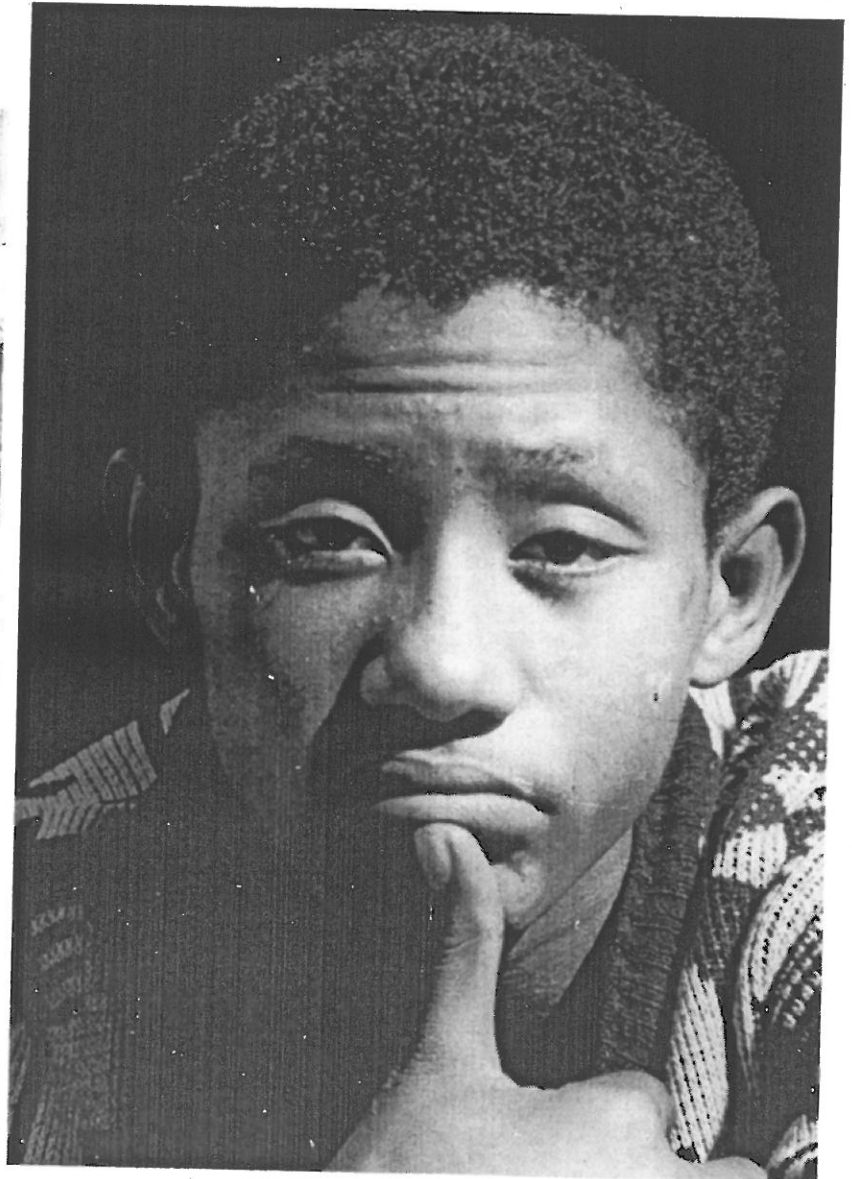


Letting in the light

Seeking justice for the children of South Africa



A workbook
for children
in trouble with
the law, and
their families,
friends and
advocates



THE CHILDREN'S RIGHTS RESEARCH AND ADVOCACY PROJECT
YOUTH ADVOCACY UNIT

COMMUNITY LAW CENTRE
UNIVERSITY OF THE WESTERN CAPE
JUNE 1993

Credits

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The Youth Advocates of the Children's Rights Research and Advocacy Project are all law students at the University of the Western Cape. This is their first publication.

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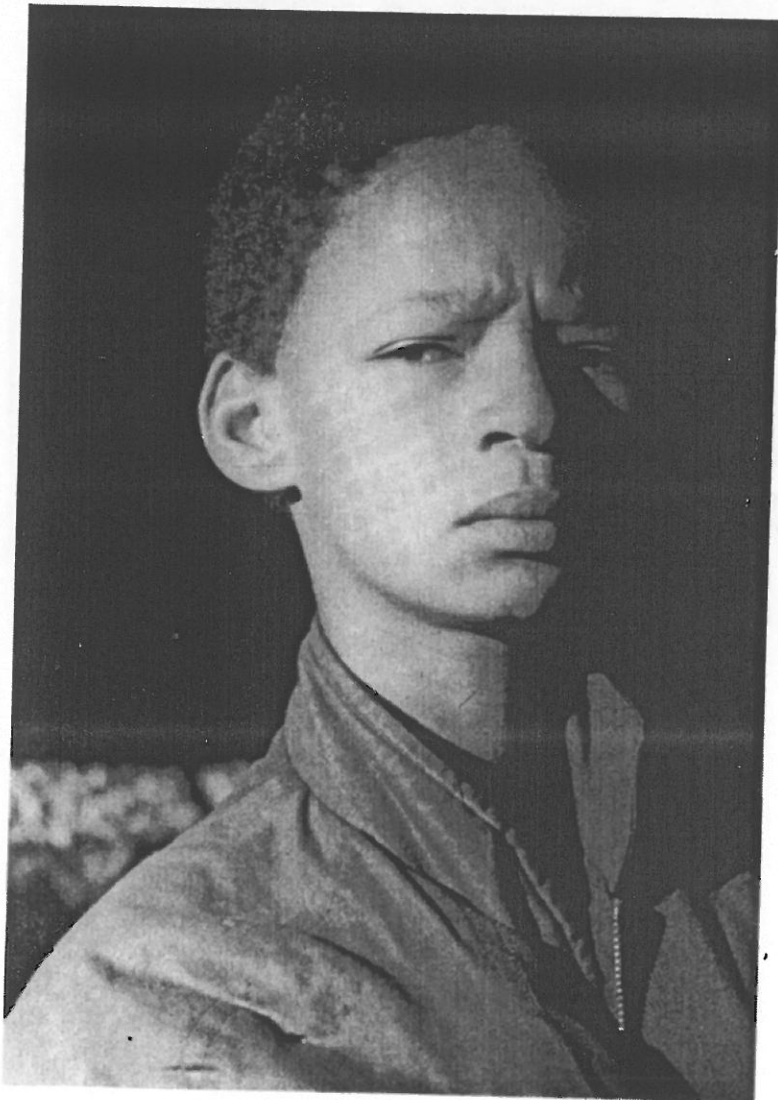
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A law unto myself

*I have been to Sea Point Police Station
Where I was beaten by civil servants.
I have been to Pollsmoor Prison
Where I was sodomised
And left bleeding
On the cold damp floor.
I have been to Places of Safety and Reformatories
Where I was hardened by warders and fellow inmates
Where I learn't to hold on to what was mine
And take from those who could not fight
I am now the perpetrator of violence And not the victim.
On the streets
I am a law unto myself.*

– Glen Leedenberg





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However, their work would have been impossible without the help and co-operation of many other talented people. Special thanks is extended to Frank Kahn and the Cape Town Attorney General's Office for their willingness to allow the Youth Advocates into the juvenile courts at a time of change and transition in the country. As well, countless individuals at the Athlone, Bellville, Cape Town, Mitchell's Plain and Wynberg courts should be commended for their help, guidance and desire to reform a non-working system of justice for children. Additionally, Rosemary Shapiro and the NICRO-Cape Town office were instrumental in the initial establishment and support of the court-based project.

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The photographs reproduced in this workbook were taken by a photographer dedicated to solving the plight of the children, Chae Kihn. The love and concern for the children exhibited by street worker Jules Levine of Patrick's House, who assisted Chae Kihn, is an inspiration to us all. Benny Gool's contribution of the photograph of the arrest of a young boy is very much appreciated. Glen Leedenberg and STREETS are also thanked for the use of their poetry about children on the streets.

Most importantly, this book could not have been produced without the children to whom it is dedicated and their families and friends. We wish them well and stand by them in their struggles and victories.

– Michelle Morris

Preface

(Adv) Dullah Omar, Director, Community Law Centre

Since its establishment in late 1990, the Community Law Centre at the University of the Western Cape has been propelled into a key position at the national level in relation to constitution making, the development of a Bill of Rights for South Africa, the future of South Africa's legal system, judiciary and legal profession, the development of a human rights culture and generally in the process of transition and empowerment of the disempowered through its development projects at all levels. The Centre's role has become increasingly more important and more complex as it becomes more apparent that the move into a new democratic constitutional dispensation is accomplished as rapidly as possible.

The Children's Rights Research and Advocacy Project is one of our efforts that has made great strides towards achievement of its mission. The project was established to ensure the recognition and enforcement of legal and human rights for all children who have suffered, and are continuing to suffer, as a result of apartheid. One group of children who the project immediately identified as once in dire need of help was children in trouble with the law.

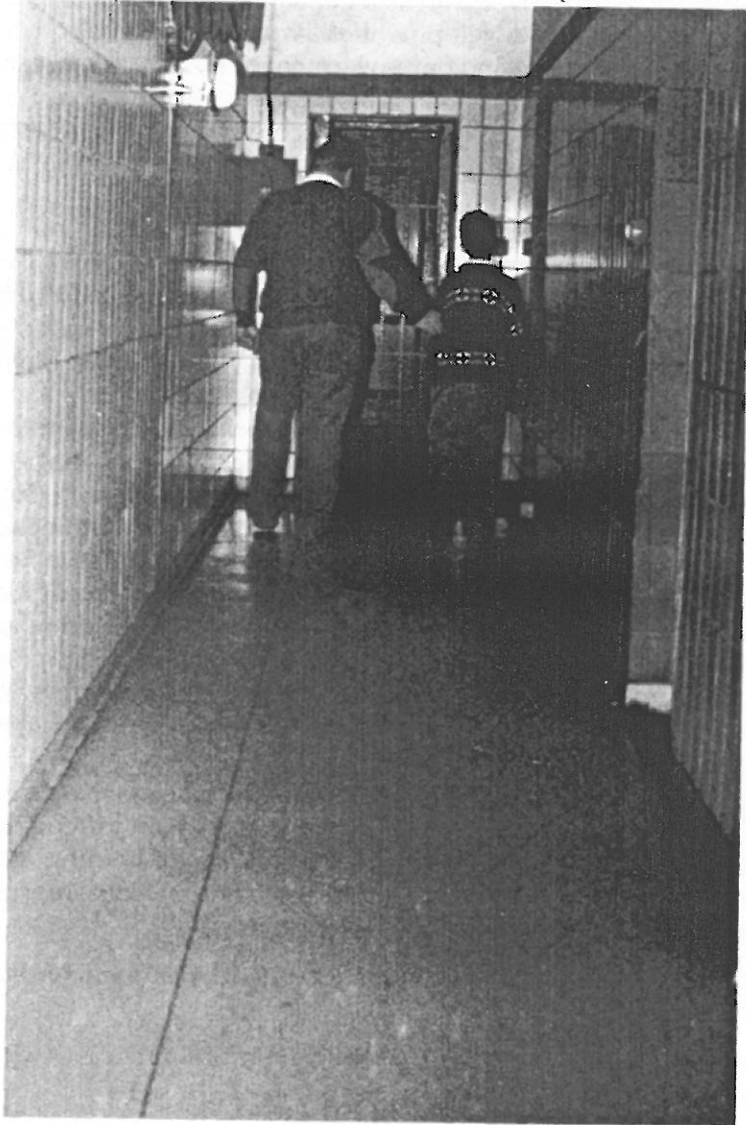
As a result of our research and advocacy work in this area in 1992, the Project initiated an exciting new advocacy component to its work that is aimed at the development of a new system of justice for youth at risk or in trouble with the law. The "Youth Advocates" Project is a court-based programme that is designed to assist and care for children who are arrested or at risk. Essentially acting as a mini-public defender service for children, the project is the first of its kind in South Africa on this scale. This project seeks to link information gathered from advocacy in the community towards formulating informed recommendations about the future treatment of children by the criminal justice system of South Africa, as well as means to prevent them from entering the criminal system in the future.

Final-year UWC law students, or Youth Advocate, are based in Cape Town, Athlone, Mitchell's Plain, Bellville, Wynberg and on an infrequent basis, rural juvenile courts. The students consult with children in holding cells and police cells, contact families and provide guidance in obtaining legal representation and social services. The Youth Advocates aims are to:

- ◆ Ensure that children are held in the least restrictive manner whilst awaiting trial
- ◆ Assist the courts and lawyers in adjudicating children's cases with care, speed, and urgency
- ◆ Guide the courts in selecting alternative forms of sentencing and educate the court, police, communities and general public about the rights of these youth.

The students and staff pursue a community-based, multi-agency approach in their efforts to assist the children. The issue of justice for children at risk is not one solely for the criminal justice and law-making agencies. As one child advocate put it: "It is an issue of nutrition, of a decent job, of education, of an adequate income for the household." The issue of children in trouble with the law is directly linked to the Centre's role in negotiations for the future of South Africa. Unless these efforts are successful, our work at any other level becomes endangered.

In late 1993, the Project will host an International Seminar on Youth Justice aimed at bringing child advocates and informed individuals from all spheres together to continue the search for a more just and humane system. The Community Law Centre is excited about the opening doors of the courts and the improving relationships between communities, non-governmental organisations and state-related bodies and hopes that as many different hands as possible will be united in on-going efforts to achieve a culture of human rights and to correct past injustices against children.... This workbook seeks to push us one step closer to that goal so that justice can be realised for all South Africans, no matter what their age.



Introduction

Michelle Morris, Project Director, Youth Advocacy Unit

"ALONE IS UNUTTERABLE LONELINESS"

The steel door slams shut and Shireen, a petite woman, allows her eyes to re-adjust to the dim light of the underground cell before she ventures forward. However, the boys in the cell have been waiting in the darkness since early morning and they recognise her immediately. The smaller children are pushed out of the way as the larger boys rush to be the first talk to their "youth advocate."

"Lady, lady, can you get me a lawyer?" "My mother said she would come today... can you call her?" "I was only standing on the street corner, please don't send me back to prison!". Each day the pleas are the same. Though the conditions are poor, Shireen struggles to counsel her young clients one at a time. Fortunately, there are no adults in the cell with the boys for a change. This morning, as is often the case, a very young boy lingers on the fringes of the group. Wearing the same tattered clothes that he had on when he was arrested a few days earlier, his face reveals the fear, the confusion, the anger that identifies him as a first-time visitor to the cells. He has already acquired the cowering "don't-hit-me-too-hard" look that many children wear in South Africa. Betrayed by almost every adult they encounter in their short lives, these children rarely let their defences down. Shireen finally gets to this child, but initially he refuses to answer any questions. However, when she is called by the court orderly to leave the cells for court, he suddenly moves forward, mumbles his name and quietly tells his story.

Simphiwe's mother, a live-in domestic worker in a suburb outside Cape Town, refused to let him remain in her small quarters last weekend. Forced onto the streets, he wandered aimlessly, hungry and alone, until a police officer picked him up for the crime of "slenter", loitering. His mother has not been contacted, he has not seen his father in three years. When he is called to stand alone before the magistrate, Shireen is able to persuade the public prosecutor to "roll" his case until the next day.

Shireen finally reaches his mother by telephone, but she tearfully claims that she can not miss work to take custody of her son. The woman was unaware that her oldest son had been arrested. She agrees that her son should not be held in police cells with adults but claims that "I can not love my son". After a long and painful series of phone calls, Shireen learns that the mother's employer kicked the thirteen-year-old boy out and threatened to fire the woman if she allowed her son to return. With unemployment at 42.6% and four other children to feed. Simphiwe's mother felt that her hands were tied. Shireen finally persuades the mother to meet her for tea to discuss options for the child's future.

"If the boy's father is not here by this afternoon, I have no alternative but to send this boy back to Pollsmoor," the magistrate ordered. For once, the Youth Advocate, Memory, knew where this father lived and worked, but had no transport. After a few long moments of negotiation with the arresting officers, Memory convinced them to give her a lift to the boy's home. It took almost two hours to locate the tiny shack. Unfortunately, he was at work and no one else was willing to take responsibility for the child. The police were anxious to get out of the townships and back to court, but Memory was not willing to give up. The police consented to one last stop at the grocery store where the child's father worked as a clerk. The man initially refused to accompany her, but when she

convinced the store manager of the urgency of the situation and ensured the father that he would not lose his job or pay for the day, the man acquiesced. Shortly thereafter, the boy was released into his father's custody.

It had been a long, cold, terrifying weekend for the 15 year old Langa girl. She was arrested on Friday for shoplifting and was locked in the Bellville police cells. No one had asked if she wished to make a phone call, no one had offered to give her a warm blanket. On Monday morning, she stood shivering in the hallway awaiting her first court appearance and some information about her charge. When Prince approached her, she was afraid. So many men had tried to abuse her in her short life. The weekend had been a endless series of verbal harassment and threats from both the police and other prisoners. She just wanted to go home and get back to school. However, when Prince spoke to her in Xhosa and explained that he was there to get her home, one last glimmer of hope rose in her eyes.

Prince learned that it was the girl's first offence and that she had tried to steal food for her bed-ridden father in Langa. As he had done many times, Prince approached the prosecutor prior to the girl's court appearance and attempted to settle the matter before she was forced to stand trial in the courtroom. At first, the prosecutor refused to waver unless the girl's father or mother appeared in court to take custody. However, the single-parent father suffered from TB and the girl was essentially acting as the head of the household. If she was not released, it was likely that her younger siblings would soon be appearing in court as well. At the Youth Advocate's insistence, the prosecutor finally agreed to drop all charges and release the girl into Prince's custody. As she jumped off the taxi at her home in Langa, she beamed a huge smile of thanks to her Prince.

The sixteen year old boy, Faizel, was still wearing his school uniform when Violet met him in the holding cells. She was not surprised that this was his first offence and thought to herself, "It must be shoplifting". It was difficult to hide her shock when she learned he had been arrested for the rape of a 14 year old neighbourhood girl. This would turn out to be an unusual case.

The girl's parents had laid the charge with the Mitchell's Plain police and were unwillingly to discuss the case with Violet. However, the boy's story, if true, was reason enough to persuade the court to drop the charges. Faizel and the girl had been dating against her parent's will for almost a year. Angered by their daughter's disobedience, the parent's sought to end the relationship and punish their daughter quickly and easily. Uninformed about the seriousness of their charge and the consequences if Faizel was found guilty, they believed the boy would simply receive a much-needed whipping. After consultations with the Project staff and social workers, Violet arranged for the girl's parents, the boy's family, Faizel and the girl to meet with the public prosecutor and herself to discuss the case before proceeding further. As a result of this conference, she was able to have the charges dropped on condition that the both families and children meet with social workers to further resolve the matter.

The gashes in the 13 year old boy's head were fresh and Violet immediately questioned the boy about the cause of such severe wounds. When he informed her that the arresting officer had hit him over the head with the sharp end of an axe in the police station, Violet immediately took down the remaining details and rushed to the senior public prosecutor's office. Although he refused to drop the charges against the boy, he agreed to release him into his family's care so that he could obtain immediate medical assistance.

Violet organised a doctor through the community-based Trauma Centre to examine the boy and to prepare an affidavit so that this poor family could obtain Legal Aid and lay charges against the police officer. Both the boy's and the police officer's cases are still pending two months later.

Shireen, Memory, Prince, Jenni, Violet, along with Zoelpha and Alethea, are law students from the University of the Western Cape who act as Youth Advocates in the first-ever public defender project of its size for children in trouble

with the law in South Africa. The Youth Advocates Project operates under the supervision of the Children's Rights Research and Advocacy Project based at the Community Law Centre at the University of the Western Cape. Launched in late December 1993 with the assistance of the Cape Town Attorney's Office and NICRO-Cape Town, the service is a pilot project designed to bring about informed and positive changes in the juvenile courts of South Africa.

The "Youth Advocates" pilot project is one of the first steps towards the re-creation of a culture of children's rights. It is a small part of the nation-wide movement towards the reform of the juvenile justice and welfare systems for children in trouble with the law or at risk and is proud to be linked to many other ongoing efforts. Through the youth advocates' work in Cape Town and the outlying areas, the magistrates and public prosecutors are slowly becoming more aware of the desperate need for child-friendly courts and police officers. Their acceptance and support of the project has greatly facilitated our efforts in the courts, places of safety and prisons. However, there is still a dire need for long-term alternatives. We have found that the greater socio-economic problems suffered by families as a result of apartheid, poverty and violence are difficult to tackle. Such is the case in almost every child's family that we have encountered since January 1993.

There is a need for the re-building of communities and homes that were divided or destroyed by apartheid. Children require not only a friend in court after they are arrested, but a friend in the community, in the classroom and in the home before they come into contact with the law. The justice system must be one that protects children, not one that is used to terrorise and destroy the hope of the youth. The formation of working committees, the signing of international documents and legislation, even the installation of a multi-party interim government and assignment of an election date – these are just the first steps. Long-term changes will only be achieved when there is multi-agency co-operation and community-based recognition that every child's life, no matter what their colour, is worth saving — and when mother's of boys and girls like those whose stories we share with you in this workbook do not have to fear the disappearance of their children. However, we must also remember that too often our past efforts as child advocates have focused on the individual child. When a child is protected, but its family is shattered, we are forced to question if indeed our actions were justifiable. As Maya Angelou, a well-known African-American poet and author once stated, "The family is undeniably the greatest force for informing the young of possibilities and prohibitions."

In our last few months of work, we have recognised that opposing principles guide the treatment of children who are in trouble with the law. On the one hand, some people believe that stern measures are needed to control violence and the rising rate of youth crime. On the other hand, the majority of South Africans believe that children should be treated differently than adults, and that some investment must be made in the care and reform of children who come into contact with the criminal justice system. These conflicting attitudes exist across the world and there is a move towards producing tough new laws and practices that diminish the traditional protections offered to youth and instead emphasize adult-like punishments for their crimes. This is a disturbing development for any society, but it is especially so for South African society.

Changing the juvenile justice system from one that has as its focus corporal punishment, imprisonment without family contact, trial with legal representation and ad hoc decision-making into one that creates an environment conducive to child saving and family preservation through community-based efforts will take perseverance. For this to happen, there must be consensus that the system can be changed safely. We have already begun educating the courts and communities through the Youth Advocacy Project. However, we must still convince many magistrates, political leaders, policy makers and correctional officials that community based projects can work. At the same time, assurance that dangerous, repeat offenders will be confined is imperative for our commu-

nity-based initiatives to survive. As reformers, we must ensure the public that such programmes are not simply "slaps on the wrist" or overly lenient.

Due to the fear, uncertainty and insecurity instilled by apartheid's policing and laws, many families that we have come into contact with believe that "Child offenders have done something bad and should be whipped or sent far away to some place where they will be punished." This has indeed been the almost singular approach to juvenile crime in South Africa. But it has not worked. By keeping children out of sight, warehoused and caged in distant rural facilities or even local police cells, as one child advocate noted, "we have avoided listening to what they can teach us". All the young clients that we have assisted have had something important to tell us about their lives and about our society. If we have the strength and patience to deal with them in our communities, as the Youth Advocates have attempted to do, their young lives may give valuable hints about how to change the circumstances that led them to the streets and to the courts.

The Youth Advocates project has not been able to solve or to save all of the children that we have encountered in cells and courts. Police cells and rural courts remain unknown territory for us. We acknowledge our limitations due to small staff size, time and other circumstances. However, through this workbook, we hope to share some of our experiences and knowledge gained by appearing regularly on behalf of children in five Cape Town juvenile courts. We hope that this workbook will spark further and more detailed discussion around these very important issues.

Four important conclusions about advocacy efforts in juvenile justice have been reached as a result of our work:

1. Advocates must propose concrete solutions to the problems they address.
2. Advocates must use a variety of strategies and be flexible over a prolonged period of time to achieve their goals.
3. Advocates must find "partners" within the system and the community to achieve successful implementation of reforms on the short term.
4. Advocates must work towards enabling parents or children to make decisions about their own lives or to become empowered to make decisions about their lives.

This project took important landmark steps in its attempt to work with those inside a system labelled as inhumane and unjust. In some cases, the youth advocates found that the courts shared their goals and were willing to work on behalf of the child. In those cases, a unique working relationship was forged and the children in those courts were treated with much better care due to shared information and expertise. In those instances when courts or individuals within the courts did not co-operate readily, coercion, negotiation or legal intervention through a lawyer was necessary to enable the youth advocate to protect and counsel the child appropriately. Overall, we have realised that our presence in the courts has been a positive experience for those who have been involved. This workbook is designed to encourage others in areas outside Cape Town to consider similar pilot interventionist projects in your local courts until greater long-term changes can be achieved. It is hoped that this book, and the photographs that bring some of the children to life, will provide instruction and inspiration to others trying to motivate for corrective action and to alter the past indifference towards the de-humanisation of our youth.

PLEASE NOTE: All names of the children and families in this book have been changed for their protection.

The first cut: arrest, policing and violence

Violet Abrahams

"All children have the right to be protected from violence by the police and in prisons."

Children's Charter of South Africa, Article 5, Section 10

Late on an autumn Sunday evening, two policemen arrested a group of juveniles and a few older men. During the arrest, one of the officers, the Sergeant, took out an axe and assaulted the youth and men he had arrested. One of the younger boys, Michael, was beaten with the sharp edge of the axe. His luckier friends were only hit with the blunt edge. Michael was so seriously injured that the officers were forced to take him to the health clinic next to the police station. None of the other boys were given any medical treatment because their wounds were "not serious".

The next morning, the officers brought their prisoners to court. Before the hearing, I met the boys in the cells and immediately noticed that Michael was still covered in blood, his head was bandaged and he had laceration across his back. The boys were terrified and told me that the Sergeant warned them that:

"Dit sal nie help as julle 'n saak maak teen my nie, want ek wen al my sake en kom altyd weg met wat ek doen." (Loosely translated – It does not matter if you institute an action against me because I always win my cases and I always get off despite what I do.)

Other court officers who knew this officer told me of similar cases in which the Sergeant had abused his prisoners. After consultation with our staff, I advised Michael and his family to lay charges and to inform the magistrate of the incident at once. I also made arrangements to link them to an independent body – the Trauma Centre – and a lawyer.

Another one of my young clients, Thomas, was arrested while he was on his way home from a party. He was thrown into the police van with an older man who he did not know. When they arrived at the police station, they took the man out of the van, lowered the sails on the side of the van, sprayed teargas into the van and then locked the doors. After a few minutes, the constable took Thomas out of the van and proceeded to beat him with his fists.

Three days later, Thomas appeared in court. When I spoke to him before his first appearance, I noticed that his right arm was bandaged and he appeared to be in severe pain. He told me about his frightening ordeal and ask me to contact his mother at her workplace.

I called her at once and informed her of her son's situation. She was relieved to learn that he was alive, and agreed to come to the courthouse at once so that we could organise a lawyer to represent her child.

Children in trouble with the law are afraid. They lump most of the governmental officers, social workers and even probation officers under the "blou lig" (blue light). Even caring, independent child workers, like the Youth Advocates, are often perceived to be the bad guys. Almost all of the children that I have met in the cells have already experienced horrifying things when they were arrested, held in police cells, transported in police vans or kept in the holding cells. From the moment of arrest, the children enter unknown territory where they have no friends, no family, no one to stand up for them. By the time they appear in court,

in some cases two or three days after their arrest, they feel like caged animals. Yet they are expected to sit patiently in court, often having been denied a shower, warm meal or much-needed sleep. When they "behave in a disorderly manner", they are reprimanded and ordered to respect the bench. Yet since their arrest, no one has respected their rights or even their lives.

It is rare to see a white child in the holding cells. Almost every child that I have assisted has been black, which can only lead me to believe that the police arrest black children for crimes like loitering, while white children are left to grow up safe and secure. Black children are often treated as adults by the police officers.

In the last six months, many of the court workers and correctional services officers have actually tried to work with us to help the children. For the most part, they agree that children should not be tried in adult-like settings or held in adult-like prisons. However, the one group that continues to hinder our efforts is the police. There are exceptions, some of the officers that we have visited at local police stations are now contacting us instead of the courts when they pick up a child. Despite the good works of some, others continue to commit acts like those that Thomas and Michael were subjected to. Until police are educated about children's rights and are willing to respect those rights, we may wish to limit their contact with children as much as possible.

Recently, two children were murdered by police in Guguletu as they participated in a march. This is the history of South Africa that is not history, not yet at least. Police continue to use weapons, teargas, casspirs and live ammunition to "restrain" and arrest our children. It is time to stop this senseless violence and demand that police begin to respect all children, regardless of their colour, class or crime.

Questions

How should police treat children?

1. For many years, police have been able to use violence against children in trouble with the law without serious consequences. As South Africa moves towards a democratic society, what actions should be taken to ensure that human rights abuses against youth do not continue?
2. Should police have the authority to obtain confessions from children?
3. Presently, police are responsible for arresting youth and charging them. Do you think this is appropriate given the past reputation of the police force?
4. Should children be held in police cells or transported in police vans at any time? What are some alternatives?
5. The police often deny that they have abused children in their custody. How can children like Thomas prove their allegations?
6. In Cape Town, child advocates have proposed the appointment of Police Liaison Officer for Children in Trouble with the Law. Do you think this would help solve some of the problems faced by police and children?
7. There are some police officers who do try to help the children whom they arrest. In fact, some children often lie about their names, addresses or past records. How can the relationship between police and youth be rebuilt into a healthy, trusting one? Is this possible?

Waiting and waiting: charge and assessment at the pre-trial stage

Shireen Said

"No child should be held in prison or police cells at any time."
Children's Charter of South Africa, Article 5, Section 16

Thandi has been sitting in the fenced in enclosure for what seems like a lifetime now. Outside the walls, she can hear the other girls, the ones who have warm beds and friends and nice clothes and books, shouting good-byes as they hurry back to their classrooms after lunch. The tiny bit of sunshine that filters through the hole in the enclosure is never enough to dry the muddy ground between the cells. Inside her own cell, it is too dark to read, even if she did have a book. She hears the keys jangling outside the enclosure door and slips into the drab dress they gave her to wear when she arrived at this place. For one hour, she will get to enjoy some of the warm sunshine as she cleans the cafeteria and grassy school yard. It is the only form of exercise or activity that she is allowed here in this converted "place of safety" for girls who are awaiting trial or placement. The place of safety occupies a tiny locked section of an industrial school for girls.

Thandi was arrested for shoplifting over six months ago. When she was first picked up, the police kept her in the Mowbray police station. However, when her parents could not be found, Thandi was moved to Pollsmoor Prison. She liked it better there. The older women prisoners treated her kindly and she was allowed to read and exercise. When she appeared in court a month later, she thought her mother would be there to take her home. However, she was to be disappointed again. Thandi was told that she would not be going back to Pollsmoor, but was going to be sent somewhere else until her parents could be found or a social worker's report could be prepared. It was a long drive to this new place, but Thandi felt better when she saw girls in bright uniforms playing in the drive. She leaped out of the van, but immediately wanted to jump back in when she saw two tall white men headed toward her.

"We told you no more African girls", one of the men yelled at the police officer. "We are too full already and they give us too much trouble."

"I am only following court orders, sir". The officer handed over a few forms and then sped away.

"Come", said the men to Thandi. She followed them down the sparkling clean halls, curious about which cottage would be hers. The men led her across the grassy courtyard and stopped before a heavy steel door. One of the men thrust a dress into her hands and without any explanation, Thandi found herself in the damp enclosure with about 10 other girls in the same ill-fitting orange shifts.

Since that day, no one has visited Thandi from the school or her home. She has appeared in court a few more times, but rarely understands what has happened. Two women from some government department have visited her, but they only fill out some forms and leave. No one has asked her what really happened when she was arrested or why she was living on the streets. Thandi has just about given up hope.

Thandi's case is not unusual. Because the facilities for awaiting-trial girls are extremely limited (in the Western Cape, space for African girls only opened in January 1993), most young women in trouble with the law find their experiences

lengthy and frustrating. Because of girls develop faster than boys, a young women of 13 years may have a child and thus be perceived to be an adult. One of the most common offences that young girls are charged with is prostitution, yet the girls are usually victims of their surroundings and must use their bodies to survive. No one has yet decided how to help these girls, so in many cases, they end up waiting long periods for some type of assessment or decision about their future.

This lack of proper assessment is not unique to young women. One of the main reasons why children in trouble with the law are flooding the prisons, police cells and places of safety is that there is no proper and prompt assessment of these youth. At most, a social worker or probation officer fills out a one-two page form. The police, the magistrate and the prosecutor, who seldom spend any time talking to the child they arrest and convict, often make life-altering decisions about the child. Parents are rarely involved in the decision-making process. Psychologists, medical practitioners, child psychiatrists, teachers, even community members familiar with the child or a similar child's upbringing — these experts are not part of the assessment process of a child like Thandi.

Children must be assessed *before* they appear in court the first time – assessment should occur within 24 hours of arrest whenever possible. There is common agreement that this should be the norm. Pollsmoor social workers have begun assessing children awaiting trial when they arrive. This helps move some children, who may be in need of care, out of the criminal justice system as quickly as possible. The Youth Advocates try to assess children in the holding cells and negotiate with the prosecutor prior to a child's appearance in court. The sooner a child is removed from the system and the shorter his or her wait for a decision, the better their chance of recovering from the nightmare of arrest and detention.

As Youth Advocates, we have witnessed first hand the yearning of children, even those who have fled their homes, to stay or return where they belong — with their families — most dramatically and painfully. Perhaps these children instinctively know what we as lawyers-to-be and supposed child "experts" had to learn about the damage done when a child is deprived of the love and security of a family. Long term emotional development is seriously hindered when children lack a solid sense of identity. As one advocate said, "They have holes in their history".

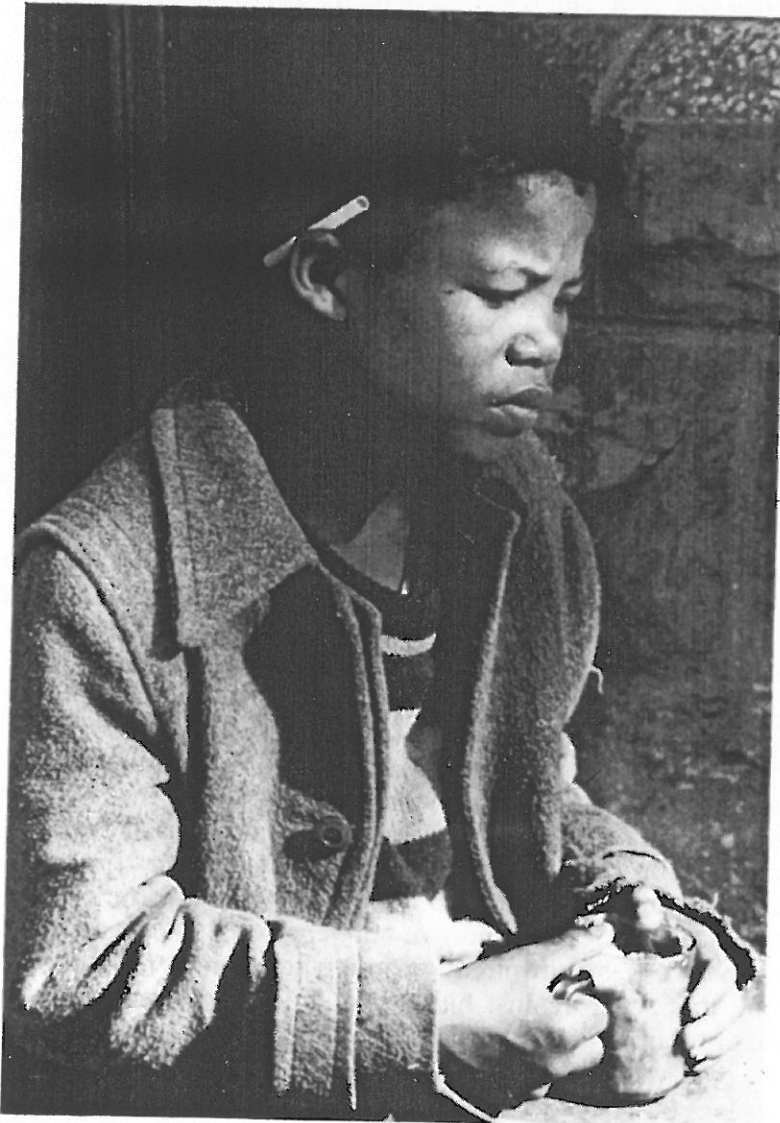
Placed in cold inhospitable places with strangers and enemies, unsure of why they are there or where they are going, how long they will be there, they do not have any idea who they are. The grief and anger that children awaiting trial feel is similar to the grief of adults who have suffered a very great loss. When children awaiting trial become violent or lethargic or depressed, we ask "What is wrong with this child?" What is wrong is the way they are treated by the criminal justice system. "Every time a child's case is remanded or they are moved to another institution, the grief process starts all over again, so it becomes a chronic grief", explained one child social worker.

Thirteen year old Thandi does not understand the meaning of "chronic", but she knows that she just wants the waiting to end, even if the end is not a good one.

Questions

Possible diversions at the pre-trial stage

1. What happens to families and children when cases are remanded over and over again? How would you feel if you were separated from your family, friends and school and had no idea when you would be able to return home?
2. When should a child who is arrested be assessed? Who should be responsible for this job? Social workers? Police officers? Community workers? Place of Safety workers? Family members?
3. What factors should be considered by the police and prosecutor in their decision to charge a child with a crime?
4. Presently there are only three pre-trial diversion options (Community Service, Juvenile Offender School, or Victim-Offender Mediation) available for children and a child must plead guilty to be eligible. Can you think of some other options? On what basis should an offender be eligible for pre-trial diversion?
5. What services should be provided to children like Thandi who are awaiting trial and their families? Who should provide these services?
6. How long must a child await trial before his or her charges are dropped? State your reasons.



The Loneliest Place: Children in Court

Jenni Eksteen

"All children have the right to be heard in courtrooms and hearings affecting their future rights and protection and welfare and to be treated with special care and consideration within those courtrooms and hearings which their age and maturity demands."

Children's Charter of South Africa, Article Three, section 2

Peter is 14 years old and a standard 7 student in Mitchell's Plain. He speaks Xhosa and some English. He lives at home with his mother and father. His parents do not understand English.

One day, on his way home from school, he is arrested for possession of dagga. He does not understand how this happened, because he explained to the policeman that the packet did not belong to him, he was only moving it off the bench when the police officer saw him. The police have no reason to believe his story.

After appearing in court the following day, without family assistance because his family has not been found by police, he is sent to Pollsmoor prison to await his next appearance in court. He is very confused about what happened in the large, intimidating courtroom. The magistrate and prosecutor said certain things that were translated by an interpreter, but he was not asked his side of the case. All he wanted to do was go home. Instead, he was locked in a police van with other children and some adults and taken to this lonely place. Through all this, he has clung to his school bag, his only possession. Most of the other children have nothing and one boy's smart takkies were taken away by one of the older men on the long ride.

At his second court appearance, his mother is present. She has not seen or spoken to her son since his arrest. He pleads not guilty to the charge of possession of dagga, but never speaks to the prosecutor personally — before, during or after the case. As the investigating officer is not in court, the case is remanded and the mother and son are informed about the right to legal representation through the Legal Aid Board. The charge and its implications are not explained.

Peter is sent back to Pollsmoor before he has time to talk with his mother. He is still clutching his school bag. His mother is even more confused about what has happened in court. She does not understand why they did not ask her or her son any questions or why her son is being treated like a criminal. She is very scared. When she comes back again, her employer may not understand either.

At the next court appearance, the state witness, the police officer, fails to attend. The boy is again returned to Pollsmoor. His mother was unable to attend the trial and has had no role in the decision-making process. When the boy tried to ask questions, the magistrate barred him from doing so on rules of evidence. There was no probation officer's report, no social worker's report on his family or background. The only time he spoke to the prosecutor or magistrate was as the accused in the witness box. It is therefore not unexpected that he was found guilty and that his sentence was uninspired. Although he claimed his innocence throughout the trial, this acted against him when he was charged. He was immediately disqualified from any diversion project, therefore after weeks of detention in prison, Peter was simply given a whipping.

The consequences of the trial for Peter have left him emotionally scarred for

the rest of his life. Even if he was guilty, did his punishment and the inhumane treatment really teach him anything about the dangers of dagga, the benefits of not using drugs? No, Peter learned something else. He learned that the judicial system in South Africa does not listen to children. Peter's mother is angry, she learned that even if the procedure is explained in your own language, you may not understand. Thousands of rands were spent on Peter's case for the investigative team, the court's time, Peter's prison detention, but the biggest loss was a family's lost faith in the judicial system. That price can never be determined.

Questions

How did Peter feel in court?

1. Was it necessary to detain Peter in an adult prison while he was awaiting trial? What are the alternatives?
2. Should Peter be allowed to ask questions in court? Should his mother?
3. No one from the court investigated Peter's family situation. Do you think this is a factor that should be required in children's cases?
4. What should the court have done when the state witness failed to appear? Was this justification to drop the charges? Should the witness have been penalised?
5. How should magistrates and prosecutors treat children and parents in court?
6. Do you think that the interpreter accurately explained Peter's case to him and his mother? Why or why not?
7. Should the time that Peter spent awaiting trial have been counted as a form of sentencing? Is a whipping an appropriate sentence for Peter after his lengthy detention?



Who must save the child in trouble with the law: linking lawyers and child advocates through multi-agency co-operation

Prince Maluleke

"All children have the right to free legal representation
if arrested."

Children's Charter of South Africa, Article Three, Section 3

Bongani, age 14, was arrested in Durbanville in mid March 1993 and charged with housebreaking. When I met him, he had already made a confession to the police and to my dismay, the prosecutor had accepted the confession without question.

At my first meeting with Bongani in the holding cells below court, it became apparent that he had no understanding of why he had plead guilty. After a long talk, it was obvious that Bongani had been coerced by the police into a confession and that he had in fact committed the lesser crime of theft. Due to the refusal of the court to re-consider the charges, I organised a remand so that we could obtain legal representation for Bongani, a first offender.

A lawyer from NADEL willingly agreed to represent Bongani on a pro deo basis. Through his efforts and consultations with the child and the prosecutor, we were able to have the charge reformulated to theft. One month after his arrest, Bongani was still detained at a place of safety awaiting sentencing. I had been unable to locate his family as he had been on the streets for some time. Efforts to place him at other children's shelters had not been successful.

Two months after his arrest, Bongani plead guilty to theft based on a confession statement that he conveyed to me which set forth the accurate facts of the case. All that remained was an assessment report for sentencing purposes.

The case has now been dragging on for months now. The only reason is due to the bureaucracy of the juvenile court. It is quite absurd that while our country is in a state of transition and a lot of people are expressing hopes for the birth of a new democratic nation, children like Bongani must still experience the remnants of the old social (dis)order. The department of coloured affairs was ordered by the court to prepare a report on Bongani. I also requested that NICRO approach the Cape Provincial Administrator for a similar report. Unfortunately, CPA is only able to prepare a report when ordered by the court. I contacted the prosecutor for such an order, only to discover that the prosecutor familiar with Bongani's case was away and his substitute was reluctant to assist in the matter.

The Department of Coloured Affairs has now refused to prepare a report for Bongani because he is black and it is against their policy. Bongani has been in custody for almost four months awaiting his final sentence. The last time I was in court, I remained to speak to Bongani in the holding cells. I tried to explain to the young boy in simpler terms the state of affairs. I could see the anger and frustration building in his eyes. I am afraid that he had started seeing me as part of the system which has taken away his freedom. These feelings cannot be dismissed as impatient childishness. This boy, and every other child who is arrested, deserves much better.

Despite the problems in this one case, much has been accomplished to link lawyers and other child advocates in the courts. The chief magistrate in my court has agreed to the expansion of the definition of legal guardian to include other

immediate relatives. He also agreed to the quick expedition of all children's cases and has promised to call a meeting of all magistrates to convey this to them. I have also been able to call an investigating police officer, parents, children and the senior public prosecutor together for a "family conference" to discuss cases and resolve misunderstandings outside the courtroom. Slowly, positive changes are occurring.

Children in trouble with the law need the assistance of lawyers as well as that of social workers. State officials who are supposedly assessing juveniles are not doing enough in terms of ensuring that children's rights enjoy a priority. It is therefore essential for youth advocates to work towards establishing a communication link between social workers and lawyers, as well as state and non-governmental child advocates, to ensure that unnecessary delays, such as the probation officer's report in Bongani's case, are eliminated.

Effective family-based strategies to juvenile justice also require skill from the people who practice it. Many state workers have only been taught how to fill out forms correctly. Community agencies are often so swamped with individual requests for assistance that they are unable to adequately help children and are always limited due to funds and staff. The Children's Defense Fund in the United States has concluded that "The failure to provide specialised training for those who must make decisions having life-long significance for children, and who carry on the difficult, demanding work of trying to heal children and families is tragic". Education of individuals who work with children in trouble is critical. We have begun initial education of court officers, family members and lawyers through our work. However, real changes must still be made in this area.

As lawyers-to-be, our task is to provide legal services, but this role is not exclusive. Unfortunately, until lawyers receive further training in areas like social work and counselling, welfare workers must work hand in hand with lawyers and communities. Social workers must also be trained about the laws that affect children and treated with respect and dignity in court.

As Article 40 of the United Nations Convention on the Rights of the Child states:

"Accused children have the right to be treated with dignity. The State must ensure that no child is accused by reason of acts or omissions not prohibited by law at the time committed; every child is informed promptly of the charges, is presumed innocent until proven guilty in a prompt and fair trial, receives legal assistance and is not compelled to give testimony or confess guilty...."

Questions:

Who should have helped Bongani?

1. Should the police have been able to force Bongani to confess?
2. Who should be present when any statement is taken from a child?
3. Who can assist a child in a court proceeding? Should a lawyer be obtained in every case?
4. Should Bongani have the right to free legal representation? Why or why not?
5. Should children arrested on minor charges or first offences be tried in court? Do you have any ideas for other methods to determine a child's guilt or innocence?
6. How can lawyers, police officers, social workers, community workers and the courts work together? Do you think this is possible?
7. Have you ever been denied the opportunity to tell your side of the story? How did you feel? Discuss how Bongani felt when he appeared in court.

The slamming door: sentencing options and prison

Zoelpha Carr and Alethea Percival

"All children have the right to freedom from corporal punishment
... from the police and in prisons.

Children's Charter of South Africa, Article Five, Section 2

Neville Snymans was a 13 year old boy who was arrested for allegedly breaking into a coffee shop to steal sweets. On the day of his first court appearance, his mother was unable to attend due to work. Instead, her sister agreed to go to court to take custody of her nephew. However, the magistrate refused to release Neville into his aunt's custody. Subsequently, he was detained at Robertson Prison to await his trial. After spending a month in the adult prison, Neville's cellmates sodomised and assaulted him. His internal organs were ruptured and he bled to death on the prison floor.

In Neville's case, unnecessary incarceration led to his tragic death. Incarceration has a destructive physical and psychological impact on the well-being of children. If Neville had survived the brutal attack, he would have been left with a feeling of repulsion and remorse that thousands of young men and women carry today as a result of their time in institutional care. Like these survivors, Neville would have been physically mutilated, psychologically damaged and fearful of any kind of compassion that fellow human beings showed towards him. His life would be changed forever.

A fundamental problem in South African law is that children may be imprisoned in adult facilities or police cells if they can not be accommodated in places of safety or returned to the care of their parents. Although places of safety are not ideal places for children, anything is better than the environment of an adult prison. No amount of paint, curtains and hot meals will improve the realities of life in prison.

By incarcerating our youth, we are not only sending them to a cold and impersonal environment, but we are exposing them to a sub-culture of gangsterism that is inherent in prison life. Here your survival depends on your affiliation to a gang. You either become a "no. 26", a gang that robs fellow inmates, a "no. 27", a gang that "looks for blood", a "no. 28" a gang that sodomises their fellow inmates". However, if you are a "Franse-voel", you have no affiliation, and therefore no protection. That is the fate of the majority of youth that enter prison. And because so many children have been held in prisons in the past, the legacy of these gangs is now infiltrating the places of safety.

John Paulus, a 20 year old from Lavender Hill, is presently serving a 12 year sentence for rape, assault to do grievous bodily harm and theft. It is almost too late for John. His entire body is covered with the sign of prison — intricately designed tattoos. He looks in no single direction and is unable to smile.

Many of the crimes that children, like John, are committing today seem so senseless, so inexplicably violent and above all, so hideous, that one forgets they are still children. Although the majority of children that we see as Youth Advocates are charged with petty crimes, the violence of South African society has created a small group of equally violent youth. A careful balance must be created between the crime that was committed and the right that has been infringed.

John comes from a community that lives by the norm "the ends justify the means, no matter what the means are". In John's neighbourhood, unemploy-

ment, poverty and feeling of hopelessness hang like a permanent sombre cloud over the children and the adults. After three years of incarceration, John has made no progress towards social re-integration and John's family is still uncertain how to deal with the pain and shame. In my discussions with John, he told me that he still thinks there is nothing wrong with raping a woman, nor is it wrong to steal.

The whole strategy of incarcerating more and more offenders, and especially very young children, is fundamentally a bankrupt policy. It is incredibly expensive and does not reduce crime rates. The fact remains that there are numerous other approaches to treating children in trouble that are less expensive and ultimately more rewarding than overwhelming our prisons with inmates.

Our Youth Advocates Project has realised some success in exploring alternatives simply by acting on behalf of children in the courtroom. In each of the five courts we have worked in since December 1992, when a youth advocate was present, no child received corporal punishment. Our primary strategy at the start of the year was two-fold: (1) To save children by ensuring that they are held in the least restrictive means possible and (2) To begin empowering families and children in the court and at home. When we meet a child in the holding cells, we go out and try to involve the entire family in the decision-making process. We also try to make it a community affair, for this is where many of the problems are rooted. In the process, families learn new ways of caring for their children and protecting them in court and on the streets. We still don't know how to find jobs for unemployed fathers, but we are making parents understand that prison is NOT the place for their child. Much success has been realised in educating the magistrates about alternative means of treating young children. Although they may lack sophistication, a family is the best place to explain and explore the problems that the youth are facing. Ultimately, we hope that children who have in fact violated a law will be treated through programmes that act to re-build their lives within their own communities and families, instead of being schooled in crime in police cells, prisons, places of safety and reformatories.

Questions

Alternatives to punishment

1. Should any child be held in adult prisons? What about serious offenders like John?
2. Is corporal punishment really an effective means to "rehabilitate" a child? Have you ever been whipped, caned or physically punished? Why? How did you feel afterward?
3. Do you have gangs in your area? How would you feel if your joining a gang or club was a matter of life or death?
4. Discuss the benefits of allowing children in trouble to remain at home. Are there any cases where this would not be a good idea?
5. What crimes are so serious that they warrant imprisonment, no matter what a person's age is?

The long road home: rebuilding and preserving the family

Memory Qomoyi

"All children have the right to a safe, secure and nurturing family and the right to participate as a member of that family."
Children's Charter of South Africa, Article 6, Section 1

I stood before the door of the tiny home, shivering in the cold. When the woman finally answered the door, she did not recognise my face immediately. However, as soon as I mentioned our previous meeting in the Mitchell's Plain courthouse, she moved to slam the door in my face. "Please, Mrs. Mobuka, please give me just a few minutes of your time."

"I want nothing to do with that boy. He is no longer my son. Trouble, that is all he is worth. Besides, at least he will get a warm meal and bed in prison. I just can't offer him that anymore."

Despite my pleadings and stories of the horrific nights in prison that her son would have to endure, Mrs. Mobuka refused to change her mind. Her 15 year old son had been arrested before, and she had other hungry mouths to feed. In her mind, he deserved whatever the court decided. Although I did every thing in my power to help her son, I was unable to sway this woman. Life had been hard on her, but she had survived. Now her son was old enough to take the blame for his actions too.

Probably the most difficult problem that we have encountered as Youth Advocates has not been found in the prisons or courts, but in the homes. Apartheid has destroyed and divided countless families and we are now suffering the aftereffects of this devastation. Not all families are like Mrs. Mobuka's. Many want to take care of their children, but simply do not have enough money, food or space. As a result, their children often resort to the streets or to crime.

Francis Wilson and Mamphela Ramphele, in their book, *Uprooting Poverty: The South African Challenge*, noted that "one of the most tangible consequences of poverty is crime.... Crime is both a product and a cause of profound insecurity and despair in which millions of people find themselves trapped." As well, as South Africans become more and more anxious for rapid transition to a democratic government, youth are seen as part of the "uncontrollable" and violent part of this process. Poverty and politics are forcing children into lives as criminals.

However, the present system of justice attempts to deal with the child in isolation of these overriding socio-economic factors. Since the problems of most of the children that we have seen seldom start with the child – the supposed rebel – but rather within the families and communities themselves, they are rarely solved with a child's removal or with corporal punishment. Taking one child out of a dysfunctional or struggling family does not necessarily ease the disfunction. Yes, there is one less mouth to feed, but the underlying problems remain entrenched. And when problems stem mainly from lack of resources, removing one child does not save other children in the same family from suffering the same continuing conditions.

Our approach to helping the children we have met in the holding cells and courts has been one of intensive investigation of their situation and past. Many of these children are in need of care and should not be tried in court. Others have

been abandoned or are homeless. Punishment means nothing to them. Then there are those who have stolen due to hunger, coercion, fear of gang retaliation or economic deprivation. These children are from families who need help to re-build. Our efforts to return these children to their homes have not provided one-time cures for their problems. At the end of our work, we must ensure that they are connected with services and other on-going programmes.

Such efforts as "family preservation" and "home-building", as they have been labelled, often look and sound expensive, especially in South Africa's present economic state. However, strategies like family conferences and victim-offender mediation programmes ultimately save hundreds of thousands of rands that would be spent on future incarceration and court costs. South African society has an ugly history of labelling. Youth that experience the criminal justice system today are almost always labelled as criminals. We are striving to reverse this trend and instead see their presence in court as a plea for help, not only for themselves, but for their mothers, fathers, brothers and sisters.

Maya Angelou, an African-American poet and author, has written:

"The idea of peace did not stem from fear of one's own individual safety, nor did that unmanageable concept of love emanate from wherever great concepts are born, to arrive with the intent of serving only one individual. At our best level of existence, we are parts of a family, and at our highest level of achievement we must work to keep that family alive."

It is with that idea in mind that we have tried to incorporate ideas of community-based involvement and family preservation into our work with children in trouble with the law.

Questions

Can the family be saved?

1. Why did Memory have trouble convincing Mrs. Mobuka to attend her son's trial? Think back to previous chapters and the case of Peter and his mother.
2. Why are family and community-based projects less expensive than the present means of treating children in trouble? What are the long-term advantages of such programmes? The problems?
3. Do you know anyone who has lost their job? How did it affect their family?
4. What might happen to a child if he or she is placed back into a home with a mother or father who is abusive? How can we deal with these family issues as outsiders? Should we?
5. What are the advantages of a "family conference" that allows a child and his parents to be part of the decision-making process about the future of a child in trouble with the law?
6. Can you understand why some children become involved in crime? How can we ensure that they have other options?

Understanding your rights

*A practical at-a-glance guide for children in trouble with the law
and their families*

WHAT TO DO WHEN ARRESTED:

1. Give your full name, address and telephone number or the number of a friend or neighbour to the police officer.
2. If you are not staying with your parents, give the address of your last residence.
3. If there is nobody you can inform, contact the Youth Advocacy Project at (021) 959-3280/2950.

YOUR RIGHTS WHEN ARRESTED:

1. The right to be informed about the charge.
2. The right to remain silent. (You do not have to confess)
3. The right to contact your family or a friend.
4. The right to proper care and food during police custody.
5. The right to be protected from abuse, assault or intimidation while in police custody.
6. The right to appear in court within 48 hours of arrest.
7. The right to apply for Legal Aid or to meet with a lawyer.
8. The right to be held separately from adults.

YOUR RIGHTS IN COURT

1. The right to apply for legal aid to the Legal Aid Board.
2. The right to the lawyer of your choice.
3. The right to ask questions if you do not understand what is happening.
4. The right to state your side of the case.
5. The right to be assisted by your parents, legal guardian or any other person(s) responsible for your care.
6. The right to inform the magistrate if you were assaulted, abused or ill-treated while in police custody and to lay a charge against the officer or person who abused you.

**IF YOU DO NOT UNDERSTAND ANY OF THESE RIGHTS OR YOU
WANT TO EXERCISE ANY OF THESE RIGHTS, PLEASE INFORM A
POLICE OFFICER, THE MAGISTRATE OR CONTACT:**

**YOUTH ADVOCACY PROJECT
UWC COMMUNITY LAW CENTRE
(021) 959-3280/2950**

WAT MOET U DOEN WANNEER U GEARRESTREER WORD

1. Gee u naam, adres en telefoon nommer aan die polisie offisier.
2. Indien u nie by u ouers woon nie, gee u laaste woonadres.
3. Indien daar niemand is wat u kan kontak nie, telefoneer die "Youth Advocacy Project" by (021) 959-3280.

U REGTE WANNEER U GEARRESTEER WORD:

1. Die reg om ingelig te word oor die aaklag.
2. Die reg om stil te bly.
3. Die reg om familie of 'n vriend te kontak.
4. Die reg tot redelike sorg terwyl u in hegtenis is.
5. Die reg om beskerming teen mishandeling, aanranding of intimidasie terwyl u in aanhouding is.
6. Die reg om binne 48 uur na arres in die hof te verskyn.
7. Die reg om 'n aansoek vir borg te maak.

U REGTE IN DIE HOF

1. U het die reg om aansoek te doen by die Regshulpraad om gratis regshulp.
2. U het die reg tot 'n prokuruer van u keuse.
3. U het die reg om vrae te stel indien u nie verstaan wat die landros of die getuie sê nie.
4. U het die reg om u kant van die saak te stel.
5. U het die reg om die landros in te lig wanneer u mishandel, aangerand of misbruik word terwyl u in hegtenis is.
6. U het die reg om bygestaan te word deur u voog d.w.s. ouer(s) of enige ander persoon wat verantwoordelik is vir u sorg.

**INDIEN U ENIGE VAN HIERDIE REGTE NIE VERSTAAN NIE OF
BOGENOEMDE REGTE WIL BEOEFEN, VERWITTIG 'N POLISIE
OFFISIER, DIE LANDDROS OF TELEFONEER DIE "YOUTH
ADVOCACY PROJECT" BY:**

**COMMUNITY LAW CENTRE
DIE UNIVERSITEIT VAN WESKAAPLAND
(021) 959-3280/2950**

ONOKUENZA LA UBANJIWE

1. Hambisa igama lakho, idilesi nenombolo yenforo-mfono emapoliseni.
2. Ukuba akuhlali nabazali bakho hambiso idilesi yalapho uthe wagqibela ukuhlala khona.
3. Ukuba akukho mntu unokumazisa, qhagamshela iprojeki enopapasho lwamalungelo olutsha kwa (021) 959-3280/2950.

AMALUNGELO AKLEO XA UNOKUSTHI UBANJWE:

1. Ilungelo lokwaziswa ngetyala.
2. Ilungelo lokuthula.
3. Ilungelo lokuqhagamshelana nesihlobo okanye isizalwane.
4. Ilungelo lemlatho eyiyo ngexa useluvalelweni.
5. Ilungelo lokukhuselwa kwimpatho-mbi, ekubethweni, nakuloyikiso ngexesha useluvalelweni.
6. Ilungelo lokuvela enkundleni kwixesha eliphakathi kweeyure ezingama 48 ubanjiwe.
7. Ilungelo lokufaka isicelo sebheyile.

AMALUNGELO AKHO ENKUNDLENI

1. Unelungelo lokufumana uncedo ngomthetho kwi Legal Aid Board.
2. Unelungelo lokuthethelelwa nguemmeli othandwe nguwe kwezomthetho.
3. Unelungelo lokubuza imibuzo xa ungaqondi okuthethwa ngumantyi.
4. Unelungelo lokunika eyakho ingxelo malunga netyala.
5. Unelungelo lokwazisa umantyi ukuba uthe waphathwa kakubi, wabethwa okanye wagxavuzeliswa, ngexesha obuseluvalelweni.
6. Unelungelo lokuncedwa ngumntu ophantsi kwakhe, oko kukuthi umzali okanye abazali okanye nawuphi na umntu ophtsi kogci no lwakhe.

**UKUBA AKUOONDI NALIPHI NA KULA MALUNGELO OKANYE
UFUNA UKUSEBENZISA NELIPHI KUWO, NCEDA
UOHAGAMSHELE IPOLISA, UMANTYI OKANYE QHAGAMSHELA
I PROJEKI ENGOPAPASHO LWAMALUNGELO OLUTSHA E:**

**COMMUNITY LAW CENTRE
EKWI YUNIVESITHI YASENTSHONA KOLONI
(021) 959-3280/2950**

NOTE: The rights listed above are only the basic rights you and/or your child are entitled to under the existing law. The Youth Advocacy Project believes that children should be entitled to far greater protection and care if they are arrested. Along with other child advocacy organisations, we are striving to make significant changes in the existing criminal justice system for youth.



Letting in the light



Letting in the light