

## WHAT ABOUT CHILD-HEADED HOUSEHOLDS?

The HIV/AIDS pandemic and economic factors which force parents to work away from home, result in more and more children growing up in households without proper adult supervision. This may leave them vulnerable. The Children's Act provides protection for these children. One way in which children in child-headed households can be protected is by placing them in foster care in a cluster foster care scheme.



## WHAT ABOUT OUR CULTURAL AND RELIGIOUS PRACTICES?

Some cultures and religions have special practices that must be recognised and protected. Some practices may, however, leave children vulnerable. Because of this, the Children's Act gives us guidelines which will help protect our children. For example, children must consent to their own marriages; virginity testing may take place if the girl is above 16 years and has consented; and circumcision is only allowed under certain circumstances.

## Western Cape Department of Social Development

Union House, 14 Queen Victoria Street,  
Cape Town 8001  
Private Bag X9112, Cape Town 8000  
Telephone: (021) 483 4939  
Fax: (021) 483 4783

Website: [www.capegateway.gov.za/socdev](http://www.capegateway.gov.za/socdev)



toll free helpline

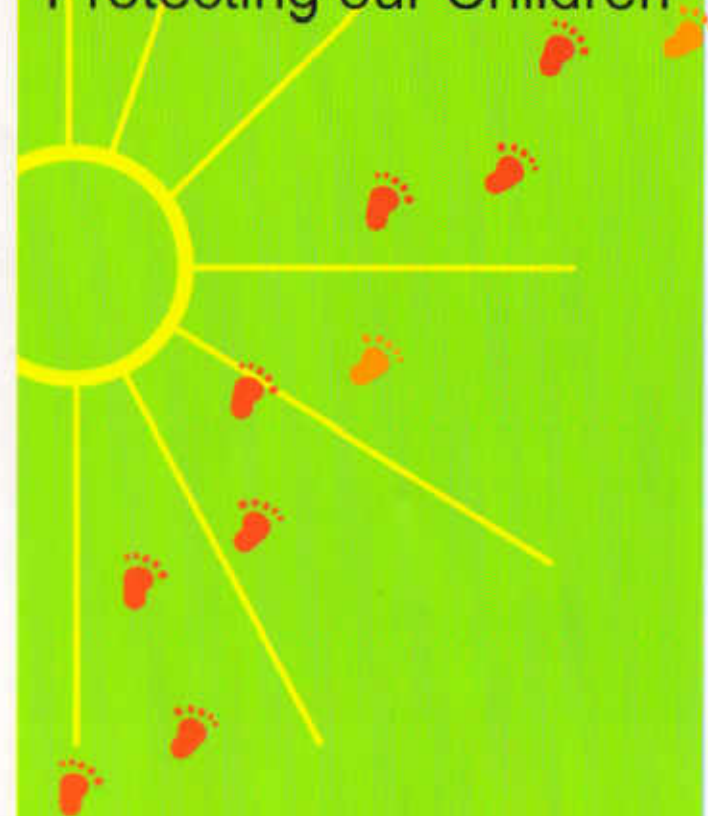
# 0800 220 250

Design and layout: © Wits Media  
Tel: 021 884 9333

Text: © 2005 South African  
Department of Social Development

# The New Children's Act

## Protecting our Children



The Children's Act protects all children  
up to the age of 18 years.



## WHAT DOES THE NEW CHILDREN'S ACT DO?

Our children have fundamental human rights such as dignity and freedom and security of the person. The goal of the Children's Act is to:

- protect children and promote their rights
- put the best interests of children up front
- allow children to take part in decisions which affect them
- preserve and strengthen families
- recognise the role of the community in the lives of children

## HOW DOES THE CHILDREN'S ACT PROTECT OUR CHILDREN?

- A National Child Protection Register contains:
  - information about abuse or suspected abuse of children
  - names of persons who are unsuitable to work with children because they have committed abuse towards children
- Children who are in need of care and protection can be:
  - taken to a place of safety
  - taken to a child and youth care centre
  - placed in foster care



## HOW ARE CHILDREN PROTECTED AGAINST HIV, STD'S AND UNPLANNED PREGNANCIES?

While the legal age of consent remains unchanged, we cannot ignore the fact that many children become sexually active at a younger age. Given the high HIV/AIDS infection rate, children who have become sexually active should have access to counselling and condoms. Making contraceptives and HIV testing available to children is aimed at protecting them against unplanned pregnancies, HIV and other sexually transmitted diseases.



## WHAT IS CHILD ABUSE?

- physical abuse such as beating
- sexual abuse such as indecent assault
- psychological abuse such as degrading treatment
- deliberate neglect such as depriving children of adequate food and shelter.

## WHO MUST REPORT ABUSE?

People in positions of authority such as:

- Police officers
- Doctors and Nurses
- Religious leaders
- Educators
- Traditional leaders
- Social workers

Any person may inform these people of suspected child abuse.

## WHAT ARE OUR PARENTAL RESPONSIBILITIES AND RIGHTS?

- Children must be provided with:
  - a suitable place to live
  - financial support
  - protection from abuse, neglect and harm
  - help with their upbringing and education
  - assistance in making good decisions.
- Both parents must contribute to the maintenance of the child.

## WHO HAS PARENTAL RESPONSIBILITIES AND RIGHTS?

- The mother of the child
- The father of the child if:
  - he was married to the mother of the child when the child was conceived or born
  - he lived with the mother in a permanent partnership when the child was born
  - he consents or applies to be identified as the father of the child or if he pays customary law damages and he helps or tries to help with the upbringing and maintenance of the child.

