**NATIONAL ASSEMBLY**

**QUESTION FOR WRITTEN REPLY**

**PARLIAMENTARY QUESTION NO: 1870**

**DATE OF QUESTION: 21 AUGUST 2020**

**DATE OF SUBMISSION: 04 SEPTEMBER 2020**

**Ms W S Newhoudt-Druchen (ANC) to ask the Minister of Justice and Correctional Services[🟊304] [Question submitted for oral reply now placed for written reply because it is in excess of quota (Rule 137(8))]:**

What assistance is being given to child victims of sexual abuse?

**NW2302E**

**REPLY:**

The Department of Justice and Constitutional Development offers assistance to child victims of sexual violence in a number of ways.

Over the years, the justice system has moved towards an approach tailored to prevent and minimize any further hardships and trauma often encountered by child victims of sex crimes when seeking redress for violation of their rights.

Since 2013, the Department has been establishing Sexual Offences Courts founded on a best practice model that offers a wide range of child support services. This model seeks to give children a court experience that is age-appropriate, caring, and responsive to their needs for dignity, respect and privacy.

In line with the 2019 Presidential Summit Declaration against Gender-based Violence and Femicide, the Department facilitated a process which, in February 2020, culminated in the promulgation of section 55A of the Criminal Law (Sexual Offences and Related Matters) Amendment Act of 2007 and accompanying Regulations. The Regulations provide for required facilities, devices, equipment, and services that these courts have to offer to be a designated Sexual Offences Court.

The Regulations provide for a range of victim support services - amongst these are services for children which include the court preparation service, the pre-trial and post-trial emotional containment service, the child-friendly private waiting room service, the private testifying service, the intermediary service, counseling services, as well as travelling and food allowances. This package also offers support to children with disabilities. The Regulations further incorporate the court support and accompaniment services, mostly offered by Non-Governmental Organisations (NGOs) to children.

The Sexual Offences Courts offer these services in a sequential value process to prevent any incidence of secondary traumatization. The child is kept safe in a private waiting room which is furnished to respond to the psychosomatic needs of the child. The room offers a play area to keep the child entertained, and is also attached to a private toilet facility to protect the child from exposure to the accused person and other court users.

From a private room, the child testifies with the assistance of an intermediary via a dual-view closed circuit TV (CCTV) system. The goal is to save the child from hearing communication directly from the courtroom. The intermediary therefore serves as the conduit between the courtroom and the child, and conveys questions to the child. When the child is tired during testimony, the court adjourns for the child to take a nap on a custom-made sofa-bed provided for in the testifying room.

The Regulations also make provision for the use of anatomical dolls for use by the prosecutor and the intermediary.

Provision is also made for a court preparation programme which is programme developed by the National Prosecuting Authority (NPA) and accredited with the Health and Welfare Sector Education and Training Authority which is aimed at familiarizing complainants and witnesses in sexual offence cases with the court environment, with a view to preparing them to testify in court and providing assistance and support to them.

Services are also offered at the Thuthuzela Care Centres and victim assistance officers are employed on the establishment of the National Prosecuting Authority and attached to a Thuthuzela Care Centre.

The Department and the NPA progressively improve these services to ensure that child victims of sexual offences receive the support they need.