

**CIVIL SOCIETY ORGANISATIONS CONCERNED ABOUT EFFECTS OF ARTICLE
ON PROVISION OF CONDOMS TO CHILDREN YOUNGER THAN 12**

**JOINT PRESS STATEMENT: CENTRE FOR CHILD LAW, RAPCAN, COMMUNITY
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MOLO SONGOLOLO**

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On 10 May 2015 the Sunday Times carried a front page article alleging that the Department of Basic Education plans to provide condoms to children younger than 12 years old. The article was also carried on the front page of Beeld on 11 May 2015. Civil society organisations are deeply concerned that the articles misrepresented the Department's new draft policy on HIV, STIs and TB.

The articles state that, in addition to making condoms available to children from grade 7 to 12, children in grades 4 to 6 (who would be aged 9 to 12) will also be given condoms where required. However, nowhere in the draft policy does it state that children aged 9 to 12 will be provided with condoms.

The policy under scrutiny in the report refers to schooling phases not ages; it provides that counselling on sexual and reproductive health issues will be provided to senior and FET phase learners – as well as intermediate learners, where required. This includes the provision of condoms and HIV counselling and testing and other assistance. Properly read with other relevant legislation this means that children in grades 4 to 6 would 'be required' to receive condoms if they are older than 12. The reports in the Sunday Times and Beeld accepts that children in grade 4 will always be 10. This is not always the case, nor does it mean that condoms will be provided to 10 year olds. The purpose of the policy is to provide age appropriate access to sexual and reproductive health services.

This does however point to a need for the policy to be drafted in a manner that provides better clarity. We believe that the policy should state more explicitly that the provisions of section 134 of the Children's Act 38 of 2005 applies. The section deals with the provision of condoms, contraceptives and health care services to children 12 and above.

We are also concerned that the Sunday Times article creates the perception that teenage pregnancies are spiralling out of control. Research by the Southern African

Labour Development Research Unit indicates that there has been a significant decrease in teenage pregnancies. The research shows that the proportion of teenagers who give birth before the age of 20 had decreased substantially: from 30 percent in 1984 to 23 percent in 2008. Child-bearing rates for younger teens have also declined over the years. In 2008, only 5 percent of births were to teenagers younger than 17, down from 13 percent in 1984. The number of learners who fell pregnant decreased from 49 599 in 2008 to 36 702 in 2011 according to the 2011 Report on the Annual Surveys of Ordinary Schools.

These articles were unnecessarily sensationalist and reactionary and utterly failed to inform the public of the benefits of the programme in respect of the health services that will be provided at schools.

Ends.

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