

JUDGMENT PROTECTING THE IDENTITIES OF CHILD VICTIMS, WITNESSES AND OFFENDERS DOES NOT APPLY TO PERSON WHO COMMIT CRIMES AS ADULTS

FOR IMMEDIATE RELEASE:

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The Centre for Child Law and its clients, Media Monitoring Africa, Childline and NICRO, note with concern the incorrect narrative that the judgment we received from the Supreme Court of Appeal, on the protection of identities of child victims, witnesses and offenders, applies to offenders who commit crimes whilst they are adults.

The judgment from the Supreme Court of Appeal is about protecting the identities of child victims, child witnesses and child offenders. Section 154(3) of the Criminal Procedure Act, prohibits the disclosure of information that could reveal the identity of an accused under the age of 18 years and a witness at criminal proceedings, who is under the age of 18 years. Through the judgment of the Supreme Court of Appeal, this protection is now extended to include victims who are under the age of 18.

The judgment is not about protecting the identity of adults who commit crimes. The Criminal Procedure Act does however place a ban on publishing any information related to a charge of a sexual offence until the accused has appeared in court. We note that the 20 year old accused of the rape of a child, has made an application to not have his identity revealed. Our case does not have a bearing on this matter when it comes to the adult offender.

The Supreme Court of Appeal judgment does, in no uncertain terms, require that the victim's identity be protected.

Ends.

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