

ACCESS TO JUSTICE FOR CHILDREN: **SOLOMON ISLANDS**

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I. What is the legal status of the Convention on the Rights of the Child (CRC)?

A. What is the status of the CRC and other relevant ratified international instruments in the national legal system?

Solomon Islands¹ ratified the CRC on 10 April 1995.² Solomon Islands' government (the "Government") has a dualist legal tradition, which regards domestic and international laws as separate systems. Thus, ratified international treaties, including the CRC, do not form part of the national law of Solomon Islands unless they have been incorporated through domestic legislation.³ To date, little attempt has been made to align national legislation with the CRC.⁴ Solomon Islands has not ratified the three Optional Protocols to the CRC on the involvement of children in armed conflict, on the sale of children, child prostitution and child pornography, and on a communications procedure.⁵ The Government has developed a Child Rights Bill and a Child Protection Bill, which have yet to be passed by parliament.⁶

B. Does the CRC take precedence over national law?

No, the CRC does not take precedence over national law. Where the CRC contradicts a national law, the national law takes precedence over the CRC.⁷ However, there have been instances in which Solomon Islands' courts have recognised international instruments as interpretive guides, when ruling on matters concerning children.⁸

C. Has the CRC been incorporated into national law?

¹ Comments on this report provided by Professor Jennifer Corrin, University of Queensland Law School, September 2015.

² United Nations Treaty Collection, available at: https://treaties.un.org/Pages/ViewDetails.aspx?mtdsg_no=IV-11&chapter=4&lang=en#EndDec.

³ International Center for Transitional Justice, *Solomon Islands: Submission to the Universal Periodic Review of the United Nations Human Rights Council Eleventh Session*, 8 November 2010, page 3, available at: http://lib.ohchr.org/HRBodies/UPR/Documents/session11/SB/ICTJ_InternationalCentreforTransitionalJustice-eng.pdf.

⁴ CRIN, *Solomon Islands: National Laws*, 1 November 2013, available at: <http://crin.org/en/library/publications/solomon-islands-national-laws#A>.

⁵ CRIN, *Solomon Islands: Child Rights References in the Universal Periodic Review*, 22 July 2011, available at: <http://www.bettercarenetwork.org/resources/infoDetail.asp?ID=25544>.

⁶ CRIN, *Solomon Islands: Child Rights References in the Universal Periodic Review*.

⁷ Ibid.

⁸ CRIN, *CRC in Court: The case law of the Convention on the Rights of the Child*, 2012, page 61, available at: https://www.crin.org/docs/CRC_in_Court_Report.pdf.

The CRC has not been directly incorporated into national law.⁹ There is currently no comprehensive Children's Act in Solomon Islands, and the rights and protection provisions set out in the CRC are not reflected in its national law.¹⁰ However, there are provisions within the current legislation of Solomon Islands that protect children's fundamental rights. For example, the Solomon Islands Constitution 1978 (the "Constitution")¹¹ guarantees the right to life; right to personal liberty; freedom from inhuman treatment, including inhuman or degrading punishment; protection of the law; right to freedom of thought, religion or belief; right to freedom of expression; right to freedom of movement within the Solomon Islands; protection from discrimination on the ground of colour, race, place of origin, creed or sex or political opinion to all individuals.¹² The protection afforded under the Constitution apply to both children and adults equally.¹³

D. Can the CRC be directly enforced in the courts?

The CRC cannot be directly enforced in Solomon Islands' courts, although it has served as an interpretative tool in applying national laws.¹⁴ There have been decisions by Solomon Islands' courts, which considered provisions within the CRC - for example the appeal case of *R v. K* on juvenile justice and detention of children in Solomon Islands.¹⁵ It is reported that when the courts consider any national laws that are open to two or more interpretations, there is a preference to adopt the interpretation that is most compatible with human rights instruments.¹⁶

E. Are there examples of domestic courts using or applying the CRC or other relevant international instruments?

There are examples of courts citing the CRC in their decisions as interpretive guidance in applying Solomon Islands' national laws.¹⁷ In *R v. K*, the High Court of Solomon Islands considered the CRC in a case dealing with an application for bail by a child defendant.¹⁸ The court noted that the CRC "must be read subject to the domestic legislation and the Constitution." In this case, the court considered the provisions under the CRC with regard to juvenile justice, to satisfy itself that the application of Solomon Islands'

⁹ CRIN, *Solomon Islands: National Laws*.

¹⁰ Ibid.

¹¹ The Constitution of Solomon Islands 1978, available at: <http://www.parliament.gov.sb/files/business&procedure/constitution.htm>.

¹² Chapter II of the Constitution.

¹³ United States Department of State, *2013 Country Reports on Human Rights Practices - Solomon Islands*, 27 February 2014, available at: <http://www.refworld.org/docid/53284a7014.html>.

¹⁴ *R v. "K"*, SBHC 53 [2006], HCSI-CRC 419 of 2005, Crim. Case No. 419 of 2005, 6 December 2006, available at: <http://www.pacii.org/sb/cases/SBCA/2006/21.html>; CRIN, *R v. K*, 6 December 2006, available at: <https://www.crin.org/en/library/legal-database/regina-v-k>.

¹⁵ Ibid.

¹⁶ Solomon Islands Truth and Reconciliation Commission, *Final Report*, Vol II, February 2012, pages 378-379, available at: <http://pacificpolitics.com/files/2013/04/Solomon-Islands-TRC-Final-Report-Vol-2.pdf>.

¹⁷ CRIN, *Solomon Islands: National Laws*.

¹⁸ *R v. "K"* [2006].

national law did not violate the CRC.¹⁹ In the case of *R v. Rose*, the court acknowledged international instruments such as the European Convention on Human Rights (ECHR) in finding that a child's corporal punishment by their headmaster was not a violation of the child's right to freedom from torture or degrading treatment under the Constitution. The court considered the ECHR in interpreting "degrading treatment".²⁰

II. What is the legal status of the child?

A. Can children and/or their representatives bring cases in domestic courts to challenge violations of children's rights?

Children, defined as persons under the age of 18 years, are considered persons under a disability in Solomon Islands, and can only participate in court proceedings through a litigation guardian.²¹ A child can initiate or defend legal proceedings with the assistance of a litigation guardian, who may be appointed by the court.²² A person can also become the litigation guardian of a child by filing a statement sworn by the child's lawyer, or someone else with knowledge of the facts of the case. The sworn statement must confirm the person's agreement to act as the child's litigation guardian; the person's suitability to act accordingly; and that the person does not have any interest in the proceeding that is adverse to the interest of the child.²³

B. If so, are children of any age permitted to bring these cases by themselves in their own names/on their own behalf, or must the case be brought by or with the assistance of a representative?

Children under the age of 18 years cannot bring cases by themselves. However, they can bring cases in their own name through a litigation guardian acting on their behalf.²⁴

C. In the case of infants and young children, how would cases typically be brought?

The laws of Solomon Islands do not feature any special provisions for bringing cases on behalf of small children. All persons under the age of 18 years are defined as being under a disability for the purposes of participation in court procedures. Therefore, all children must act through their litigation guardian.²⁵

D. Would children or their representatives be eligible to receive free or subsidised legal assistance in bringing these kinds of cases?

¹⁹ CRIN, *CRC in Court: The case law of the Convention on the Rights of the Child*, page 61.

²⁰ *R v. Rose*, SILR [1987] 45 Criminal Appeal 1987/45, 21 September 1987, available at: <http://www.spc.int/rrrt/country-activities/tonga/tonga-human-rights-status/item/471-r-v-rose>.

²¹ Solomon Islands' Courts Civil Procedure Rules 2007, available at: <http://www.worldlii.org/cgi-bin/sinodisp/pacii/sb/legis/rules/sicpr2007473/sicpr2007473.html?query=solomon%20island>.

²² Solomon Islands' Courts Civil Procedure Rules, Chapter 3, Rules 3.17-3.23.

²³ Solomon Islands' Courts Civil Procedure Rules, Chapter 3, Rule 24.

²⁴ Solomon Islands' Courts Civil Procedure Rules, Chapter 3, Rule 3.19.

²⁵ *Ibid.*

Yes, legal aid is available in criminal, family and civil matters.²⁶ The Public Solicitor's Office is responsible for the administration of legal aid, advice and assistance to 'persons in need', including children.²⁷ Under the Public Solicitor Act,²⁸ legal aid is defined as consisting of representation in proceedings, and to undertake all other steps necessary at the preliminary stages or to settle the case.²⁹ The Act also provides that if the person in need is a child, their guardian shall make an application for legal aid.³⁰

A person aggrieved by the Public Solicitor's refusal to grant them legal aid may apply to the High Court for the court to direct that they are provided legal aid.³¹ The Public Solicitor may make a reasonable charge for their services, if the legal aid recipient is considered able to make a contribution towards their legal costs.³²

E. Are there any other conditions or limits on children or chosen legal representatives bringing cases (e.g., would a child's parents or guardian have to agree to a case being brought)?

The Solomon Islands Courts (Civil Procedure) Rules 2007 ("Civil Procedure Rules") require that a person who acts as a child's litigation guardian must not have any interest in the proceedings that is adverse to the interest of the child.³³ Further, the law requires that a settlement or compromise on behalf of a child may only be entered into with the court's approval.³⁴ However, reconciliation is an integral part of the legal system of the Solomon Islands,³⁵ thus this may restrict children obtaining legal redress.

III. How can children's rights violations be challenged before national courts?

A. If there is a potential violation of the Constitution or other principles established in domestic law, or with the CRC or other relevant ratified international/regional instruments, how can a legal challenge be brought?

Any person, including a child, whose fundamental rights or freedoms under the Constitution has been violated can make an application for redress to the High Court.³⁶ Since children cannot initiate court proceedings, such an application to the High Court would have to be made through the child's

²⁶ Solomon Islands Public Solicitor's Office website, available at: <http://www.pso.gov.sb/index.php/about-us>.

²⁷ Chapter VII, Section 92 of the Constitution.

²⁸ Public Solicitor Act 1996, available at: http://www.paclii.org/sb/legis/consol_act/psa189/.

²⁹ Section 3 of the Public Solicitor Act.

³⁰ Section 5(3) of the Public Solicitor Act.

³¹ Chapter VII, Section 92(5) of the Constitution.

³² *Ibid.*, Section 92(6).

³³ Solomon Islands' Courts Civil Procedure Rules, Chapter 25, Rule 25.44.

³⁴ *Ibid.*

³⁵ Nick Goodenough, in: Journal of South Pacific Law 2006 Volume 10 Issue 1, *Reconciliation and the Criminal Process in the Solomon Islands*, available at: <http://www.usp.ac.fj/index.php?id=13317>.

³⁶ Chapter II, Section 18 of the Constitution; Solomon Islands' Courts Civil Procedure Rules, Chapter 15, Rules 15.11.1.

litigation guardian. Applications concerning violations of a person's rights are generally made in the High Court. If the case was started in a lower court, it is possible to have the case transferred to the High Court.³⁷

The Constitution of the Solomon Islands provides for the establishment of an Ombudsman to improve the practices and procedures adopted by public bodies.³⁸ The Ombudsman investigates complaints about the administrative actions of members of the Solomon Islands' public bodies such as the police force. The Ombudsman has power to summon any person and hear evidence on oath, require the production of documents and access premises at any time for the purpose of conducting an investigation. If the Ombudsman finds that remedial action is required, he reports his findings and recommendations to the relevant public body.³⁹ Such complaint mechanism is available to any resident of the Solomon Islands who is not able to seek redress from a court of law.⁴⁰ It appears that there is no Ombudsman with a mandate specifically for children's rights in the Solomon Islands.

B. What powers would courts have to review these violations, and what remedies could they offer?

The High Court has original jurisdiction to hear and determine any application concerning the violation of any person's constitutional rights. The Court can make any such orders, issue any such writs or make any such directions it considers appropriate to secure, or enforce the aggrieved person's constitutional rights.⁴¹ Accordingly, the Court can order the breach of the child's rights to cease.

The court can order the payment of compensation to the victim from the person, or authority that is responsible for the violation.⁴² In criminal matters, this is specifically provided for in section 17(9) of the Penal Code, which considers compensation as a right of the victim, and provides for any convicted aggressor to be ordered to make reparation to their victim through the payment of compensations, which may be either in addition to, or in place of any other punishment.⁴³

However, given the entrenchment of customary law, and emphasis on reconciliation in Solomon Islands, it is common for local conflicts involving women and girls, such as domestic violence, to be resolved by the Chiefs, who may order a compensation to be paid.⁴⁴ This is usually paid to the father

³⁷ Chapter II, Sections 18(3) & (4) of the Constitution.

³⁸ Chapter IX, Section 96 of the Constitution.

³⁹ Pacific Ombudsman Alliance, *Roles and functions of Ombudsman and current complaint mechanisms in Pacific Islands*, page 7, available online at: http://pacificombudsman.org/publications-resources/Roles_and_functions_ombudsman.pdf.

⁴⁰ Laws of Solomon Islands, Chapter 88, Ombudsman (Further Provisions), available at: www.paclii.org/sb/legis/consol_act/opa349.rtf.

⁴¹ Chapter II, Section 18 of the Constitution.

⁴² Chapter II, Section 17 of the Constitution.

⁴³ Solomon Islands Truth and Reconciliation Commission, *Confronting the Truth for a better Solomon Islands*, Final Report, Vol III, February 2012, page 753, available at: <http://pacificpolitics.com/files/2013/04/Solomon-Islands-TRC-Final-Report-Vol-3.pdf>.

⁴⁴ *NGO Shadow Report on the Status of Women in Solomon Islands - Initial, second and third report*

or a male relative, rather than to the child. The Constitution of Solomon Islands recognises customary laws, and makes provision for its application as part of the law of Solomon Islands.⁴⁵ Disputes are often dealt with by the local chief or elders, particularly in rural areas. Local Courts deal with minor civil and criminal matters, in accordance with customary laws, where all the parties concerned are Islanders, the Chiefs have already considered the issues, and there are no traditional means of resolving the disputes.⁴⁶

C. Would such a challenge have to directly involve one or more individual child victims, or is it possible to challenge a law or action without naming a specific victim?

The law does allow for declaratory judgments to be made. Further the court can order that the name of a child be suppressed in court proceedings.

D. Is any form of collective action or group litigation possible, with or without naming individual victims?

Yes, collective action is possible in Solomon Islands. The Civil Procedure Rules allow the commencement of proceedings by or against one or more persons, who have the same interest in the subject matter of the proceedings.⁴⁷ The individual(s) initiating proceedings can represent all of the persons, who have the same interest in the subject matter, and could have been parties to the proceedings. A community, tribe or group leader may also sue or be sued as representing that community, tribe or group.⁴⁸

E. Are non-governmental organisations permitted to file challenges to potential children's rights violations or to intervene in cases that have already been filed?

Non-governmental organisations may be able to institute proceedings if they can show sufficient interest.

IV. Practical considerations. Please detail some of the practical issues, risks and uncertainties that might be involved in bringing a case to challenge a violation of children's rights, such as:

A. Venue. In what courts could a case be filed (e.g., civil, criminal, administrative, etc.)? What would the initial filing process entail?

As stated above, claims concerning violations of constitutional rights are issued in the High Court.

2002-2012, page 8, available at: <http://www2.ohchr.org/English/bodies/cedaw/docs/ngos/SolomonIslandsJointNGOCEDAWShadowReport.pdf>

⁴⁵ Chapter VII, Section 75 of the Constitution.

⁴⁶ Pacific Islands Legal Information Institute, *Solomon Islands Courts System Information*, available at: <http://www.paclii.org/sb/courts.html>.

⁴⁷ Solomon Islands' Courts Civil Procedure Rules, Chapter 3, Rule 3.37.

⁴⁸ Solomon Islands' Courts Civil Procedure Rules, Chapter 3, Rule 3.42.

In other cases, a claim or an application can be made to the Magistrate's Court in the district of the child's residence or the High Court at Honiara, or at a designated location.⁴⁹ In some circumstances, where the court considers it necessary or reasonable, it is possible to commence proceedings by oral claim.⁵⁰ Both courts have jurisdiction to hear criminal and civil matters - there are restrictions on the value of civil claims, and types of criminal matters the Magistrate's Court can hear, whilst the High Court has unlimited original civil and criminal jurisdiction.⁵¹ As stated above, claims concerning violations of constitutional rights are issued in the High Court.

The structure of the Solomon Islands Court System includes (in ascending order of authority): the Local Court, the Magistrate's Courts, the High Court and the Court of Appeal.⁵²

- B. Legal aid/Court costs. Under what conditions would free or subsidised legal aid be available to child complainants or their representatives through the court system (i.e., would the case have to present an important legal question or demonstrate a likelihood of success)? Would child complainants or their representatives be expected to pay court costs or cover other expenses?

Individuals seeking legal aid, whether for themselves or in a representative capacity, can apply to the Public Solicitor. If the person in need of legal aid is a child, the application shall be made by their litigation guardian, but for the purposes of the Public Solicitor Act, the child shall be deemed to be the applicant.⁵³ The Public Solicitor may make reasonable charges for their services depending on the legal aid recipient's financial capacity to make contributory payments.⁵⁴ The Civil Procedure Rules state that a child's litigation guardian is liable for any costs in a civil matter, which the child would be required to pay, if they were participating in the proceedings as an adult.⁵⁵ Therefore, a child's litigation guardian may be required to make contributory payments.

- C. Pro bono / Financing. If legal aid is not available, would it be possible for child complainants or their representatives to obtain legal assistance from practising lawyers on a pro bono basis, through a children's rights organisation, or under an agreement that does not require the payment of legal fees up front?

There is no organised pro bono referral system, but individual practitioners are sometimes prepared to take cases on a pro bono basis. The Public Solicitor offers to refer individuals seeking legal assistance to another agency in the event that it is not able to assist.⁵⁶

⁴⁹ Solomon Islands' Courts Civil Procedure Rules, Chapter 2, Rules 2.1-2.5.

⁵⁰ Solomon Islands' Courts Civil Procedure Rules, Chapter 2, Rules 2.12.

⁵¹ Pacific Islands Legal Information Institute, *Solomon Islands Courts System Information*.

⁵² Pacific Islands Legal Information Institute, *Solomon Islands Courts System Information*.

⁵³ The Public Solicitor Act, Section 5(3)

⁵⁴ Chapter VII, Section 92(6) of the Constitution.

⁵⁵ Solomon Islands' Courts Civil Procedure Rules, Chapter 3, Rules 3.21.

⁵⁶ Public Solicitor's Office website.

- D. Timing. How soon after a violation would a case have to be brought? Are there any special provisions that allow young adults to bring cases about violations of their rights that occurred when they were children?

A claim with regard to any violation of the Constitution must be commenced within one year of the alleged contravention of the Constitution unless the court grants leave for an application to be made outside the one year rule.

Children may bring a legal action at any time before the expiration of six years from the date when they ceased to be under a disability, which in this case is 21 years, in accordance with the common law age of majority.⁵⁷

Otherwise, Solomon Islands' laws prevent the commencement of legal action, including for personal injury, after the expiration of six years from the date on which the cause of action accrued. Similarly, no action shall be brought with regard to any judgment after the expiration of six years from the date on which the judgment became enforceable.⁵⁸

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- E. Evidence. What sort of evidence is admissible/required to prove a violation? Are there particular rules, procedures or practices for dealing with evidence that is produced or presented by children?

The High Court accepts evidence by way of sworn statements except at trial, where evidence is given orally.⁶⁰ The Magistrate's court accepts evidence orally, unless it specifically directs that evidence is submitted in the form of a sworn statement.⁶¹ The courts can put special measures in place to protect a child giving evidence from being intimidated or influenced at court.⁶² The court can arrange the use of a screen; appoint a person to accompany the child; or allow the child to sit in a separate room.⁶³ The Evidence Act 2009 also provides for special arrangements to be made for vulnerable witnesses, including children under 18.

- F. Resolution. How long might it take to get a decision from the court as to whether there has been a violation?

In both criminal and civil cases, the Constitution requires that the trial takes place within a "reasonable time".⁶⁴ This term is not defined and would depend on the circumstances of the case. The courts are currently sitting

⁵⁷ Limitation Act 1984, Chapter IV, Section 29, available at: http://www.pacii.org/sb/legis/consol_act/la133/.

⁵⁸ Limitation Act 1984, Chapter II, Sections 5, 6, 7.

⁵⁹ Solomon Islands' Courts Civil Procedure Rules, Chapter 15, Rule 15.11.7

⁶⁰ Solomon Islands' Courts Civil Procedure Rules, Chapter 13, Rules 13.4, 13.5.

⁶¹ Solomon Islands' Courts Civil Procedure Rules, Chapter 13, Rules 13.2, 13.3.

⁶² Solomon Islands' Courts Civil Procedure Rules, Chapter 13, Rules 13.26.

⁶³ Solomon Islands' Courts Civil Procedure Rules, Chapter 13, Rule 13.27.

⁶⁴ Chapter II, Sections 5 (3), 10 (1) & (8) of the Constitution.

regularly outside court vacation times and there are no undue delays in getting decisions.

G. Appeal. What are the possibilities for appealing a decision to a higher court?

Magistrate's Courts have jurisdiction to hear appeals of criminal and civil decisions from Local Courts within the Magistrate's Court's jurisdiction, but are limited in the type of remedies they can offer and sanctions they can impose. An appeal against the decision of a Magistrate's Court may be started by filing a notice of appeal in the High Court. The High Court has unlimited original jurisdiction for civil, criminal, and constitutional matters. Decisions from the High Court can be appealed in the Court of Appeal.⁶⁵ All appeals are open to children and their litigation guardians.

H. Impact. What are the potential short-term and long-term impacts of a negative decision? Is there a possibility for political backlash or repercussions from a positive decision?

The Constitution of Solomon Islands provides for the principles and rules of the Common Law tradition to form part of the law of the Solomon Islands.⁶⁶ Accordingly, a point of law decided in a case before the higher courts is binding on all the lower courts, when the same point of law is considered by the lower courts.⁶⁷ Thus, a negative decision could determine the outcome of later cases for some time. There is no evidence of any political backlash.

I. Follow up. What other concerns or challenges might be anticipated in enforcing a positive decision?

The courts in Solomon Islands are respected and their decisions usually enforced, according to research by the Pacific Islands Forum Secretariat.⁶⁸ Solomon Islands' customary law Chiefs are said to generally respect and promote the separation of powers, and the autonomy of the Judiciary and Parliament.⁶⁹

Solomon Islands' legal system supports the reparation of any damage done to victims, and offer of restitution.⁷⁰ It is also possible for victims to apply to court for an enforcement order to enforce a court decision or judgement made in their favour, within six years of the date of the decision.⁷¹

V. Additional factors. Please list any other national laws, policies or practices you

⁶⁵ Chapter II, Section 18 (4) of the Constitution.

⁶⁶ Schedule 3, paragraph 2, of the Constitution.

⁶⁷ Pacific Islands Legal Information Institute, *Criminal Law in Solomon Islands*, available at: <http://www.pacii.org/sb/criminal-law/ch1-introduction.htm>.

⁶⁸ Pacific Islands Forum Secretariat, *The Forum Principles of Good Leadership - Solomon Islands*, page 173, available at: http://www.forumsec.org/resources/uploads/attachments/documents/PIFS_Good_Leadership_Report_Solomons.pdf.

⁶⁹ Pacific Islands Forum Secretariat, *The Forum Principles of Good Leadership - Solomon Islands*, page 173.

⁷⁰ Solomon Islands Truth and Reconciliation Commission, *Confronting the Truth for a better Solomon Islands*, Final Report, Vol III, page 713.

⁷¹ Solomon Islands' Courts Civil Procedure Rules, Chapter 21, Rule 21.5 - 21.7

believe would be relevant to consider when contemplating legal action to challenge a violation of children's rights.

Where a claim is brought in respect of a child's right which conflicts with customary norms, which are generally patriarchal and status-based, a decision in favour of the child may not be respected. It could also lead to repercussions against the child and those who supported the application to the State court. Customary laws and customary dispute resolution fora are more often used than the State system, particularly in remote areas.

The Solomon Islands is an extremely diverse nation consisting of over 900 islands, and due to limited resources and strong notions of customary law, very few cases of physical and sexual abuse of children are actively investigated by the police, and brought to justice.⁷² The UN Committee on the Rights of the Child has therefore recommended that the State party strengthen and expand current efforts to address the problem of child abuse, including sexual abuse, and ensure that there is an effective system for receiving, monitoring and investigating complaints and, when necessary, prosecuting cases, in a manner which is child sensitive and ensures the victims' privacy.⁷³

The UN Committee on the Rights of the Child has also raised concerns that children's right to express their views is not respected in Solomon Islands. The Committee recommended that the Government promote and facilitate respect for the views of children within the family, the school, the courts and administrative bodies, and their participation in all matters affecting them.⁷⁴

This report is provided for educational and informational purposes only and should not be construed as legal advice.

⁷² UN Committee on the Rights of the Child, *Concluding Observations on the initial report of Solomon Islands*, CRC/C/15/Add.208, 2 July 2003, paras. 36, 37, available at: http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2f15%2fAdd.208&Lang=en.

⁷³ *Ibid.*, para. 37.

⁷⁴ UN Committee on the Rights of the Child, *Concluding Observations on the initial report of Solomon Islands*, para. 27(a).