

National Parliament of Solomon Islands

Bills and Legislation Committee

# Committee Report

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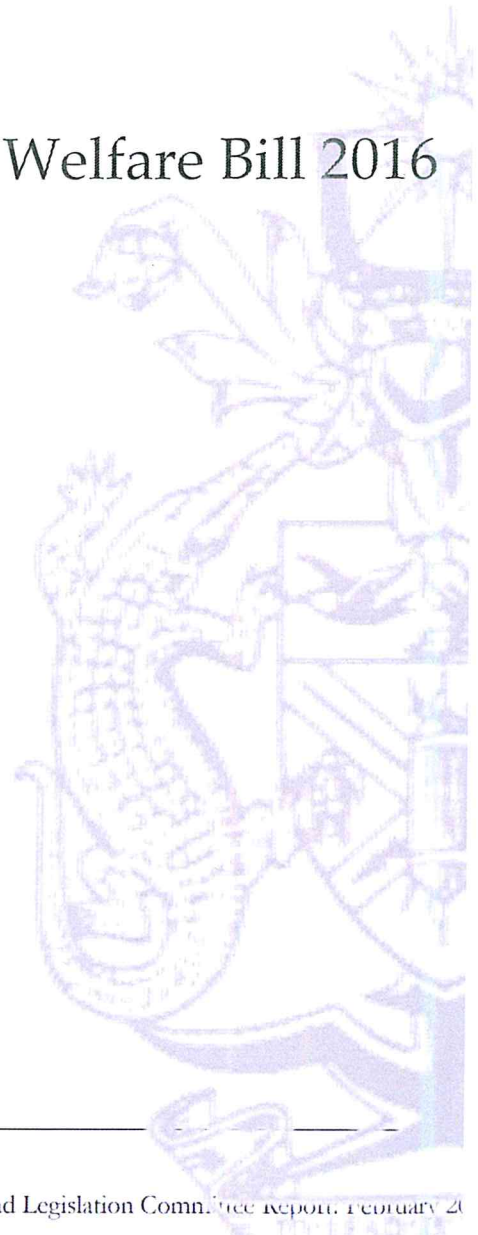
Report on the Child and Family Welfare Bill 2016  
(No. 9 of 2016)



NP-Paper No. 2 of 2017

Presented on 7<sup>th</sup> February 2017

National Parliament Office





## COMMITTEE MEMBERS

The current members of the Bills and Legislation Committee (10<sup>th</sup> Parliament) are:

Hon. Connelly Sandakabatu, MP (Chairman)

Hon. Jeremiah Manele, MP

Hon. Dr Derek Sikua, MP

Hon. Rick Houenipwela, MP

Hon. Matthew C. Wale, MP

Hon. Dr Culwick Togamana, MP

Hon. Steve Abana, MP

Hon. Commins A. Mewa, MP

Hon. Peter Tom, MP

Hon. Namson Tran, MP

### Secretariat:

Mr. Wilson Anii

Miss. Ivory Iruha'a

Miss. Salome Pilumate

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## CHAIR'S FOREWORD



Hon. Connelly Sandakabatu, MP, Chairman

### REPORT OF THE BILLS AND LEGISLATION COMMITTEE

Mr. Speaker,

Pursuant to Standing Orders No. 71 (g) of the National Parliament of Solomon Islands, it is an honour and pleasure for me Sir, to present the Report of the Bills and Legislation Committee on the Inquiry into the **Child and Family Welfare Bill 2016** for laying before Parliament.

A handwritten signature in blue ink, appearing to read "Connelly". The signature is stylized with a large loop at the top and a horizontal line across the middle.

Hon. Connelly Sandakabatu

Chairman

Bills and Legislation Committee

7 February, 2017



## COMMITTEE FUNCTIONS

The Committee is established under *Standing Order*<sup>71</sup>; an Order made pursuant to the *Constitution*<sup>1</sup> and has the functions, together with the necessary powers to discharge such, to:

- (a) examine such matters as may be referred to it by Parliament or the Government;
- (b) review all draft legislation prepared for introduction into Parliament;
- (c) examine all subsidiary legislation made under any Act so as to ensure compliance with the Acts under which they are made;
- (d) monitor all motions adopted by Parliament which require legislative action;
- (e) review current or proposed legislative measures to the extent it deems necessary;
- (f) examine such other matters in relation to legislation that, in the opinion of the Committee require examination; and
- (g) make a written report to each Meeting of Parliament containing the observations and recommendations arising from the Committee's deliberations.

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<sup>1</sup>Section 62, *Constitution of Solomon Islands* 1978.





## EXECUTIVE SUMMARY

The Bill was received and certified by the Speaker on 24th of October 2016. The Committee conducted deliberative hearings and inquiries on 1<sup>st</sup> to 3<sup>rd</sup> November 2016 on the Child and Family Welfare Bill 2016 ('the Bill') with the Sponsoring Ministries and other stake-holders.

The intention of the Bill is to develop and better coordinate the services provided for the welfare and protection of children by the Social Welfare Division. The Bill also seek to authorise the Courts to make care and protection orders in serious cases of child abuse and neglect. It aims to protect and develop the interests and rights of children irrespective of age, gender, religion, ethnicity or cultural background. It ensures that these rights are acknowledged and promoted so that children grow into responsible citizens.

The Bill will be in compliance to the Convention on the Rights of the Child since it will be providing a legal mechanism to protect children from all forms of abuse, neglect and exploitation.

The Committee have identified some specific concerns bordering on policy and other general issues during its deliberative processes requiring further clarification. Such includes; why the Bill is presented by two Ministries, the Ministry of Health and Medical Services ('MHMS') and the Ministry of Women, Youth and Children Affairs ('MWYCA'), also the capacity of the Social Welfare Division ('SWD') to implement the Bill, the need for awareness about the Bill throughout the country and the need for a cost analysis of the division and other related agencies in implementing the Bill.

Also the Committee is of the view that further explanation and clarification is needed on some of the clauses. These includes; the need to further clarify abuse in the context of traditional or cultural family living, the need to establish an advisory body on children's affairs and why it requires the Minister to designate organisations dealing with child care and protection whilst the Director of SWD already had the authority to register these organisations. Also members queried how can SWD handle circumstances where a lot of parents cannot afford their parental responsibility and sought assistance from the SWD. Further, Committee members sought clarification on what are reasonable and unreasonable grounds to report a suspected case of child abuse, also in situations of child removal where the child refuses to be removed, how can a welfare officer handle it and finally there is need to not only register organisations but to accredit a person dealing with child care and protection.

The Committee made five (5) recommendations which are necessary for the improvement of the Bill.



Generally the Committee supports the Bill and encourage the sponsoring Ministry to consider the recommendations and make the necessary amendments.



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## 1.0 INTRODUCTION

This Report present the findings and recommendations by the Bills and Legislation Committee ('the Committee') after reviewing the **Child and Family Welfare Bill 2016** ('the Bill') as required under the Standing Orders of the National Parliament of Solomon Islands ('the Standing Orders').

Relevant stakeholders<sup>2</sup> were invited before the Committee and make presentations or provide submissions on the contents, policy matters, and intentions of the Bill.

The hearings and inquiries into the Bill were held from the 1<sup>st</sup> to the 3<sup>rd</sup> of November 2016 at the National Parliament Building. The List of witnesses that appeared before the Committee and minutes of these proceedings are contained in Appendix 1 and 2.

Written submissions were also received from witnesses that appeared before the Committee. A list of Written Submissions can be found in Appendix 3.

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<sup>2</sup>See Appendix 1

## 2.0 BACKGROUND INFORMATION

The Social Welfare Division (SWD) within the Ministry of Health and Medical Services (MHMS) is charged with the lead responsibility for social issues. However, it does not have the legal mandate to carry out the services that it is currently providing. Furthermore, there is no legal recognition of its role or responsibility for social welfare. In the absence of a comprehensive strategic welfare policy, service provision evolved in an *ad hoc* manner over the years in response to 'new' and visible problems that have emerged. Current service provision remains fragmented and largely depended on NGOs. Unfortunately this service does not cover the rest of the nation effectively and is not able to address the root causes of present social problems in Solomon Islands.

The Division provided medical and care services to mental health patients in the past. However, the government (through Cabinet endorsement) incorporated other functions under the Division due to the need for child protection. It is under MHMS as its legal functions are under the Adoption Act.

The Division has been responding to reports of child protection cases for a long time. However, as mentioned earlier, the Division was doing it on *ad hoc* basis with no legal mandate. The former Director of SWD recognised the need for a legislation eventually requested the National Advisory and Action Committee on Children ('NAACC') to develop a child protection Bill.

NAACC, a Cabinet endorsed body whose terms of reference is to oversee the implementation and monitoring of the Convention on the Rights of the Child ('CRC'), is a division under the support of the Ministry of Women, Youth and Children Affairs.

The SWD and NAACC with financial assistance from UNICEF conducted a nationwide consultation process with relevant stakeholders on the formulation and the drafting of the Bill from 2010 to 2011. Several documents including a policy document that outlined the Bills' implementation framework, a consultation report and a costing analysis were produced after the consultations. In spite of these reports, the data were insufficient, out of date and require urgent review.

### 2.1 Structure of the Bill

The Bill is structured into seven (7) parts. Part 1 deals with definitions of key terms used in the Bill. This part clarifies key terms used to guide those who deal with child care and protection.



Part 2 spell out the objectives and principles of the Bill. It introduces the guiding principles and issues to be considered when dealing with the welfare and protection of children. An important introduction are the guiding principles for parental responsibility. Clause 10 of the Bill sets out those that have the primary responsibility or role to protect and promote wellbeing of a child. This section provides some framework of principles that contributes towards ensuring better protection and welfare of children.

Part 3 of the Bill states the duty and responsibilities of the director. It gives more guidelines for the director in terms of his or her responsibilities to implement the Bill. This section encourages a person in that office for collaboration and coordination between agencies and stakeholders to better provide for the protection and welfare of children.

Part 4 of the Bill outlines the processes to obtain care and protection for children. Under this part the Bill provides for prevention programs, and provides for reporting and request for assistance. This part of the Bill is very comprehensive and provides a legislative framework for what is happening in practice. There are also clauses that refer to interim care and protection orders which are designed to be complementary to the current provisions in the *Family Protection Act*<sup>3</sup>. For example, in terms of final care and protection orders, an important introduction in this Bill is the guideline for social welfare reports and for views of the child to be heard, especially in court proceedings. There are also provisions for ex parte applications, meaning when one brings a case to court he/she does not need to first inform the other party due to the urgent nature of the case. The courts already have the power to do this but there are further provision for it in this Bill.

Part 5 deals with general offences under the Bill. These are offences for contravention of care and protection orders issued by the courts, obstruction of the Director or other Social Welfare officer and for obstruction of a registered service provider in the course of providing services to a child.

Part 6 of the Bill deals with other miscellaneous matters including the registration of services providers, requirements for registration, process for serving documents and provisions for protection from liability if child care and protection services are done in good faith. Further it makes provision for the Minister to make regulations.

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<sup>3</sup> Kathleen Kohata, Evidence, 2 Nov 2017.

Finally, Part 7 of the Bill deals with consequential amendments to the *Adoption Act 2004*. This new Bill will make changes to some of the terms and processes use in the Adoption Act therefore the need to update them.

## **2.2 Objectives of the Bill**

The Bill proposes to provide for the welfare and protection of children by mandating the Social Welfare Division to better develop and coordinate services that would ultimately strengthen families and protect children. Further it authorises the courts to make care and protection orders in serious cases of child abuses and neglects.

The Bill aims to protect and develop the interests and rights of our children regardless of age, gender, religion, ethnicity or cultural background. It ensures that these rights are acknowledged and promoted so that children grow into responsible citizens.

The Bill also advances compliance with the Convention on the Rights of the Child by providing a legal mechanism for protecting children from all forms of abuse, neglect and exploitation.

## 3.0 ISSUES DISCUSSED

The following are issues and the Committee's observations regarding the Bill.

### 3.1 Policy Issues

#### **The Bill being under two Ministries**

The two Ministries that appeared before the Committee as sponsors of the Bill are the MHMS and the MWYCA. The MHMS is the principle sponsor as the Social Welfare Division is a government agency within the Ministry. The MWYCA also have an interest in the Bill because of its subject matter. MWYCA is responsible for children affairs particularly with regard to our nation's compliance with CRC. Whilst both Ministries appeared to have interrelated interests in the formulation of the Bill, there seems to be uncertainty on which Ministry to spearhead the implementation of the Bill.

The Permanent Secretary<sup>4</sup> of the MHMS commented that discussions are ongoing between the two Ministries where to strategically locate the Social Welfare Division which will allow it to function effectively for full implementation and also take ownership of the Bill.

#### **Capacity of the Social Welfare Division**

The Committee notes that the SWD has shortage of manpower, insufficient budget and dilapidated infrastructure. This was confirmed by the acting Director<sup>5</sup> of the SWD and representatives of other related government agencies during discussions on the Bill. Similar sentiments were also expressed by other related agencies when appearing before the Committee. Among them were the DPP, Police, Magistrates, and the Family Support Centre. The DPP<sup>6</sup> highlighted that the issue of capacity will always be there and suggested that other relevant authorities should not be deterred from providing the services required.

#### **Awareness on the Bill**

One of the issues raised during the hearings is the need for awareness on the Bill. According to the PS of the MHMS;<sup>7</sup>

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<sup>4</sup> Dr Tenneth Dalipanda, Evidence, 1 Nov 2017.

<sup>5</sup> Linda Tupe, Evidence, 1 Nov, 2017.

<sup>6</sup> Ronald Bei Talasasa, Evidence, 2 Nov 2017.

<sup>7</sup> Dr Tenneth Dalipanda, Evidence, 1 Nov 2017.

*"We need to find the way to make the communities, the churches and the chiefs aware of the Bill, what are their rights...standards...and how reporting can be done. Community awareness is one of our most critical things to do if this bill gets through. I think there will be a lot of resources put into awareness."*

There is great need for the responsible Ministry, the SWD and other relevant government agencies and NGOs, to conduct country-wide awareness about the provisions and processes contained in the Bill so that people are aware of their responsibilities and support the responsible authorities in implementing the Bill.

### **Cost Analysis**

In addition to the Bill, the SWD produced a cost analysis document in 2013. This outlined the Division's costs in monetary figures for implementing the Bill.

However, it is observed that the above cost analysis seemed to focus on the SWD alone and not on other agencies that need to be engaged in the enforcement of the Bill.

According to officials<sup>8</sup> of NAACC, this lack of inclusiveness in costings was the reason why the Bill was withheld since 2013. The task now is to review the cost in a holistic approach, to include other government agencies and service providers, and provide an updated cost analysis.

### **Committee Comments**

As outlined above, a lot of groundwork needs to be done with the Bill. The Committee feels that the policy issues discussed need to be resolved before the Bill can be fully implemented.

The Committee is of the view that SWD would best function under the MWYCA since the Ministry is responsible for children affairs and implementation of CRC.

The Committee also acknowledges that the SWD lacks capacity to implement the Bill.

Furthermore, the Committee supports the view that nationwide awareness is required to rally supports in implementing the Bill.

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<sup>8</sup> Anika Kingmele, Evidence, 3 Nov 2017.

With regards to cost analysis provided, the Committee is concerned that analysis is focussed more on the SWD than other agencies that need to become engaged in the enforcement of the Bill. Cost analysis should also cover costs by other implementing agencies.

### **Recommendation 1**

**The Committee recommends that the Social Welfare Division be strategically located in one Ministry only for effective coordination and implementation of the Bill.**

### **Recommendation 2**

**The Committee recommends that the Government fully support and enhance the capacity of the Social Welfare Division and other related government agencies to implement the Bill.**

### **Recommendation 3**

**The Committee recommends that the responsible Ministry, the Social Welfare Division and other relevant government agencies and non-government organisations conduct awareness throughout the country about the provisions and processes contained in the Bill.**

## **3.2 Other Issues**

### **Protection –vs – Discipline (or Industrious –vs – exploitation)**

The definitions of various forms of abuse or exploitation listed under **clause 5** was a concern raised during discussions on the Bill. The Committee expressed that certain practises which are deemed to be disciplined according to our normal family traditions may now be defined as child abuse under the Bill. They expressed that, practises done to children to discipline them are intended to make them industrious and become good citizens of our country. These practises should not be restricted but accorded recognition within the clauses of the Bill.

### **Directors Powers – Negligence or Omission (Advisory Committee on Children Affairs)**

The Committee and some witnesses raised concern on **Part 3** of the Bill. They expressed that the Director of the SWD appears to be vested with too much discretionary powers. It is possible that such discretionary power may be subjected to abuse if the person negligently or fail to exercise it. It was suggested during the hearing that an advisory body be established to oversee and regulate the

Division, including the powers of the Director. The representative of the Solomon Islands Christian Association when commenting on this issue stated;<sup>9</sup>

*“If there could be a board in place with equal representatives...to advise the Director, then this Bill is going to work because this board will be given mandate to advice and will give the Director directives.”*

### **Designation of Organisations by the Minister**

Under **clause 14**, the Bill provides for the Director to enter into an agency agreement with an organisation designated by the Minister. Committee members queried why the Minister have to designate organisations as **clause 59** already gives responsibility on the Director to register organisations and service providers that deal with child care and protection services. Members queried the rationale to involve the Minister to designate these organisations.

### **Request for Assistance**

**Clause 10** outlined several responsibilities as primary roles that parents should provide to their children. **Clause 17** then allows parents to request assistance from the Social Welfare Officer if they have problems meeting responsibilities under **clause 10**.

The Committee was looking for clarification in situations where parents become aware of the assistance given under **clause 17** and swamp the SWD with such requests for assistance. They queried how the SWD will handle such situations. It was proposed that a more clear guidelines on the nature of assistances to be entertained under **clause 17** should be included in the regulations.

### **Reporting**

**Clause 18** has provision that any person who has reasonable grounds to suspect that a child may be in need of care can report it to the social welfare officer or a police officer. The Committee queried how can one identify ‘what are reasonable and unreasonable grounds’ to suspect that a child may be in need of care and protection. Probably criteria’s should be included to guide people to identify what are reasonable and unreasonable grounds.

Furthermore, the anonymity provided under subclause (2) may be abused. It can encourage people with malicious intention to use it to defame or discredit others by giving false reports. It is best to remove the anonymity.

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<sup>9</sup> Rev. William Maczama, Evidence, 2 Nov 2017

## **Removal of Child**

Clause 29 and 30 deals with the removal of child with and without warrant. The Committee queried what happens in circumstances where the child who is about to be removed refuses to be removed or taken away. The Committee expressed its concern that this is where person(s) dealing with children, other than the social welfare officer, must be qualified and accredited to counsel the child to make him or her aware of their status if they are to stay or be allowed to be taken away for their safety.

## **Accreditations**

The Bill provided for registration of individuals and organisations that provide prescribed services to children in need of care or protection under clause 59. The Committee is of the view that person(s) working with child care must be accredited to become child specialists. This is to ensure that qualified services are provided, and to monitor service providers against abuse of children.

## **Committee comments**

The Committee generally supports the Bill although some of its provisions are inadequate and need clarifications. Clauses mentioned above should be better explained or amended to give clear understanding of the intentions.

### **Recommendation 4**

The Committee recommends that a National Advisory Committee on Children Affairs be established to regulate and advise on children's affairs.

### **Recommendation 5**

The Committee recommends that all organisations and service providers involved in children's affairs be registered, and all persons dealing with child care and protection be accredited.

## 4.0 RECOMMENDATIONS SUMMARY

Based on the evidences collected, the Committee makes the following recommendations:

### **Recommendation 1**

The Committee recommends that the Social Welfare Division be strategically located in one Ministry only for effective coordination and implementation of the Bill.

### **Recommendation 2**

The Committee recommends that the Government fully support and enhance the capacity of the Social Welfare Division and other related government agencies to implement the Bill.

### **Recommendation 3**

The Committee recommends that the responsible Ministry, the Social Welfare Division and other relevant government agencies and non-government organisations conduct awareness throughout the country about the provisions and processes contained in the Bill.

### **Recommendation 4**

The Committee recommends that a National Advisory Committee on Children Affairs be established to regulate and advise on children's affairs.

### **Recommendation 5**

The Committee recommends that all organisations and service providers involved in children's affairs be registered, and all persons dealing with child care and protection be accredited.

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END OF REPORT



## 5.0 APPENDICES

### Appendix 1: Witnesses

Date	Name	Position & Organisation
Tue 1 Nov 2016 1:30pm – 3:55pm	Mr George Palua	Supervising Permanent Secretary- MWYCA
	Dr Tenneth Dalipanda	Permanent Secretary – MHMS
	Mr Goldie Lusi	Director CDD
	Mr Hugo Hebala	Undersecretary –MWYCA
	Mrs Linda Tupe	Director Social Welfare (AG)
	Ms Catriona Steele	Legal draftsperson
	Mrs Anika Kingmele	NAACC Member –UNICEF
Wed 2 Nov 2016 9:42am - 12:16pm	Mr Roland Bei Talasasa	Director of Public Prosecution (DPP)
	Ms Fatima Taeburi	Principle Magistrate
	Ms Kathleen Kohata	Principle Legal Officer
	Mr Mostyn Mangau	RSIPF officer
	Mrs Gwen Ratu	Assistant Commissioner of Police
	Mr Solomon Sisimia	Insp, Director Community Policing
12:30pm – 1:38pm	Fredrick Seni	Rep of Save the Children
	Lynffer Wini Maltungtung	Director, Family Support Centre
	Rev. Willie Maezama	Rep of Solomon Island Christian Association (SICA)
	Andella Maria	Save the Children officer
	Roberta Ramofafia	Save the Children officer
	Florence Maega'asia	Save the Children officer
2:30pm – 3:45pm	Mr Goldie John Lusi	Director, Children -MWYCA
	Mrs Anika Kingmele	Child Protection Officer, NAACC, UNICEF
	Mr Hugo Hebala	Undersecretary-MWYCA
	Mrs Linda Tupe	Acting Director of Social Welfare Division - MHMS
	Ms Catriona Steele	Legal draftsperson – AG chambers
Thurs 3 Nov 2016 10:0am – 11:41am	Mr Goldie John Lusi	Director, Children -MWYCA
	Mrs Anika Kingmele	Child Protection Officer, NAACC, UNICEF
	Mr Hugo Hebala	Undersecretary-MWYCA
	Mrs Linda Tupe	Acting Director of Social Welfare Division - MHMS
	Dr Tenneth Dalipanda	Permanent Secretary (PS) - MHMS
	Ms Catriona Steele	Legal draftsperson – AG chambers

## Appendix 2: Minutes of Proceedings



NATIONAL PARLIAMENT OF SOLOMON ISLANDS

BILLS AND LEGISLATION COMMITTEE

P.O. Box G19,  
Honiara.  
Tel: 28520/23424.  
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### Minutes of Proceedings

### Committee Hearing into the Child and Family Welfare Bill 2016

Day 1/Tuesday 1 Nov 2016, CR II, Parliament House 1:30pm.

#### 1. Members Present

Hon. Connelly Sandakabatu, MP (Chairman)  
Hon. Rick Houenipwela, MP  
Hon. Dr Culwick Togamana, MP  
Hon. Dr Derek Sikua, MP  
Hon. Matthew C. Wale, MP  
Hon. Commins A. Mewa, MP

#### Apologies

Hon. Jeremiah Manele, MP  
Hon. Steve Abana, MP  
Hon. Namson Tran, MP

#### Secretariat

Wilson Anii  
Jasmine Waleafea

#### 2. Welcome and Opening Remarks

Hon. Rick Hou said the opening prayer

The Chairman made opening remarks and welcomes the Legal draftsman, two PSs and other officials from the MHMS and the MWYCA. He then invites the PSs to introduce their group and make their presentation.

#### 3. Committee hearing into the Child and Family Welfare Bill 2016

The Hearing proper commenced and the following witnesses were admitted:

##### Hearing 1 Witnesses

Mr George Palua	Supervising Permanent Secretary- MWYCA
Dr Tenneth Dalipanda	Permanent Secretary – MHMS
Mr Goldie Luşi	Director CDD
Mr Hugo Hebala	Undersecretary –MWYCA
Mrs Linda Tupe	Director Social Welfare (AG)
Ms Catriona Steele	Legal draftsman
Mrs Anika Kingmele	NAACC Member –UNICEF

The PSs made their presentation before the committee.

The Committee questioned the officials and the Legal Draftsman on the contents of the Bill.

The officials answered, made clarification and commented on the Bill.

Evidence concluded and the Chair thanks the witnesses for their attendance and contribution on the Bill.

#### **4. Adjournment**

Closing remarks from the Chair

The Committee hearing closed at 3:55pm.

**Day 2 /Wednesday 2 Nov 2016, CR II, Parliament House 9:45am.**

#### **1. Members Present**

Hon. Connelly Sandakabatu, MP (Chairman)

Hon. Jeremiah Manele, MP

Hon. Dr Derek Sikua, MP

Hon. Dr CulwickTogamana, MP

Hon. Matthew C. Wale, MP

#### **Apologies**

Hon. Rick Hou, MP

Hon. Steve Abana, MP

Hon. Commins A. Mewa, MP

Hon. Namson Tran, MP

#### **Secretariat**

Wilson Anii

Salome Pilumate

#### **2. Welcome and Opening Remarks**

Hon. Jeremiah Manele said the opening prayer

The Chairman made opening remarks and welcomes the witnesses that came before the Committee. He then invites the witnesses to make their submissions on the Bill.

#### **3. Committee hearing into the Child and Family Welfare Bill 2016**

The Hearing proper commenced and the following witnesses were admitted:

##### Hearing 2 Witnesses

Mr Roland Bei Talasasa	Director of Public Prosecution (DPP)
Ms Fatima Taeburi	Principle Magistrate
Ms Kathleen Kohata	Principle Legal Officer
Mr Mostyn Mangau	RSIPF officer
Mrs Gwen Ratu	Assistant Commissioner of Police
Mr Solomon Sisimia	Insp, Director Community Policing

The witnesses made their presentations before the committee.

The Committee questioned the witnesses on the contents of their submissions.

The witnesses answered, made clarification and commented on these matters.

Evidence concluded and the Chair thanks the witnesses for their attendance and contribution on the Bill.

*Evidence concluded. 12:16pm*

*Hearing suspended.*

The Hearing resumed at 12:30pm and the following witnesses were admitted:

**Hearing 3 Witnesses**

Fredrick Seni	Rep of Save the Children
Lynffer Wini	Director, Family Support Centre
Maltungtung	
Rev. Willie Maezama	Rep of Solomon Island Christian Association (SICA)
Andella Maria	Save the Children officer
Roberta Ramofafia	Save the Children officer
Florence Maega'asia	Save the Children officer

The Chairman made opening remarks and invites the witnesses to introduce themselves and make their presentations.

Members of the Committee then question the witnesses on their presentations.

Evidence concluded and the Chair thanks the witnesses for their attendance and contribution on the Bill.

*Evidence concluded. 1:38pm*

*Hearing suspended.*

The Hearing resumed at 2:30pm and the following witnesses were admitted:

**Hearing 4 Witnesses**

Mr Goldie John Lusi	Director, Children -MWYCA
Mrs Anika Kingmele	Child Protection Officer, NAACC, UNICEF
Mr Hugo Hebala	Undersecretary-MWYCA
Mrs Linda Tupe	Acting Director of Social Welfare Division - MHMS
Ms Catriona Steele	Legal draftsperson – AG chambers

The Chairman made opening remarks and welcome officials from the sponsoring ministries to appear again for a page by page scrutiny of the Bill.

Members of the Committee then question and seek clarification from the witnesses on the clauses of the Bill.

A point of Order was raised by a member of the Committee, Hon. Culwick Togamana, due to the absence of the PSs of the sponsoring Ministries the questions asked were not answered adequately.

The Chair agreed and decided to postpone the proceedings to Friday 3 Nov to allow the PSs to be present. He thank the witnesses for their attendance and contribution on the Bill.

**4. Adjournment**

The Committee hearing closed at 3:45pm.

**Day 3/ Friday 22April 2016, CR II, Parliament House 10:55am**

**1. Members Present**

Hon. Connelly Sandakabatu, MP (Chairman)  
 Hon. Jeremiah Manele, MP  
 Hon. Dr Derek Sikua, MP  
 Hon. Rick Houenipwela, MP  
 Hon. Dr Culwick Togamana, MP  
 Hon. Matthew C. Wale, MP  
 Hon. Commins Mewa, MP

### Apologies

Hon. Steve Abana, MP  
 Hon. Namson Tran, MP

### Secretariat

Wilson Anii  
 Ivory Iruha'a

Hon. Commins Mewa said the opening prayer

### 2. Welcome and Opening Remarks

The Chair made a statement regarding the attendance of PSs for Bills hearings. He state that PSs of substantive Ministry's must be present if they want their Bill to be dispose of by the Bills Committee as quickly as possible. He however, welcomed the PS for the MHMS and other officials from the two sponsoring Ministries to come again for the final hearing on the Bill.

### 3. Committee hearing into the Child and Family Welfare Bill 2016

The Hearing proper commenced and the following witnesses were admitted:

#### Hearing 5 Witnesses

Mr Goldie John Lusi	Director, Children -MWYCA
Mrs Anika Kingmele	Child Protection Officer, NAACC, UNICEF
Mr Hugo Hebala	Undersecretary-MWYCA
Mrs Linda Tupe	Acting Director of Social Welfare Division - MHMS
Dr Tenneth Dalipanda	Permanent Secretary (PS) - MHMS
Ms Catriona Steele	Legal draftsperson – AG chambers

The Committee go through the Bill page by page with the witnesses.

Members of the Committee question the witnesses on the clauses of the Bill.

Evidence concluded and the Chair thanks the witnesses for their attendance and contribution on the Bill.

### 4. Adjournment

Closing remarks from the Chair

The Committee hearing closed at 11:41am.

### Appendix 3: Submissions

No.	Title	Author
1	BLC Checklist	Mrs Linda Tupe, Acting Director SWD.
2	Community Consultation Report	Social Welfare Division, MHMS.
3	Draft Child and Family Welfare System Policy	Social Welfare Division, MHMS.
4	Costing Analysis	Social Welfare Division, MHMS.
5	Explanatory Memorandum	AG Chambers, Legal Drafting & SWD, MHMS



