

HIGH COURT OF SOLOMON ISLANDS
Civil Jurisdiction

Civil Case No.510 of 2024

IN THE MATTER OF ADOPTION ACT 2004

BETWEEN: Meherima Syed Infant

AND: Mrs. Shahanaz Parvin Applicant

Date of Hearing: On Paper

Date of Ruling: 30/1/26

Mr J Iniga for the Applicant

Pitakaka J:

Ruling on Application for Adoption under the Adoption Act 2004

Introduction

1. This is an application for an adoption order brought by Mrs Shahanaz Parvin (the Applicant) in respect of the infant Meherima Syed (the Child), a female child born on 5 December 2021 at the National Referral Hospital, Honiara, to Ms Lili Prisley, pursuant to the Adoption Act 2004.
2. The Applicant seeks:
 - a. an order authorising her to adopt the Child; and
 - b. a declaration that she is a fit and proper person to do so.
3. In determining this application, the Court applies the statutory framework set out in the Adoption Act 2004.

Evidence Before the Court

4. The Court considered the following evidence:
 - a. the Application for Adoption filed in December 12 2024;

- b. the sworn statement of the Applicant filed on 14 April 2025;
- c. the statutory declaration and written consent dated 8 January 2022 of the biological mother, Ms Lili Prisley;
- d. the medical report dated 15 August 2024 relating to the Child prepared by a medical practitioner, Dr John Taniamae at the Pacifica Private Medical Centre;
- e. the confirmation of non-objection following public notice letter dated 14 August 2024 issued by Paul Inifiri (for the City Clerk) Honiara City Council;
- f. the Social Welfare Report and recommendation prepared by Mr Alden Nonige an officer of the Social Welfare Division the Guardian Ad Litem; and
- g. supporting documentary material concerning the Applicant's residence, financial circumstances, and personal background.

Material Facts

- 5. The Child, Meherima Syed, was born on 5 December 2021 at the National Referral Hospital, Honiara.
- 6. The Child was born out of wedlock to Ms Lili Prisley. Shortly after the Child's birth, and while the Child was still an infant, Ms Prisley entrusted the Child to the care of the Applicant.
- 7. Since approximately one month after birth, the Child has remained continuously in the care and possession of the Applicant. The Child regards the Applicant as her mother and has formed a settled and secure parental bond with her.
- 8. The Applicant resides at White River, West Honiara. The evidence establishes that the Child has lived with the Applicant at that residence for several years in a stable, safe, and supportive home environment.
- 9. A social welfare assessment was conducted by the Social Welfare Division, and a written report was filed through the Guardian Ad Litem.
- 10. The Social Welfare Report records that the Applicant and her household reside in suitable accommodation at White River, West Honiara, in a secure and fenced residence with adequate living space, appropriate facilities, and a safe environment for the Child.
- 11. The Report further records that the Applicant has been the Child's primary caregiver since infancy, that the Child is healthy and well cared for, and that a strong emotional bond exists between the Child and the Applicant.
- 12. The Social Welfare Officer assessed the Applicant as capable of providing ongoing care, supervision, education, and financial support for the Child and expressed the view that the proposed adoption is in the Child's best interests.
- 13. The biological mother, Ms Lili Prisley, executed a written statutory declaration and consent to adoption dated January 2022, in which she expressly consented to the Applicant adopting the Child.
- 14. In that written consent, Ms Prisley declared that she is the Child's biological mother, that she has carefully considered the legal consequences of adoption, and that she voluntarily agrees that the Applicant assume all parental rights and responsibilities in respect of the Child.

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15. Ms Prisley further declared that her consent was given freely and without any form of payment, reward, pressure, or inducement, and that the decision was made because she was unable to provide the Child with the level of care, stability, education, and medical support that the Applicant is able to provide.
16. The written consent also records that the Child has been in the continuous care of the Applicant since infancy and that Ms Prisley considers the adoption to be in the Child's best interests.

Applicable Law

17. The Court's jurisdiction and powers to make an adoption order arise under section 4 of the Adoption Act 2004.
18. Sections 5 and 6 of the Adoption Act 2004 require the Court to be satisfied that the applicant is resident in Solomon Islands and is a fit and proper person to adopt the child.
19. Section 7 of the Adoption Act 2004 requires the consent of the child's biological parent or parents, unless that consent is lawfully dispensed with by the Court.
20. Section 8 of the Adoption Act 2004 requires the Court to treat the welfare and best interests of the child as the paramount consideration in determining whether an adoption order should be made.
21. Section 9 of the Adoption Act 2004 requires that the child must have been in the continuous care and possession of the applicant for the prescribed statutory period before an adoption order may be granted.
22. These statutory requirements are cumulative, and each must be satisfied before the Court may exercise its discretion to grant an adoption order.

Analysis and Findings

Residency of the Applicant

19. The Applicant has been living in Solomon Islands for a substantial period and is presently resident in Honiara.
20. On the evidence before the Court, the residency requirement under the Adoption Act 2004 is satisfied.

Consent of the Biological Mother

21. The Court has examined the written statutory declaration and consent executed by the biological mother, Ms Lili Prisley.
22. The consent is clear, informed, and voluntary. There is no evidence that the consent was obtained through coercion, inducement, or improper influence.
23. The Court is satisfied that the statutory requirement concerning parental consent has been met.

Welfare and Best Interests of the Child

24. The welfare of the Child is the paramount consideration.
25. The evidence demonstrates that the Applicant has provided consistent care, emotional support, and financial provision for the Child since infancy.
26. The medical evidence confirms that the Child is healthy and developing appropriately.
27. The Social Welfare Report and the recommendation of the Guardian Ad Litem support the conclusion that the adoption will promote the Child's long-term welfare, security, and stability.
28. The Court accepts that assessment and finds that the proposed adoption is in the Child's best interests.

Continuous Care and Possession

29. The Child has been in the continuous care and possession of the Applicant since shortly after birth, well in excess of the minimum statutory period.
30. This statutory requirement is therefore satisfied.

Conclusion

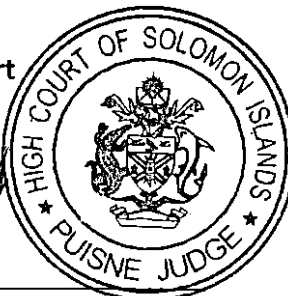
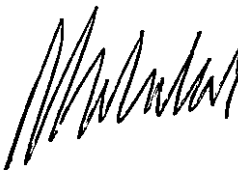
31. Having considered all the evidence, and being satisfied that each statutory requirement under the Adoption Act 2004 has been met, the Court concludes that this is an appropriate case for the exercise of its discretion to grant an adoption order.

Orders

1. The application for adoption is granted.
2. Mrs Shahanaz Parvin is authorised to adopt the child Meherima Syed.
3. For all legal purposes, the Child shall be regarded as the lawful child of the Applicant.
4. There shall be no order as to costs.

DATED this 30th of January, 2026.

By the Court

The seal of the High Court of Solomon Islands is circular. It features a central emblem with a crown and two figures. The text "HIGH COURT OF SOLOMON ISLANDS" is written around the top inner edge, and "PUISNE JUDGE" is written around the bottom inner edge. There are small stars on either side of the bottom text.

Hon. Justice Michael Collin Pitakaka

Puisne Judge of the High Court