

Matrimonial Property

- When a relationship ends, you often have to divide the property that you have together. This is called matrimonial property and includes the matrimonial home.
- The matrimonial home is a house your or your partner bought, or built after your marriage or before your marriage but which you intended to live in as a married couple.
- Our Family Protection Unit can help you reach a fair and equitable division of your matrimonial property at the end of your relationship. This can include advising you of your rights, negotiating with your former partner or starting a legal action in court

Maintenance

- If you have the care and control of children under 16 years of age, the Court has the power to make an affiliation order (for an unmarried mother claiming for financial or other support) or a maintenance order (for a married spouse claiming financial or other support).
- The court can also order your spouse to pay you spousal maintenance in certain circumstances.
- Lawyers at the PSO can assist you with advice on maintenance orders.

Custody & Return of Child

- After separation, you should both agree about where your child/ren will live and when you will spend time together.
- We can assist with custody (where the children live after separation) and access (the child's right to spend time with the other parent).
- It is unlawful to remove a child without the consent of the parent with custody. If you are concerned for the safety of your child/ren, you should call the police and seek legal advice.
- Lawyers at the PSO can assist you with advice on custody, access and getting your child/ren back when they have been unlawfully taken away.

About the Public Solicitor's Office

The Public Solicitor's Office is an independent public office established under the Constitution to provide legal aid, advice and assistance to persons in need. Please ask at our offices for the circumstances and conditions of how we can assist you with your legal problems.

Honiara Office

Placemakers Building,
P.O. Box 553
Honiara, Solomon Islands.
 22348/28404/28405/28406

Auki Office

(within the precincts of the Auki
Magistrate's Court)
PO BOX Auki 44
 40008/40006

Gizo Office

(next to the Gizo Magistrate's Court)
PO BOX Gizo 84
 60682

Lata Office

 53004

Kirakira Office

 50153

Munda Office

 6204

 pubsol@pso.gov.sb

Honiara Legal Clinics Timetable

Family Legal Clinic

Tuesdays
9.00am to 12.00noon

Civil Legal Clinic

Wednesdays
2.00pm to 4.00pm

Criminal Legal Clinic

Thursdays Wednesdays
2.00pm to 4.00pm

Land Legal Clinic

Fridays
9.00am to 12.00noon

Legal Clinic for People with Disabilities, every Thursday on a fortnightly basis from 9am to 1pm. People with Disabilities Solomon Islands (PWDSI) Office, DSE Building, New China Town.

Australian Aid 



THE FAMILY PROTECTION UNIT OF THE PUBLIC SOLICITOR'S OFFICE



PSO PUBLIC SOLICITOR'S OFFICE

FAMILY PROTECTION UNIT (FPU)

ASSISTS CLIENTS IN RELATION TO:

Divorce • Separation • Matrimonial Property •
Maintenance • Custody • Access • Return of child •
Adoption & Domestic Violence

Divorce

To legally end a marriage, you need a divorce. You can get a divorce on the following grounds:

- Adultery.
- Desertion (partner has left for more than 3 years).
- Rape or conviction of certain other criminal offences
- Insanity or unsoundness of mind
- Cruelty .
- Irretrievable breakdown (partners have separated for more than 5 years).
- Only the High Court has the power to grant a divorce. An application made in the form of a petition will need to be made to the High Court.
- You will have to provide evidence for the grounds of divorce and pay filing fees.
- Lawyers at the PSO can assist you with advice about divorce.

Separation

An order for separation means that you no longer have to live together as husband and wife.

You can seek an order for separation on the following grounds:

- Adultery
- Desertion
- Cruelty, wilful neglect or habitual drunkenness

- Contracted a sexually transmitted disease from your partner
- Your partner compelling you into prostitution
- If you both do not reconcile and live as a married couple again within 2 years from the date of the separation order, the separation becomes permanent.
- Lawyers at the PSO can assist you with advice about separation.
- Called judicial separation can be obtained at both the High Court and Magistrates Court

Legal Adoption

- You can adopt a child under the Adoption Act 2004 or Customary Adoption according to the rules of custom.
- Under the Adoption Act, you must:
 - Publish a notice of intention to adopt
 - Have care of the child for at least 3 months prior to adoption
 - Have the consent of the birth parents
 - Get a medical report for you and the child
 - Have an interview with Social Welfare about your financial circumstances and residential environment
- An application must be made to the High Court and you will need to pay a filing fee
- Lawyers at the PSO can assist you with advice about adoption.
- The child must be under 18 unless you are seeking simply to recognize customary adoption.

Restraining Orders & Protection Orders

- Everyone should feel safe in their home. If you or your children are not safe, you should contact a service provider or the police as soon as possible.
- Lawyers at the PSO can assist you with advice about Restraining Orders and Protection Orders
- These orders can protect you and your children against the perpetrators of violence.
- Domestic violence is a crime.



- Depending on the case, the court can make interim orders on an urgent basis. Domestic violence matters are prioritised.
- Orders can have conditions relating to custody of children, contact, communication and conduct.
- Police can serve the order and assist with providing statements.

PSO, Gender Based Violence and SAFENET

- SAFENET is a referral network for GBV cases and includes Royal Solomon Islands Police Force (RSIPF), PSO, Ministry of Health and Medical Services, Family Support Centre, Christian Care Centre, Seif Place, Solomon Islands Planned Parenthood Association.
- Family Protection Unit lawyer at the PSO provides legal assistance to the victims.
- A separate section of the PSO provides legal assistance to perpetrators of GBV.
- All client information is strictly confidential.
- PSO utilizes SAFENET referrals to further assist clients with support services for e.g. counselling services, emergency accommodation, prosecution, separation and medical.

SERVICE PROVIDER CONTACT DETAILS:

Seif Ples, Family Support Centre, Christian Care Centre,
Ministry of Health and Medical Services, RSIPF.

DISCLAIMER: The information displayed on this page is provided for information purposes only and does not constitute legal advice. If you have a legal problem, you should see a lawyer.