



FIJI WOMEN'S CRISIS CENTRE SUBMISSION: EDUCATION BILL 2025

Fiji Women's Crisis Centre

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Acronyms

CEDAW	Convention on the Elimination of All Forms of Discrimination Against Women
CRC	Convention on the Rights of the Child
FWCC	Fiji Women's Crisis Centre
ICCPR	International Covenant on Civil and Political Rights
ICT	Information and Communication Technologies
TEST	Technology Employment Skills Training
SDG	Sustainable Development Goals
UN	United Nations
VAWG	Violence Against Women and Girls

BRIEF ON FIJI WOMEN'S CRISIS CENTRE

The Fiji Women's Crisis Centre (FWCC) is a human rights organisation, based on the principles of human rights, democracy and the rule of law, which has been in existence for over 40 years.

The goal of FWCC is to eliminate all forms of violence, in all spheres of life, against women and girls in Fiji and the Pacific. FWCC implements this vision through an integrated and comprehensive program designed to prevent and respond to violence, by reducing individual and institutional tolerance of violence against women, and increasing available and appropriate services for survivors.

FWCC addresses the problem of violence against women using a human rights and development framework. This focus on human rights includes a feminist analysis of the problem and permeates all aspects of FWCC's work, recognising that the root causes of violence against women are unequal gender power relations, imbedded in Patriarchy.

INTRODUCTION

Education is a fundamental aspect of society, shaping the minds and futures of individuals. To ensure the quality, equitability and fairness of the education system, guidelines and regulations are important. Therefore, having a robust Education Legislation is vital. It ensures regulatory compliance, protects the rights of students and staff, manages financial and contractual obligations, handles disciplinary matters, and minimizes legal risks for the education system.

FWCC is concerned about poor education outcomes for young people and welcomes the efforts that have been undertaken thus far to review the current Education Act. FWCC also acknowledges the Education Bill of 2025 (Bill).

It is important that the education legislation remains relevant and this can be achieved by robust reviews and amendments to address the ever-changing landscape of the Education system.

Firstly, FWCC commends the clear prohibition of corporal punishment stated in section 73 of the Bill, as this is aligned with the Convention on the Rights of a Child (CRC) which Fiji has already ratified and Section 41 of the 2013 Fiji Constitution. FWCC also commends the recognition of the right to education in the Bill under section 7 as this reflects section 31 of the 2013 Fiji Constitution.

Nonetheless, FWCC still has concerns around the Bill and our concerns fall under the following areas:

- 1 Alignment to the Child Care and Protection Act 2024.
2. Curriculum to be used in schools – section 23

3. Free Education
4. School Counsellors – section 72
5. Relocating Students
5. Criminal Implications for Parents.

1. MANDATORY REPORTING

FWCC finds it concerning that the Bill is not aligned to the Child Care and Protection Act 2024 which sets the minimum best standards on child protection, safeguarding, and mandating reporting by teachers. Given that teachers and those employed in schools are in close contact with children during school hours, it is imperative that the Bill specifically state the mandatory reporting duties of these adults.

2. CURRICULUM

A. GENDER EQUALITY LEARNINGS

Gender equality is a fundamental human right, a necessary precondition for sustainable, people-centred development, and it is a goal in and of itself. The Convention on the Elimination of all Forms of Discrimination against Women (CEDAW), the Beijing Declaration and Platform for Action¹ and the 2030 Agenda for Sustainable Development, all enshrines equality and the empowerment of women and girls as a standalone goal which is highlighted in the Sustainable Development Goal 5 (SDG 5) – and a prerequisite for achieving the other SDGs. The Right to equality and freedom from discrimination on the grounds of sex or gender is enshrined in Fiji's Constitution.² While we have signed onto international instruments and have them recognised under our legislations, gender inequality and unequal gender power relations or Patriarchy continues to be a persistent issue in Fiji, and it is one that the Bill does not adequately address.

Gender issues can manifest in multiple ways including unequal access to educational opportunities, gender-specific biases in teaching materials and method, and social norms that dictate different roles and expectations for males and females in the education context.

Schools often reflect, replicate and reinforce the discriminatory gender norms found in wider society. FWCC submits that in order to promote gender equality throughout the education system: the Bill needs to ensure gender equality is in participation in education (accessibility), within education (contents, teaching and learning context

¹ <http://www.un.org/womenwatch/daw/beijing/platform/gender>

² The Republic of Fiji's Constitution 2013, section 26
[https://www.laws.gov.fj/ResourceFile/Get/?fileName=2013%20Constitution%20of%20Fiji%20\(English\).pdf](https://www.laws.gov.fj/ResourceFile/Get/?fileName=2013%20Constitution%20of%20Fiji%20(English).pdf)

and practices, delivery modes, and assessments) and through education (learning outcomes, life and work opportunities).

To achieve this, a two-pronged approach must be employed:

(i) Gender Mainstreaming Through the Whole Education System;

Gender mainstreaming in education involves integrating a gender perspective into all aspects of the education system, ensuring that both girls and boys have equal opportunities, access, and outcomes. This includes addressing gender inequalities in curriculum, teaching methods, school environments, and policies³.

For Curriculum and Learning Materials, this would mean:

- Ensuring that learning materials and curriculum are free from gender stereotypes and portrayals that perpetuate harmful gender roles.
- Promoting diverse perspectives and experiences in the curriculum, reflecting the contributions of both women and men throughout history and in various fields.
- Incorporating gender-sensitive language and avoiding language that reinforces gender stereotypes.
- Ensuring that Gender Equality Learnings is one of the thematic areas of study under section 23 of the Bill.

For Teaching and Learning Environments:

- Creating a safe and inclusive learning environment where all students feel respected and valued, regardless of their gender.
- Encouraging teachers to be mindful of gender biases in their teaching practices and to create opportunities for all students to participate and learn.⁴
- It is also equally important to look at the high rates of bullying that we are seeing happening now in schools, especially peer to peer bullying.
- Safeguarding training on child protection and the prevention of sexual exploitation, abuse and harassment must be constantly done for teachers and staff who work in schools.

For Teacher Training:

- Providing training for teachers on human rights, gender mainstreaming, gender equality, gender sensitisation and how to address gender issues in the

³ 'Gender Mainstreaming', European Institution for Gender Equality. <https://eige.europa.eu/gender-mainstreaming#:~:text=Gender%20mainstreaming%20involves%20applying%20a%20gender%20equality,integration%20of%20a%20gender%20perspective%20in%20their>

⁴ Making Your Classroom More Gender Inclusive [https://eige.europa.eu/gender-mainstreaming/glossary#:~:text=It%20\(%20Gender%20sensitive%20language%20\)%20requires%20avoiding,also%20to%20a%20higher%20degree%20of%20precision](https://eige.europa.eu/gender-mainstreaming/glossary#:~:text=It%20(%20Gender%20sensitive%20language%20)%20requires%20avoiding,also%20to%20a%20higher%20degree%20of%20precision)

classroom. Engage local experts that are already providing this, which is what FWCC is and has been doing for both for Fiji and in the region.

- Encouraging teachers to develop their own gender-mainstreaming initiatives and practices.

B. HUMAN RIGHTS

Human rights education within the education system aims to cultivate a culture of respect for human rights, promoting understanding, skills, and attitudes that encourage individuals to act upon these principles. Having it within the education system and integrated into the curriculum while aligning with different cognitive development stages is important. It can build a culture of human rights in Fiji where human rights are valued and respected⁵.

It can also help empower individuals to exercise their rights, advocate for justice, and participate actively in their communities.⁶

We recommend that human rights approach be part of the curriculum under section 23 of the Bill and that teachers themselves must undergo human rights and gender sensitisation training as a prerequisite to graduating or registration under section 96 of the Bill.

C. CADET TRAINING IN SCHOOL

Over the years, a great number of schools taking up Cadet training has been noted. The Cadet training supposedly teaches students discipline and teamwork⁷. However, there has been no link between cadet and improvement of discipline in the schools that have it. However, it is clear that cadet training is the introduction of military values into schools - making schools a crucial social terrain by which societies and citizens adopt militaristic values such as a belief in hierarchy, obedience, and the use of force, if needed. One where critical thinking is discouraged and blind obedience is encouraged. Such hierarchy and obedience can be a source of bullying. ⁸Militarism relies on gendered and racial understandings to value things associated with the military, institutionalise militarisation in the school system, and devalue things associated with non-violence.

⁵ Human Rights Education in Primary and Secondary School Systems: A Self-assessment Guide for Governments

<https://www.ohchr.org/sites/default/files/Documents/Publications/SelfAssessmentGuideforGovernments.pdf>

⁶ Human Rights and Value Education- A Sociological Prospective, 2018 JETIR November 2018, Volume 5, Issue 11.

⁷ Sainiani Boila, 'Cadet Training teaches discipline and teamwork', FBC, 26.8.24,

<https://www.fbcnews.com.fj/news/cadet-training-teaches-discipline-and-teamwork/>

⁸ Taking action against militarism

<https://www.forceswatch.net/takeaction/wpcontent/uploads/2017/10/TakeActionOnMilitarism-pack-web.pdf>

Militarism and cultures of militarised masculinities creates a climate of political decision-making which normalises the use of force as an acceptable mode of dispute resolution. In doing so, militarism enables the legitimisation and continuation of violence.⁹

The military being involved in schools has received little scrutiny. The classroom should not be a place to reinforce militarisation especially for a country that has experienced four Coup'd'etats, of which three were carried out by the Military. Fiji's Classrooms should be a space for development of critical awareness about human rights, different approaches to conflict resolution and long-term peace and security.

Thus, while FWCC takes note of the thematic areas listed in curriculum to include discipline, civic responsibility and morality, FWCC cautions that given Fiji's history with the military and high rates of violence, there is no place for militarisation in the education system. Therefore, FWCC recommends that the Bill restrict military or cadet training in school.

D. OTHER PROPOSED THEMATIC AREAS

Fiji's education system is one that was introduced to us during the time when Fiji had not even gained its independence. Thus, the system still has some reminiscence of the British Empire. Though we have become independent, Fiji continues to educate their children through structures designed during colonial occupation—structures that were never intended to serve local interests or preserve cultural heritage.

The contents of the curriculum need to reflect the true history of Fiji and not one that is distorted by those in power. Currently in social studies the children do not learn that 2006 was a Coup d'etat. The Bill needs to ensure that the education system is used to educate, empower and enlighten children, not push propaganda.

In addition, the school curriculum needs to be changed to reflect the needs of the economy and for the curriculum to create or facilitate independent learning that will empower/strengthen entrepreneurial education. This change can assist in looking at more alternative models of learning that shifts away from being too test orientated. It will also allow for more critical, analytical and independent thinking where students learn to question what they read.

Our curriculum as it stands will only be met by an economy whose job market is already full. If we are really trying to ensure the job securities of this generation and the future generation, we need to set up a curriculum that teaches them entrepreneurial skills that will help them create new pathways or businesses in the market rather than enter an already flooded market. It also creates individuals who are self-efficient, increases motivation, fosters young talent, shapes individuals who

⁹ Does Militarism Lead to Violence? Fact Sheet Building on the Global Study on UNSCR 1325.
<https://peacewomen.org/sites/default/files/Fact%20Sheet%20Militarism.pdf>

respond to the dynamics of society and the economy and in turn it creates a creative economy, preparing learners for an uncertain future.¹⁰

3. FREE EDUCATION GRANT

While it is commendable that the Bill recognises and reflects section 31(2) of the Constitution on free education, this is contradicted by government aided or owned schools being allowed to charge levy under section 76 of the Bill.

It is common knowledge that school infrastructures in Fiji, particularly in the Suva-Nausori corridor, are facing significant challenges, including overcrowding, inadequate sanitation, and structural defects. Many schools lack sufficient toilets, handwashing facilities, and disability-friendly infrastructure, hindering hygiene practices and accessibility for all students. Additionally, some schools have structural issues like cracks and corrosion, and some buildings are termite-infested.¹¹

Buildings that children and teachers are occupying has become a health and safety issue. Overcrowded classrooms that are already in a deteriorating state is not a conducive learning environment for children.

FWCC recommends that the Government must treat education as one of its priorities and should provide sufficient budget to cover all costs for the proposed levy purposes listed under section 76(1). FWCC believes that adequate funding for education is essential for ensuring access to quality education for all Fijians including women and girls in all their diversity. Education is a basic human right and children should be adequately funded to attend school and not rely on fundraising, which puts another burden on parents who are already struggling. It should also be highlighted that Children are to be treated the same regardless of economic background or contribution to the school. Anecdotal evidence has shown us that children whose parent(s) contribute more to the school have in some situations been given special treatment. The Special and Inclusive Education policy does make it clear that discrimination on the grounds of economic background is prohibited and the Bill should clearly indicate this.

However, should targeted levies be allowed then the Bill needs to clearly indicate the thresholds and safeguards to ensure that students and parents are not burdened and are not coerced to pay in exchange for their child's right to education.

4. GENDER SENSITISED SCHOOL COUNSELLORS

FWCC welcomes the Bill's recognition of having school counsellors, however we recommend that the Bill should clearly state that the counselling should have a child-

¹⁰ Education and Training Fact Sheet, <https://www.finance.gov.fj/wp-content/uploads/2024/02/Fact-Sheet-Education-and-Training.pdf>

¹¹ Litia Cava "School infrastructure failing students, report warns", FBC, Feb 25, 25
<https://www.fbcnews.com.fj/news/school-infrastructure-failing-students-report-warns/>

centred approach as this is considered best practice when dealing with children. It is also recommended that the school counselling should have humanistic therapeutic intervention model. This provides young people with an empathic, nonjudgmental and supportive relationship to find their own answers to their problems.

In Fiji, a great number of schools are faith based. The reality is that a lot of the counselling, which are conducted with the students, are religious-based rather than being child centred. We submit that school counsellors must be required to undergo Gender and human rights training before they are allocated to schools.

Having Counsellors is one thing, the next is to ensure that they do not burn out or do further harm to the child during the sessions. A quality, ethical and professional counselling requires Counsellors to constantly undergo supervision and refresher trainings. This is an essential part of a counsellor's professional support network, and it provides a vital space to reflect on their work, receive guidance, and continue developing professionally. In addition, debriefing is also an important element of the supervisory relationship. This enables the Counsellor to look objectively at the issues raised in the counselling session and their response to them. Therefore, FWCC humbly submits that supervision is a vital tool that is required for school Counsellors to ensure the quality of their service but also to address the risk of burnout.

5. RELOCATING STUDENTS

Section 163 of the Education Bill 2025 allows the Permanent Secretary to move a student from one school to another if he or she is satisfied that certain conditions are met. These include cases where the student has serious disciplinary issues, where relocation is said to be for the student's health or safety, where the school does not meet the required teacher–student ratio, where school buildings or facilities are in poor condition, or for any other prescribed reason.

While these reasons may seem practical, this section gives very wide power to one person and does not require parental consultation before a decision is made. It also does not require any consideration of how the move will affect the child or the family. For many families, especially single mothers, moving a child to another school can mean higher transport costs, loss of community support, and difficulty managing work and childcare. This can place an unfair burden on families and may force children to leave schools where they feel safe and supported.

During the public consultations in Rakiraki, community members raised concerns that transferring students with serious behavioural issues often does not solve the problem but simply moves it to another school¹². Without counselling and proper support,

¹² <https://www.fijivillage.com/news/Moving-indisciplined-students-from-one-school-to-another-does-not-solve-the-issue--Rakiraki-resident-854fxr/>

children who are struggling due to trauma, family problems, or learning difficulties are unlikely to improve just by changing schools.

It is also unfair to move students because of problems they did not cause, such as overcrowded classrooms, staff shortages or unsafe buildings. These are system failures and should be fixed and attended to by the Ministry of Education prior to the start of school and not by removing children from their learning environment.

FWCC strongly recommends that this section be reviewed to better protect children and to deeply consider the lived realities of the Fijian people. Before any student is moved, parents must be consulted and their views must seriously be taken into consideration. Families should also have the right to appeal decisions to an independent body. Most importantly, schools should first try counselling, support services, dialogues and other help before relocation is decided or considered. Moving a child should only be a last option, not the first response to school or system problems.

6. CRIMINAL IMPLICATIONS FOR PARENTS

All parents/guardians have a legal responsibility to ensure their child regularly attends school. When a child attends school on a regular basis, they take an important step towards reaching their full potential, and are given the greatest opportunity to learn new things and develop their skills. However, the proposed penalties in the Bill present a significant risk to the social stability of vulnerable and marginalised Fijian households, particularly those headed by single mothers. A maximum fine of \$2,000 is disproportionately high when viewed against the average monthly income of a single-parent family in Fiji. For many, such a sum represents several months of essential living expenses. When a mother with multiple children is unable to meet these costs, the law creates a "poverty trap" where financial hardship leads to a criminal record or, worse, a 12-month imprisonment term. This punitive approach is counterproductive: removing a primary caregiver from the home through incarceration or stripping the household of its remaining funds only increases the likelihood that children will face further instability and eventual school dropout.

In contrast to this heavy-handed framework, many overseas jurisdictions have found that support-based interventions yield better long-term results than high-value fines. In countries like the United Kingdom, while fines exist, they are often significantly lower ranging from £80-£160¹³ which is equivalent to approximately \$245 to \$491 FJD, and are typically used only after all exhaustive efforts by social services.

¹³ <https://www.derbyshire.gov.uk/education/attendance-missing-home-education/school-attendance/school-attendance.aspx>

Parents being unable to send their children to school is a multifaceted and complex issue that requires ongoing dialogue, counselling and consistent support to parents and the child.

FWCC recommends that there needs to be more discussions and consultation around this section and it encourages the Ministry of Education to adopt a "support-first" mandate before a Compulsory Education Order is applied for or a fine issued. Criminal sanctions or fines should be a last resort.

CONCLUSION

FWCC acknowledges the Government's efforts in attempting to modernise the Education laws. Education is not only a service delivered by the State but a fundamental human right that must be accessible, inclusive, safe, and responsive to the lived realities of all children, particularly those from vulnerable and marginalised communities.

This submission highlights that while access to education is important, equal outcomes cannot be achieved without addressing gender inequality, diverse curriculum, unsafe school environments, and insufficient financial support for schools and families. Punitive approaches to school attendance, unchecked powers to relocate students, and the continued presence of militarisation in schools risk undermining children's rights to dignity, stability, and holistic development.

FWCC strongly urges that the Bill adopts a rights-based, child-centred and gender-responsive approach, consistent with Fiji's constitutional obligations and international human rights commitments under CEDAW, CRC and the SDGs. Legal reforms must prioritise prevention, protection, and support over punishment, and ensure that education policies actively contribute to the elimination of violence, discrimination, and inequality.

We therefore recommend that the Education Bill be amended to strengthen gender equality provisions, mandate human rights education and gender equality learnings, prohibit militarisation in schools, ensure fair and consultative decision-making regarding student relocation, and focus on the true meaning of Free Education to also address real operational and infrastructure needs of schools.

Fiji must remain committed to ensuring that its education system protects, empowers, and uplifts every child, while it lessens the burdens for parents, especially women and girls in all their diversity.

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