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# PRESS RELEASE

# CHILDREN PROTECTION MONTH

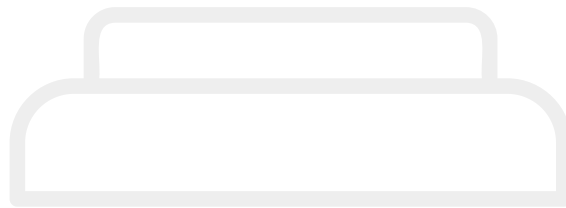


What is the Children's Act and what are the rights of every child?

Child Protection 'Month' is a timely reminder that protecting children's safety and wellbeing is not only a legal duty, but a collective responsibility across families, communities and institutions.

In South Africa, the Children's Act 38 of 2005 provides the legal framework for the protection, support and care of children.

The Act was born out of the realities that many children face -- neglect and abuse to lack of access to basic services -- and a commitment to ensure that all children, regardless of their circumstances, have the opportunity to grow up in a safe, nurturing environment. It is more than just legislation, it is a framework that places the best interest of the child at the center of every decision that affects the child.



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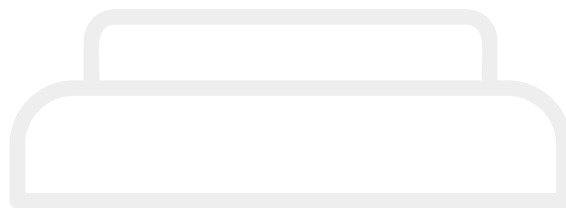
## What the Children's Act Means in Practice

The Children's Act is often viewed in legal terms but its impact is very practical. It helps to guide the daily response of parents, carers, social workers, educators and the state to the needs of children.

The Act outlines clear duties for those that care for children to ensure their physical, emotional and developmental needs are met. It also provides ways to intervene when children are at risk because of abuse, neglect, abandonment or unstable living conditions.

Importantly, the Act also provides formal procedures for alternative care arrangements, such as adoption and foster care, and ensures that children who cannot live with their biological parents are placed in settings which prioritise their safety and wellbeing.

It also gives legal recognition to the role of social services which can intervene when necessary but also tries to keep families together when possible. Thus, the Act balances protection with the importance of maintaining a child's sense of identity and belonging.



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## The Children's Rights in South Africa

Children's rights in South Africa are not just aspirational; they are legally protected and enforceable. These rights are enshrined in the Children's Act and the Constitution, reflecting a commitment to dignity, equality and protection.

Essentially, all children have a right to be protected from harm. This includes protection from physical, emotional and psychological abuse, neglect and exploitation. But children's rights go far beyond protection.

They include rights to:

- Meet basic needs such as food, shelter and medical care
- Get an education that encourages their development
- Have a legal identity (name and nationality)
- Be brought up in a warm, steady, supportive environment
- Participate in decisions affecting their lives, where appropriate

These rights are interrelated. For example, a child may face difficulties accessing education or healthcare without legal identity. Without a secure space, their growth and development capacity is compromised. Knowing about these rights is essential not just for legal professionals, but also for carers, educators and communities, as raising awareness is often the first step to ensuring these rights are upheld.



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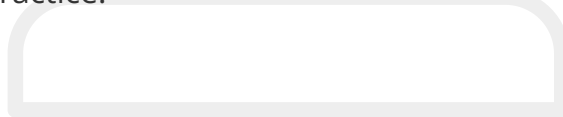
## Services to Support Children

It's not just legislation that protects children, it's a working network of support systems that can respond to children's needs in real time. The ecosystem is central to the Department of Social Development. It provides intervention services, family support and child protection measures through its social workers and programmes. The social workers are very often the first people to see these children. They assess and decide what needs to be done.

Foster care systems take children out of situations where they can't safely stay at home. These systems are intended to ensure that children continue to receive care within a family structure, if possible, rather than in institutional settings.

Community-based organisations and non-profits also play a vital support role. These organisations often offer counselling, educational support and safe havens for children, especially in under-resourced areas.

These services together form a safety net. However, access to these services is often dependent on awareness, documentation and the ability of carers to navigate the system; challenges that may be faced in practice.



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## Who Can Be a Foster Parent?

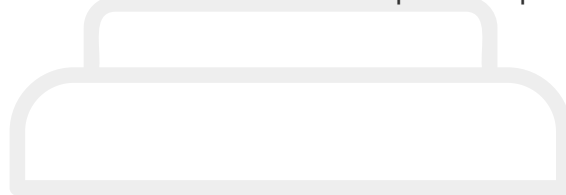
Foster care is a crucial resource for safeguarding children who cannot live with their biological parents. Becoming a foster parent isn't just about providing a home, it's about taking on the responsibility of supporting a child's development, stability and emotional wellbeing.

Prospective foster parents must go through a screening and assessment process by a social worker. The process looks at whether the individual or family can provide a safe, stable and supportive environment.

Some of the key considerations are:

- Safety and suitability of the living environment
- The caregiver's capacity to fulfil the child's emotional and developmental needs
- Willingness to cooperate with social workers and the legal system .
- Commitment to act in the interests of the child

The state provides financial support to foster parents with a foster care grant. This aid helps to satisfy the basic needs of the child, but it is not intended to be a source of income, but rather to support the child so that financial constraints do not prevent proper care.



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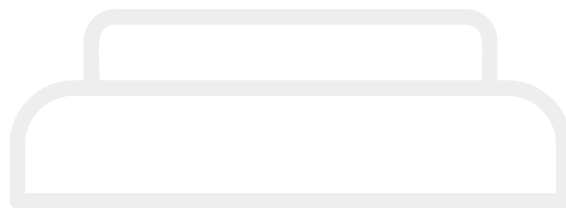
## Informal Foster Care: The Role and Importance

In many South African households, children are raised outside formal systems. When parents can't provide care, often extended family members step in, such as grandparents, aunts or older siblings.

This type of care, commonly known as informal foster care, is deeply rooted in cultural and social practices. It is a collective approach to child rearing, where the responsibility for children's care is shared among families and communities.

Informal care arrangements are not always legally recognised, however. This can be a major obstacle for the child and the carer. Without official documentation, it can be difficult for carers to enrol children in school, access healthcare services or seek government assistance.

Thus, it is important to recognise and support informal carers. They often provide stability and continuity for children in difficult circumstances, but without the same level of institutional support as formal foster parents.



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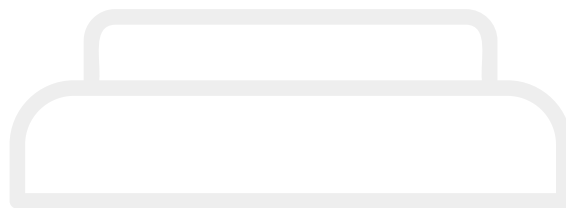
## Financial Assistance for Unpaid Carers

Informal carers are not without support, although accessing it can be complex. South African Social Security Agency administers grants that provide for financial assistance such as Child Support Grant.

The grants are meant to help cover the basic costs of raising a child, including food, clothing and education-related expenses. But, eligibility normally depends on meeting specific criteria and providing the necessary documentation.

This is where a lot of carers get in trouble. Children in informal care may lack birth certificates or other identification documents that are needed to complete applications.

There is therefore a clear need for greater awareness and support in helping carers to navigate these processes ensuring that children do not fall through the gaps due to administrative barriers.



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## How to Obtain IDs for Foster Kids

Legal identity is fundamental for a child's access to vital services. Children without proper identification may be left behind from education, health care and social support systems.

Birth certificates and identity documents are issued by the Department of Home Affairs. It may be more complicated for foster children or those in alternative care.

Typical applications require:

- Child's birth certificate
- Documentation of the caregiving arrangement (court orders, affidavits, etc.)
- Social worker letters or reports
- Foster parent's ID

Where documentation is not available, further legal action may be required. This may include late registration of birth or obtaining court orders to formalise care arrangements.

## How Carers Can Help in the Process

Carers play an important role in ensuring children are properly documented and able to enjoy their rights.

Some practical steps that carers can take include:

- Working with social workers to formalise caregiving arrangements where possible
- Collecting and safeguarding any documents concerning the child's identity and background If you encounter problems, you can seek help from the Home Affairs offices or lawyers.

In more complex cases, legal assistance may be required to resolve issues like missing documentation or disputes around guardianship.



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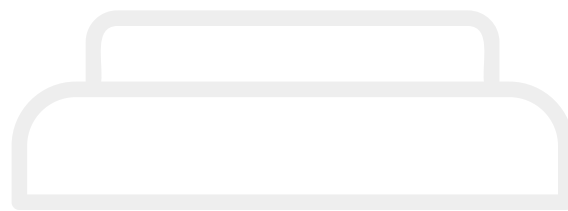
## A Responsibility Shared

Child Protection Month is about more than just creating awareness, it is about recognising the fact that the protection of children is a shared responsibility.

At every level, from formal legal protections to informal family support systems, there is a role to be played in ensuring children's safety, support and the opportunity to thrive."

Knowing the Children's Act, knowing children's rights and supporting carers, both formal and informal, we contribute to a system that does more than protect children. It gives them power.

Shared responsibility means that we all have a role to play in assisting to raise these children in an environment that needs to nurture and raise the young.



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