

## Frequently asked questions

### 1. Which children are protected?

All children have the right to be protected. Children who are vulnerable, abused, neglected, exploited and deemed in need of care and protection as specified in Sections 150 and 154 of the Children's Act 38 of 2005 will receive mandated interventions by DSD and other designated child protection organisations.

### 2. How will I know if a child is a child in need of care and protection?

The Act states clearly that a child is in need of care and protection if, the child:

- has been abandoned or orphaned and is without any visible means of support
- displays behaviour which cannot be controlled by the parent or care-giver
- lives or works on the streets on their own, or as part of a group of other children who live on the streets
- is addicted to a dependence-producing substance and is without any support to obtain treatment for such dependency
- has been exploited or lives in circumstances that exposes the child to exploitation
- lives in, or is exposed to circumstances which may seriously harm that child's physical, mental or social well-being
- may be at risk if returned to the custody of the parent, guardian or care-giver of the child if there is reason to believe that he/she will live in, or be exposed to circumstances which may seriously harm the physical, mental or social well-being of the child
- is in a state of physical or mental neglect
- is being maltreated, abused, deliberately neglected or degraded by a parent, a care-giver, a person who has parental responsibilities and rights or a family member of the child or by a person under whose control the child is
- is a victim of child labour

- is in a child-headed household.

### **3. When will a child be removed from the care of their parents or guardians?**

A social worker or a police official may remove a child from their home and place the child in temporary safe care without a court order. However, there must be reasonable grounds for believing that the child is in need of care and protection, is in immediate danger, and needs immediate emergency protection.

This may only be done when the delay in getting a court order for the removal of the child may threaten the child's safety and well-being. The official concerned must also make sure that the removal of the child from his/her home environment is the best way to secure the child's safety and well-being.

### **4. What is child abuse?**

Child Abuse can be defined as the following: Deliberate Neglect, Physical, emotional, and sexual.

According to the Section 1 (1)(a) of the Children's Act, abuse in relation to a child, means any form of harm or ill-treatment deliberately inflicted on a child, and includes-

- (a) assaulting a child or inflicting any other form of deliberate injury to a child;
- (b) sexually abusing a child or allowing a child to be sexually abused;
- (c) bullying by another child;
- (d) a labour practice that exploits a child; or
- (e) exposing or subjecting a child to behaviour that may harm the child psychologically or emotionally;

### **5. How can I report suspected child abuse?**

Suspected child abuse can be reported to the local South African Police Office, Department of Social Development, or a Designated Child Protection Organization. Suspected child abuse can also be reported via a Form 22 and referred to a Designated Child Protection Organization.

### **6. What happens after I have reported a suspected child abuse?**

After the suspected child abuse is reported the matter will be investigated by a social worker.

## **7. What is child trafficking?**

Child trafficking occurs when children are taken away from safety and exploited. Children who are trafficked are often forced into some form of work, used for sex, or simply sold.

Trafficking is any part of the process from finding and recruiting children, to transporting and receiving them. Men, women, and children all over the world are victims of trafficking, but children are particularly at risk.

## **8. How do I start an adoption process?**

The decision to adopt is life changing for both the respective parents and the child.

Adoption is one of the ways to help give abandoned children a permanent or a stable family life. There are many reasons why parents abandon their children, such as:

- lack of support from family,
- poverty and unemployment,
- history of sexual abuse or assault,
- unplanned/unwanted pregnancies,
- substance abuse, and
- rape.

For more information, you can contact the Department of Social Development.

## **9. How can I become a safety parent?**

A safety parent is a fit and proper person, over the age of 18 years, who takes temporary care of no more than six children, except where the children are siblings. All safety parents must be screened and deemed fit to be around children, and undergo training.

If you've a passion to help children and are interested in partnering with the Department of Social Development by opening up your home to care and safeguard vulnerable children, you can volunteer to become a safety parent.

## **10. How to become a foster parent?**

Children are placed in foster care for different reasons, which include abuse, deliberate neglect, and exploitation. Foster care is a form of alternative care for a child who, as a result of a court order, is in the care of a person who is not his or her parent or guardian.

The purpose of foster care is to temporarily protect and nurture a child in need of care and protection by providing a safe and healthy environment with positive support until the child can be reunified with his or her family of origin.

If you've a passion to help children and are interested in partnering with the [Department of Social Development](#) by opening up your home to care and safeguard vulnerable children, you can volunteer to become a safety parent.

For more information, you can contact the Department of Social Development.

### **11. How to apply for child social grant?**

The child support grant is provided by the South African Social Security Agency (SASSA) to assist parents with the costs of the basic needs of their child. To apply for the child support grant, you should visit your local SASSA office nearest to where you live. The application is free.

### **12. How to apply for child maintenance?**

Child maintenance in South Africa is an issue of legal interest. The law recognises that children who are younger than 18 years old must get support from their biological parents who may be married or not, separated, or have gone through a divorce. Failing to care for minors is punishable by law.

You can apply for maintenance at the magistrate's court in the district where you live. If you are in doubt, you can visit your local court which will tell you at which court to apply for maintenance.

### **13. What help is available for children with challenging behaviour?**

Different programmes are offered for children with challenging behavior. These programmes are often facilitated by the Department of Social Development or Designated Child Protection Organizations.

### **14. How can I access help for my child with challenging behaviour?**

You can contact your nearest Department of Social Development or Designated Child Protection Organisation so that a social worker can assist you.

### **15. Are there places where minors can receive help with substance use disorders?**

Yes, there are places that can assist.

## **16. How do we access help for children with substance use disorders?**

You can contact your nearest Department of Social Development or Designated Child Protection Organisation so that a social worker can assist.