

**CENTRE FOR CHILD LAW CALLS FOR LAW ENFORCEMENT TO COMPLY WITH THE
CHILD JUSTICE ACT WHEN DEALING WITH CHILDREN CAUGHT UP IN CURRENT
PROTESTS AND LOOTING**

FOR IMMEDIATE RELEASE:

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What started as a protest, a right guaranteed for everyone (including children) has regrettably degenerated into a looting spree and damage to infrastructure. We condemn in the strongest terms the lootings which are taking place in different parts of the country. Most importantly we condemn the voluntary and/ or encouraged participation of children in these unlawful conducts. Children are amongst the most vulnerable groups in society. Their human rights are prone to be affected by the actions and decisions of their caregivers, parents or guardians.

Any person below the age 18 of years is a child and should be treated as such. At the time of writing this statement we learned that over 400 people in Gauteng and over 200 people in KwaZulu Natal have been arrested. It is unclear how many children account for those. At least video footages on the media and other social media platforms have shown the involvement and participation of children. Without a doubt, the situation at hand has deprived children of the opportunity to live and act like children.

With schools closed, children, especially those in townships without access to online learning tools definitely have nothing to keep them preoccupied and this might have galvanised their involvement in the despicable events. We caution against parents, caregivers or guardians who encourage and/ or condone the involvement and participation of children in the acts of alleged criminality. A child alleged to be conflict with the law is entitled to be treated in a manner and kept in conditions which duly consider the child's age.

We urge law enforcement officials to enforce and comply with the standards set out in the *Child Justice Act 75 of 2008* when dealing with a child alleged to be conflict with the law. Our law enforcement officers need to be mindful that a child need not be detained unless it is a matter of last resort. Where the release from detention is impossible, detention must be for shortest period of time. Whilst in detention, children must be separated from adults and girls must be separated from boys.

Pragmatic steps must be taken in order to ensure the safe release of a child from detention into the care and custody of the caregiver pending appearance in the appropriate forum.

For more information, please contact the Centre for Child Law:

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