

**CENTRE FOR CHILD LAW TO ARGUE THAT THE CRIMINAL JUSTICE SYSTEM IS NOT THE
CORRECT FORUM TO DEAL WITH CHILDREN USING ADDICTIVE SUBSTANCES**

Media Advisory

2 March 2022

Tomorrow, 03 March 2022 the Centre for Child Law will argue for the decriminalisation of the use and possession of cannabis by children. In July 2020, the High Court declared provisions of the *Drugs and Drug Trafficking Act* unconstitutional insofar as it criminalizes the use and possession of cannabis by children. The Centre will be asking the Constitutional Court to confirm the High Court's order of invalidity.

In 2019, the Constitutional Court, decriminalised private use of cannabis by adults in the [Prince judgment](#). However, in that case the Con court, did not engage with the constitutionality of the criminalisation of cannabis use by children. This resulted in children being treated as criminals for conduct which is no longer a crime for adults

The Centre is hopeful that the Constitutional Court will confirm the order of invalidity by the High Court and make it clear in law, that children found to have used cannabis or are addicted to cannabis should not be dealt with under the criminal justice system. The children should instead receive treatment as provided for under the *Children's Act* or the *Prevention of and Treatment for Substance Abuse Act*.

Ends

For media enquiries, please contact:

Ms. Isabel Magaya- Isabel.magaya@up.ac.za 012 420 4502