



# *Child Justice*

**What is Child Justice and its processes  
in Terms of Child Justice Act 2008  
(Act, 75 Of 2008)**



**the doj & cd**

Department:  
Justice and Constitutional Development  
**REPUBLIC OF SOUTH AFRICA**



## What is Child Justice?

Child Justice is a process that creates a separate criminal justice system for the children who are in conflict with the law. This process is provided for in the Child Justice Act, 2008 (Act 75 of 2008).

In terms of the Child Justice Act a child, between the ages of 10 years and 17 years, who committed an offence may be arrested, warned and be released in to the care of his or her parent, guardian or appropriate adult.

A summons or notice to appear will be issued to the child and his or her parent, guardian or appropriate adult to appear at a preliminary inquiry (court).

### **The Child Justice Act focuses on rehabilitating the child offender and uses the following sentencing options :**

- a. Community based sentence.** This includes community service.
- b. Restorative Justice Sentences.** This involves the child offender, the victim, or the families concerned and community members through family group conferences or victim offender mediation.
- c. A fine or alternatives to fine.** In instances where the child cannot pay a fine he or she may be ordered to pay a symbolic restitution to a specified person or community charity.
- d. Correctional supervision.** This involves the monitoring of the child by a correctional official. This sentence is served in the community.
- e. Compulsory residence in a Child and Youth Care Centres.** A child could be sentenced to be placed in a Child and Youth Care Centre for a specified period of time.
- f. Direct imprisonment.** A child could be sentenced to direct imprisonment in a Correctional Facility.