



## Centre for Child Law calls on 6th Administration to commit to protecting all children to move South Africa forward

### #ChildProtectionWeek2019

Press Statement

06 June 2019

The Centre for Child Law joins the country in commemorating National Child Protection Week officially launched by the Department of Social Development on Sunday, 2 June. The commemoration of child protection week and the recent appointment of the 6th Administration are important moments to reflect on South Africa's international and regional human rights obligations toward children. The African Committee on the Rights and Welfare of the Child (the Committee) have addressed timely concluding observations and recommendations to South Africa. The [concluding observations and recommendations](#), released in March 2019, highlight key issues and challenges that South Africa should address in order to further protect and promote children's rights and wellbeing in South Africa.

The Committee commends South Africa for the strides taken to realise the protection of children's rights set out in the African Charter on the Rights and Welfare of the Child. It also sets out a number of areas of concern and recommendations. Two important issues raised by the Committee are the high rates of violence against children as well as challenges faced by children with disabilities in accessing social services, including the right to education.

The Committee expressed concern at the alarming rate of violence against children, especially the high number of children murdered in the country over the last few years and the fact that 41% of all rape crimes committed in the last three years are against children. The child protection system is not adequately addressing these high rates of violence against children due to poor implementation of the legal and policy frameworks. The Committee recommends that South Africa – in this case the 6th Administration – adopt a coordinated, well-resourced and evidence based violence prevention strategy. The government was encouraged to urgently make sure that child victims are assisted by well-resourced specialised policing and court services as well as to provide child victims of violence with effective and therapeutic services.

The continued use of corporal punishment in schools and in the home was another cause of concern. The Committee recommended that the 6th administration expedite the amendment of the Children's Act to explicitly ban corporal punishment in all settings including the home. This also includes the promotion of positive discipline amongst teachers and caregivers.

The Committee appreciates measures taken to ensure inclusive education for children with disabilities. However, the Committee is concerned that children with disabilities continue to experience discrimination as they attempt to access ordinary schools and special schools. Special schools, for instance, have not been listed as 'no fee-paying schools', therefore learners with disabilities that attend special schools do not have



access to free basic education. Furthermore, provision of school transport does not take into account the needs of students with physical disabilities. On this basis, the Committee recommends that the 6th Administration immediately waive education fee attached to accessing special needs schools; ensure that children with disabilities access free basic education in free, non-fee paying, mainstream schools and adopt comprehensive norms and standards that guide the provision of transport to students with disabilities.

As we enter into the 6th Administration, the Centre for Child Law encourages the new government not to pay lip service to children's rights. Far too often children are left behind due to policy choices that fail to address their needs. Greater focus in the 6th Administration should be on legislation and policy positions that will put the rights and interests of children first. In addition, the provision and utilisation of resources must ensure that children are treated on an equal basis.

*“Africa is on the verge of a serious human development crisis which carries grave consequences for the social and economic wellbeing of its people and for the future of the continent. Massive investment is needed over the next three decades to avoid the ticking time-bomb of a billion children and young people who are under-nourished, semi-literate or illiterate, jobless or underemployed. We urge African governments to go beyond simply fulfilling their obligations under the United Nations Convention on the Rights of the Child (CRC) and the African Charter on the Rights and Welfare of the Child (ACRWC).”<sup>1</sup>*

With the above in mind, the Centre as part of the child protection week, would like to emphasize state accountability to children. The fact that children lack the capacity & power to influence public policies and laws affecting them compounds the need for concerted efforts by the new administration. Children are not the future, they are the present and need to have their rights realised *today* in order to have a better future.

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<sup>1</sup> ACPF (2018). *The African Report on Child Wellbeing 2018: Progress in the child-friendliness of African governments*. Addis Ababa: African Child Policy forum (ACPF). xvii

