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The protection of children's rights is a collective responsibility.

By their very nature, children are susceptible to violence, abuse and exploitation. It's always horrifying to read stories of gross violence, neglect and abuse perpetrated against defenceless children. Some of these horrible acts of criminality are perpetrated by immediate family members, who should be leading in the protection of children's rights.

This situation requires collective effort from all concerned parties and community members. Children have a special role in the future of the country and carry the responsibility to advance the country's democracy. Over the past 20 years, the Department of Justice and Constitutional Development has placed at the heart of its initiatives the need to protect and promote the rights of children.

In pursuit of a safer society for the children and all who live in the country, the department is guided by the Constitution and lately the National Development Plan (NDP), which is the country's vision until 2030. The Constitution, which is one of the defining heritage symbols of the country's democracy, is unequivocal in its dictate for all to prioritise the rights of children.

The Constitution clearly states that every child has the right to basic nutrition, shelter, basic health care services and social services. It further states that every child has the right to be protected from maltreatment, neglect, abuse or degradation. The NDP has adopted this instruction as one of the country's apex priorities and envisions a society where children will be able to walk freely in our streets without fear of violation.

This vision is supported by various pieces of legislation which specifically aim to protect and promote the rights of children. Amongst these is the Criminal Law Amendment Act (otherwise known as the Sexual Offences Act) which expands the definition of rape to include all forms of sexual penetration without consent, irrespective of gender and age. The Act also introduces the National Register for Sex Offenders which contains the names of people convicted of sexual offences perpetrated against children and people with mental disabilities. The register ensures that people convicted of sexual violence do not work in institutions dealing with children.



The department has also promoted the ascent of the Children's Act (Act 38 of 2005) to create a platform for children in need of care and protection, and makes decisions about those who are abandoned and neglected. In terms of this Act, all magistrate's courts are considered children courts, which essentially brings access to justice for children closer to their communities.

Last year the President signed into law the Prevention and Combating of Trafficking in Persons Act, which adds yet another measure in the protection of children against abuse and violation. While, previously, perpetrators of trafficking persons would be charged under different and

fragmented statutes, this Act provides a clear guidance in dealing with this heinous crime.

The Maintenance Act has been passed to deal with the socio-economic abuse of children through neglect by parents and responsible guardians. The Maintenance Act places a responsibility on the parents to support the child financially and to ensure that they have basic nutrition and shelter. The department is currently improving its systems and processes to speed up the application and payment of maintenance money to the rightful beneficiaries.

One of the key focus areas of this administration is to drastically reduce the number of children in correctional facilities. The intension is to encourage the use of diversion programmes in dealing with children who are in conflict with the law. In doing this the department is guided by the Child Justice Act, which creates a separate and less adversarial criminal justice system for children in conflict with the law.

The department has also undertaken to re-establish a new model of sexual offences courts to provide special supporting services for victims of sexual violence. This requires a separate, conducive room fitted with the necessary equipment to support the testimonies of children in sexual offence-related matters.

All these initiatives, amongst others, require that community members consciously work with the criminal justice system to protect children. Children live in our communities. Let us not look away. Instead let us say: "not under my watch" and report any act of violation. The country's future is as secure as the future of the children.