



CENTRE FOR CHILD LAW



## NGOs ASK CONCOURT TO PROTECT CHILDREN FROM HARM CAUSED BY SEX OFFENDERS REGISTER

**For Immediate Release: 04 February 2014**

On 06 February 2014, the Centre for Child Law, representing Childline South Africa, Teddy Bear Clinic for Abused Children and NICRO (National Institute for Crime Prevention and the Reintegration of Offenders), will ask the Constitutional Court to confirm that **the automatic inclusion of child offenders' names on the sex offender register is unconstitutional.**

These Child Protection NGOs do not argue that child offenders' names should never be put on the register. Instead they oppose the automatic inclusion of child offenders' names on the register without proper individual assessments.

The Criminal Law (Sexual Offences and Related Matters) Amendment Act 32 of 2007 (The Sexual Offences Act) creates a sex offenders register, the aim of which is to prevent convicted sex offenders from working with children. The NGOs will argue that automatically including children's names on the register does not fulfil the aim of the register. There is no evidence to show that children who commit sexual offences against their peers become adult sex offenders. Research instead shows that the vast majority of child sex offenders never commit a sexual offence again after appropriate interventions.

The NGOs believe that before a decision is made to place a child's name on the register an individual assessment should be carried out by a suitably qualified professional. The assessment will determine the legal intervention that is needed and also treatment options. This is important as children respond more to treatment than adult offenders as they are continually developing psychologically.

Inclusion on the register creates barriers for the children to educational and employment opportunities that could reduce the likelihood of reoffending. It also results in shame and stigmatisation that could lead to mental and psychological harm.

The NGOs will also argue that the inclusion of child offenders' names on the register is at odds with what the Child Justice Act aims to achieve, namely to break the cycle of crime.

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