life at all levels of society through the promotion of gender equity and equality; reinforce links between gender equality and sustainable development goals in national development; promote active and visible gender mainstreaming in all sectors and within civil society to ensure agency for gender equity and equality in all spheres of national life; and remove all forms of gender inequality and gender discrimination.

17 [Convention on the Rights of the Child](#)
18 [Convention on the Elimination of All Forms of Discrimination Against Women](#)
19 [Women's Plan of Action \(2010-2019\)](#)
20 [National Policy on Sexual Harassment in the Workplace \(2007\)](#)
21 [National Gender Policy \(2014\)](#)

Government Institutions

The **Ministry of Social Welfare, Women and Poverty Alleviation** is the Government agency that administers services and programs for care and protection of women and children.

The **National Coordinating Committee on Children (NCCC)** is responsible for coordinating the implementation of CRC into Fiji's laws and procedures. Its role extends to providing advice, regulating and monitoring the protection and welfare of children.

The **Human Rights and Anti-discrimination Commission** can receive and investigate complaints on human rights breaches.

The Fiji Police has a **Sexual Offences Unit in Suva** and Nausori to provide specialist services to victims of sexual offences. The **Transnational Crimes Unit** is based in Nasese, collaborating with the Pacific Transnational Crime Coordination Centre (PTCCC).

Fiji National Council for Disabled Persons (**FNCDP**) is the focal point for disabilities, under the **FNCDP Act (1994)**.²²

22 [Fiji National Council for Disabled Persons Act \(1994\)](#)



REPORTING AND REFERRAL PATHWAYS FOR SEXUAL EXPLOITATION OR ABUSE

Service Name	Description	Coverage	Contact
Law Enforcement Agencies (to report cases to)			
Police	Police general services	National	Emergency 917 or 911 or 000
	Sexual Offences Unit (Toorak)		Sexual Offences Unit T 3318525 T 3318520
Judiciary	Report cases for investigation by Social Welfare and judicial orders (protection, restraint, recovery)	National	Forms available at Government Judiciary Website Form 15 - notice of child abuse or risk of child abuse Form 12 - application for orders Form 18 - application for recovery order
Crime Stoppers	Hotline for reporting crimes	National	T 919
Local Health and Medical Services (to refer cases to)			
Ambulance	Ambulance service	National	Emergency 911 or 000
Medical Services Pacific	Confidential counselling and support services for survivors or rape, medical support, and post rape care, as well as child protection, youth assistance	National, 8am - 4pm	Medical Services Pacific T 3630108 or 3548062 E info@msp.org.fj Counselling and Support T 9910894 or 5640 Hotline 9910891 or 5640 Child Help Line T 1325 E help@msp.org.fj Post Rape Care and Support for Miscarriage Care E counsellor@msp.org.fj Medical Inquiries or Bookings E doctor@msp.org.fj E timaleti.james@msp.org.fj Sensitive and Confidential Inquiries E jen@msp.org.fj
Adolescent Health & Development Centre	Paediatric and adolescent care including sexual healthcare, mental health care and general practice	Suva	Ministry of Health Dinem House, 88 Amy St, Toorak T 331 9078
Support Agencies			
Ministry of Women, Children and Poverty Alleviation	Responsible for responding to child abuse, violence against women and children. Professional mandatory reporting is to be addressed to the Permanent Secretary	National	Child Helpline 1325 Domestic Violence Helpline 1560
Child Labour Unit within Ministry of Labour, Industrial Relations and Employment	Monitors and intervenes in unlawful child labour	National	Child Labour Unit T 303 500

Fiji Family Court	Family Court for most matters relating to children	Major cities	Suva T 3211834 Nasinu T 3390466 Nausori T 3340006	Lautoka T 6660016 Labasa T 8836022
Key Advocacy Services, Networks, Agencies				
Fiji Women's Crisis Centre	24-hour confidential counselling and support service for women	National 24 hours	Suva T 3313300 or 9209470 E fwcc@connect.com.fj Nadi T 670-7558 or 740-4760 E nadiwomen@connect.com.fj Ba T 6670466 or 9239775 E bwcc@connect.com.fj	Rakiraki T 669-4012 or 912-9790 E rwcc@connect.com.fj Labasa T 881-4609 or 937-7784 E lwcc@connect.com.fj
Homes of Hope Fiji	Shelter for women and children leaving domestic violence	National	Homes of Hope T 332 2033	
House of Sarah	Counselling centre for women	Suva 8am-4pm	House of Sarah T 3100665	
Australian Federal Police and Embassy or Consular (if any person involved is an Australian National)				
Australian High Commission	Consular assistance; law enforcement cooperation section	National	Australian High Commission 37 Princes Road, Tamavua, Suva T 3388 2211 www.fiji.highcommission.gov.au	
Australian Federal Police	Report offences committed by Australians		T +61 2 6131 3000 After Hours +61 2 6126 7777 www.afp.gov.au	





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