



A guide on preventing digital abuse and the harassment of children

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The CDH Pro Bono
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Purpose of this manual

The purpose of this manual
is to explain the law that
relates to the digital abuse and
harassment of children

This manual will:

- Contextualise abuse and harassment in the digital environment.
- Set out the legal framework that governs abuse and harassment in the digital environment.
- Outline the remedies available when being faced with abuse and harassment in the digital environment.
- Highlight obligations placed on professions relating to children.
- Suggest practical guidelines to protect someone from being exposed to/ attracting civil and criminal liability from digital abuse and harassment.

Important: This guide is for information purposes only. It does not constitute legal advice and should therefore not replace consultation with legal service providers where such assistance is required.



Introduction

Children in South Africa are growing up in a digitally connected world, where education, social interaction and personal development are increasingly taking place online. While digital platforms provide unprecedented opportunities for learning and communication, they also expose children to serious risks, which include cyberbullying, harassment, sexual grooming, image-based abuse and exploitation. Our Constitution guarantees every child the right to dignity, privacy and freedom from violence, and the law further strengthens these rights by confirming that a child's best interests are always of paramount importance. The law clearly obligates caregivers, school and other education staff, and the police to ensure children are safe online, and requires that in all disputes and circumstances that involve a child, the child's best interest must be the most important factor when arriving at an outcome.



Contextualising online abuse and harassment

Emerging context

In response to the constant evolution of the digital world, real-life harassment and abuse have become an emerging threat to children's safety. The pervasiveness of cyberbullying and online abuse can no longer be understated or ignored. The UNICEF-commissioned 'Disrupting Harm Study' reveals that one third of children in South Africa are at risk of online violence, exploitation and abuse.

The overwhelming majority of children in South Africa have access to the internet regularly, and so their online behaviour can potentially expose them to [online violence](#). In addition, the study found that 70% of children surveyed use the internet

without parental consent. 25% confirmed that they have added people whom they have never met face-to-face to their friends or contacts list. 18% have sent a photo or video of themselves to a person they have never met face-to-face. 67% of child participants who have seen sexual images were exposed to them on an online device. The study further reveals that children who have been sexually exploited online prefer not to share their experiences or trauma about the incident, which in turn can have a devastating long-term impact on their mental health and emotional wellbeing.



Understanding cyberbullying and online abuse

Cyberbullying means using phones or social media or any electronic media to threaten, humiliate or harm someone. It includes, but is not limited to, sending threatening messages, spreading rumours or lies about a child, impersonating them online, sharing private photos without permission or 'outing' personal information.

Unlike physical bullying, online harassment can be persistent, anonymous, borderless and permanently recorded. It is also harassment that is not limited to a classroom, playground or streets: it exists in phones, devices, on social media applications as well as chatrooms on games played on PlayStations and Xboxes.

Harmful content may be shared instantly, replicated indefinitely and viewed by vast audiences. In cases involving intimate images or sexual exploitation, the impact can follow a child into adulthood.

Artificial intelligence also introduces new and serious safety risks. Generative AI tools have been capable of producing child sexual abuse material where adequate safeguards are not built into the design of the tool. Children's data is also consistently collected, analysed and used to tailor their algorithms, exposing them to targeted adverts and content.



Understanding how the law works

Each law in South Africa must be consistent with the Constitution. Any law that is inconsistent with the Constitution is invalid.

The Constitution recognises several sources of law, including:



Legislation enacted by Parliament;



Common law developed by courts; and



Customary law of indigenous communities in South Africa.

Legislation must be read together with its accompanying regulations. Regulations explain the practical steps to be taken to give effect to the rights and duties set out in the legislation.

Each piece of legislation begins with a preamble. The preamble sets out the purpose of the legislation and its intended impact on society.

Section 1 of an Act usually contains the definition section. These definitions explain key terms and/or phrases contained in the relevant Act. This is an important section, as the definitions will help to guide how and when provisions of the Act should be applied in practice.



Legal frameworks

Understanding the divide

The law can be broadly understood to fall within two camps: public law and private law. Public law is that part of the law that governs the relationship between state institutions and its people. Private law is that part of the law which governs the relationship between people.

A subject like digital abuse and harassment relates to both public and private law. It relates to private

law (or civil law) because in certain circumstances the digital abuse and harassment can lead to someone taking legal action against another, either to get compensation or some other form of legal justice for the harm done to them, or to stop them from conducting certain behaviour. Public law consequences relate to the institutions an individual can report matters to, who can take on the matter themselves to address the harm. Examples include:

- Reporting a crime to the police, who are then responsible for ensuring the perpetrator is charged and arrested; and
- The Information Regulator, who you can contact when someone is processing/sharing your personal information without consent.

Both private and public law must be subject to the Constitution, which is the supreme law of South Africa, and with which all laws must comply. Importantly, section 28(2) of the Constitution states that:



"A child's best interests are of paramount importance in every matter concerning the child"

This demands that when matters involve children, that child's best interest should be at the forefront of any consideration that follows. That should be kept in mind when reading the rest of this manual.



Definitions of various forms of abuse and harassment

What is considered abuse or harassment, should not be confined to the physical space. The digital environment has expanded what forms abuse and harassment may take. It is important to be equipped with the proper vocabulary in order to protect oneself.

Cyberbullying

Cyberbullying is considered to be repeated harmful behaviour using phones, social media, gaming platforms, chats or other online spaces. Some examples are:

- Posting compromising photos or videos of someone without permission.
- Posting content mocking a classmate.
- Sharing screenshots of private conversations with the purpose to embarrass someone.
- Spamming someone with hateful comments.
- Creating fake accounts to keep contacting someone after being blocked.
- Editing images or videos to damage someone's reputation.
- Sending messages like, *"Nobody likes you"; "You could hurt yourself and we would all be happy"; "Watch your back tomorrow".*

Unlawful disclosure

Unlawful disclosure is the non-consensual exposure of intimate materials to someone, or threatening to expose someone to intimate materials without their consent. Disclosure of other materials without consent may also constitute unlawful disclosure.





Revenge porn

- Revenge porn or image-based sexual abuse involves the malicious publication of intimate materials for the purposes of humiliating or degrading a person.
- The material may also be used as a bargaining tool against someone, to either compel them to take certain actions, or to prevent them from taking certain actions.

Coercive behaviour

Coercive behaviour is behaviour that seeks to manipulate another person or people in an unlawful manner, with the goal of forcing them to comply with certain demands, or to refrain from certain actions.

Defamation

Defamation is the publication of materials that seek to bring down the esteem or good standing of a person, in the eyes of a right-thinking member of society.

Doxing

Doxing is the publication of someone's personal information which makes them traceable or identifiable, which can include the publication of a person's address or personal contact information.

Legal remedies

This section will set out the legal avenues one can follow to deal with the forms of digital abuse and harassment just discussed. Most forms of abuse and harassment require a person to approach a police station to lay a criminal complaint. The process to obtain a protection order is also discussed below.

Online threats of bodily harm – criminal offence

Threatening someone with violence is a criminal act and can be reported at a police station, and that threat being on a digital platform and taking the form of a data message does not extinguish criminal liability.

The Cybercrimes Act 19 of 2020 defines a data message as:

"data messages means data generated, sent, received or stored by electronic means, where any output of the data is in an intelligible form"

Section 14 of the Cybercrimes Act provides that it is an offence to disclose by means of electronic communication a data message that threatens a person with damage to their property, or violence against that person or related persons.



The elements of this offence are the:

- (i) unlawful, and
- (ii) intentional
- (iii) disclosure of a data message through an electronic communications service
- (iv) threatening a person or a related person with
- (v) damage to property or
- (vi) violence



Unlawful disclosure of pornography – criminal offence

The Criminal Law (Sexual Offences and Related Matters) Amendment Act 32 of 2007 (SORMA) is a piece of legislation that does the following:

- Section 10 makes it a criminal offence to display/expose someone else to child pornography, with or without their consent.
- Section 19 makes it a criminal offence to display/expose pornography of any kind to a child, with or without their consent.
- Section 11A makes it a criminal offence to disclose/threaten to disclose pornography containing someone who does not consent to it being disclosed to others.

Revenge porn/image-based sexual abuse – criminal offence

The Films and Publications Act 65 of 1996 at section 18F criminalises the distribution of private sexual content without consent.

Per the definitions of the Films and Publications Act:

A photograph or film is “*private*” if, based on context, it was not intended by any individual in the photograph or film to be seen by anyone else.

In addition:

A photograph or film is “*sexual*” if such photograph or film:

- (a) shows all or part of an individual’s exposed female breasts, anus, genitals or pubic area;
- (b) shows something that a reasonable person would consider to be sexual because of its nature; or
- (c) its content, taken as a whole, is such that a reasonable person would consider it sexual in nature.

KS v AM and Another (2021/28121) [2024] ZAGPJHC 1187; 2025 (4) SA 626 (GJ)

Mr M and Mrs M, (a) created a Facebook profile purporting to be that of K; (b) posted videos of K naked and engaged in sexual activity with Mr M (Mr M had filmed the activity without K's knowledge); and (c) published words thereon offending Ms K's morality. Meanwhile Mrs M, (d) messaged a colleague of K, described the 'affair' and assailed K's morality; (e) telephoned the receptionist at K's place of work and shared with her similar content to that in (d), which the receptionist conveyed to K's superior, and (f) sent Ms K's superiors an email with content similar to that in (d).

The case makes mention of various criminal statutes such as the Cyber Crimes Act and the SORMA, and states that criminalising the conduct is reflective of the seriousness of the infringement. This reflects the extent to which the state has acted to ensure the protection of the right to privacy and dignity of persons and is in keeping with its international obligations to do so. The case confirmed that simply sharing explicit content can also attract criminal liability.



Coercive behaviour – criminal offence

As described above, SORMA makes it a criminal offence to disclose/threaten to disclose pornography containing someone who does not consent to it being disclosed to others.

The Intimidation Act 72 of 1982 at section 1 also prohibits a person from threatening others to do or to abstain from doing any act or to assume or to abandon a particular standpoint.

- A person who is guilty of this particular offence shall be liable on conviction to a fine not exceeding R40 000 or to imprisonment for a period not exceeding ten years or to both such fine and such imprisonment as the court deems appropriate in the circumstances.



Defamation – civil offence

Defamation is the:

- wrongful, and
- intentional
- publication of
- a defamatory statement
- concerning a complainant.

It is not required that the statement be false, nor is it required to cause monetary loss. Instead, it is required that the statement negatively affects someone's reputation for it to be considered defamatory. If someone publishes a defamatory statement against you, you can approach a court in your personal capacity and sue for compensation and/or a public apology.

Publication entails two parts: one, the act of making the material known to others, and two, the act of understanding the material's meaning and significance.

The case of *Le Roux v Dey*:

This case revolved around three schoolboys who had photoshopped their vice-principal (Mr D) onto sexual material. The Constitutional Court held that the intention might have been to destroy Mr D's image as a figure of authority, but the net effect was to belittle and humiliate him as unworthy of respect by the learners of the school, therefore constituting defamation.

The court then ordered the defendants to pay R25 000 as compensation.



Doxing

Doxing is the act of publicly revealing private or sensitive information about someone, usually without their consent, and for the purpose of harassment, public shaming, or causing harm. This is dangerous because personal details or sensitive business information in the wrong hands could have serious repercussions. For children, this could mean a bully could have access to their phone number, email or any other means of contact information as a means of rallying more harassment and bullying.

Personal information is information that can be tracked to a specific and identifiable person. For example, random grades on a page does not constitute personal information, even if they relate to you or are yours. However, if your name were to appear on that page saying, "*NAME's grades*", the information upon that page would then be your personal information.

The Protection of Personal Information Act 4 of 2013 (POPIA) mandates that all personal information must be processed and stored lawfully.



POPIA clarifies that:

“processing” means any operation or activity or any set of operations, whether or not by automatic means, concerning personal information, including:

- (a) the collection, receipt, recording, organisation, collation, storage, updating or modification, retrieval, alteration, consultation or use;
- (b) dissemination by means of transmission, distribution or making available in any other form; or
- (c) merging, linking, as well as restriction, degradation, erasure or destruction of information.

Lawful processing, for the most part, requires consent from the person whose personal information is being utilised. If someone is utilising your personal information in any way without your consent (e.g., publicising your address, contact details, banking information, etc.), you can lodge a complaint to the information regulator via their online site.

The Information Regulator of South Africa is an independent body empowered by POPIA to monitor and enforce compliance with POPIA and the Promotion of Access to Information Act 2 of 2000 (PAIA). The Regulator can initiate investigations and receive and handle complaints regarding violations of personal information protection. If a person is found guilty, an order could be given to stop using your data or to delete it. Ignoring it is a criminal offence. The Regulator can issue a fine without going to court. You can use the Regulator’s findings to sue for damages in a civil court.

Protection orders

For all the above, it is possible to take a more proactive role and apply for a protection order. A protection order is a court order prohibiting the perpetrator/respondent from committing, attempting to commit, or engaging in any type of violence or harassment against the complainant.

However, it's important to keep in mind that reporting the above issues to the police because they are criminal offences, leaves a lot of control in the hands of state institutions that are often slow or ineffective.

The Protection from Harassment Act 17 of 2011 defines the following key terms:

The Act defines *harassment* as directly or indirectly engaging in conduct that the respondent knows or ought to know –

- (a) causes harm or inspires the reasonable belief that harm may be caused by unreasonably:
 - (i) loitering/stalking a person at their home/work;
 - (ii) engaging in verbal, electronic or any other communication aimed at the complainant by any means, whether or not conversation ensues; or
 - (iii) sending, delivering or causing the delivery of letters, telegrams, packages, facsimiles, electronic mail or other objects to the complainant
- (b) amounts to sexual harassment of the complainant or a related person;



The Act thereafter defines

"sexual harassment" to mean any:

- (a) unwelcome sexual attention;
- (b) unwelcome explicit or implicit behaviour;
- (c) implied or expressed promise of reward for complying with a sexually-oriented request; or
- (d) implied or expressed threat of harm for a refusal to comply with a sexually oriented request.

A protection order can be coupled with a suspended arrest warrant that immediately triggers upon its conditions being breached. View CDH's previous guide on how to apply for a protection order under the Harassment Act [here](#).



Obligations on schools and practitioners

People who work with children have certain reporting and record-keeping obligations.

Children's Act 38 of 2005

Section 110 of this Act requires the following people:

any correctional official, dentist, homeopath, immigration official, labour inspector, legal practitioner, medical practitioner, midwife, minister of religion, nurse, occupational therapist, physiotherapist, psychologist, religious leader, social service professional, social worker, speech therapist, teacher, traditional health practitioner, traditional leader or member of staff or volunteer worker at a partial care facility, drop-in centre or child and youth care centre,

who on reasonable grounds conclude that a child has been abused in a manner causing physical injury, sexually abused or deliberately neglected, to report that conclusion in the prescribed form to a designated child protection organisation, the provincial department of social development or a police official.

The prescribed form mentioned above is found in the Act's [Form 22](#) which is attached to this manual.

POPIA also requires that these persons keep these records confidential and secure, ensuring that they are lawfully processed.



SORMA

In any event, no matter your occupation, SORMA per section 54 obligates every person who has knowledge, reasonable belief or suspicion that a sexual offence has been committed against a person who is vulnerable as defined in section 40, must report such knowledge, reasonable belief or suspicion immediately to a police official.

Section 40 includes all children in its definition of 'vulnerable'.

South African Schools Act 84 of 1996

Section 8(4) of this Act requires that school governing bodies must adopt a Code of Conduct aimed at establishing a disciplined and safe environment. This includes preventing violence, bullying and abuse within the school.

Per sections 16 and 20, governing bodies are obligated to administer and control the school. They must also promote the best interests of the school and learners and ensure a safe environment for education. In doing so, these provisions create a positive duty to take reasonable steps to prevent harm and abuse.

At section 60, the State may be liable for damage or loss caused at public schools by school activities. This provision has been used by courts to hold schools delictually liable where they fail in their obligations.

MEC v Izak Boshoff Foster 2023

This case was about a child who got injured while playing a sporting match at a public school, and due to negligent first aid work, became paralysed. The court found that the school failed in its obligation to safeguard its students by failing to take reasonable steps to ensure competent and properly equipped first aiders on site.

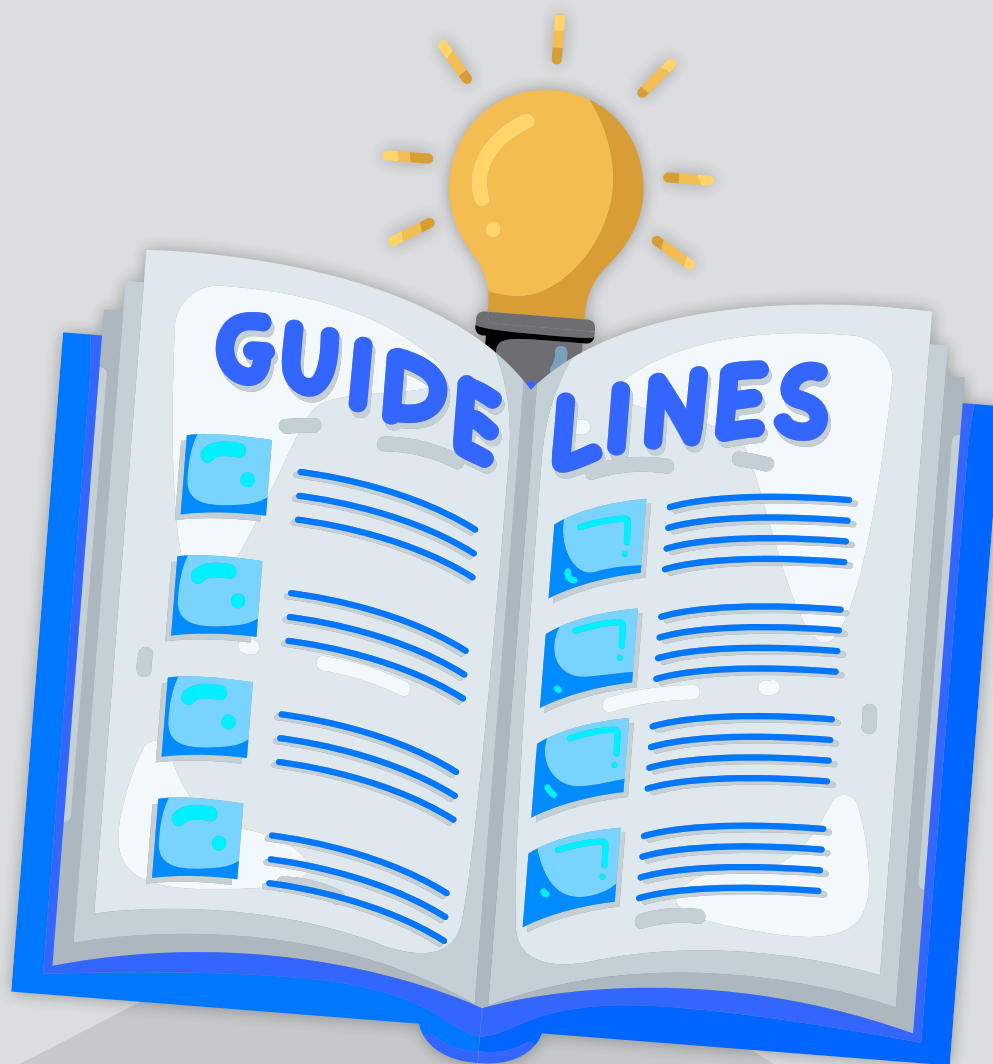
Although not relating to digital harassment, the same obligation rests on schools to safeguard its children with regards to the digital environment they operate in for school activities.

These provisions set forth obligations on the State to protect minors from abuse and harassment, but the lack of digital focus is self-evident and leaves children vulnerable in a landscape where digital abuse is not being regulated as fast as it is being perpetuated.

The administration of a school's Code of Conduct is the responsibility of the Disciplinary Committee of the school. All school rules found in the Code of Conduct are intended to establish a disciplined and purposeful environment to facilitate effective teaching and learning at the school. All corrective measures or disciplinary action must be aimed at intervening and correcting behaviour such as learners displaying conduct that violates the rights or safety of others, and disrespectful or objectionable conduct and verbal abuse directed at teachers, other school employees or fellow learners. Indulging in harmful graffiti, racism or hate speech, sexual harassment or sexual assault must also be addressed by the school's Code of Conduct.

Some Codes of Conduct have specific rules regarding the responsible use of social media and what is or is not allowed.





Practical guidance

What NOT to do online

At all costs, avoid creating, sharing or forwarding the following types of texts:

- Threatening messages, or messages that incite violence;
- Sexist, racist, or hateful messages;
- Statements that are defamatory or false;
- Pornographic content of adults and especially not of minors;
- Messages containing other people's private information without permission;
- Stickers that are sexual, intimate, and graphic.

Doing this could attract civil or criminal liability and therefore steering clear of them is the safest bet.

What are the criminal consequences a bully could face?

The parents or legal guardian of the bullied child may be able to bring a criminal charge against the bully. This will fall in line with the Child Justice Act 75 of 2008, which establishes a criminal justice system for children who are in conflict with the law and are accused of committing offences. There are two separate approaches for minors, in cases where the minor has criminal capacity and when he or she does not.

If the bully is under the age of 12 years, they do not have criminal capacity and cannot be held criminally liable. They could still otherwise be held liable for the consequences of their actions through civil and social welfare mechanisms.

If the bully is under the age of 12 years, a probation officer (such as a qualified social worker) will be appointed and will do an assessment of the bully. The purpose of the assessment is to gather all the necessary information regarding the

criminal charges and what appropriate measures should be taken against the bully. The assessment must be done as soon as possible, but not later than seven days after the probation officer has been notified about the matter.

After the assessment, the probation officer can select one or more of the following appropriate measures that the bully must follow such as to refer the bully for counselling or therapy; refer the bully to an accredited programme to suit the needs of the bully; arrange for support services; or decide to take no action.

If the bully is over the age of 12 years and the parents or legal guardians of a child have brought criminal charges against the bully, there is a particular procedure that must be followed. A police official will hand the alleged bully a written notice or summons which will indicate the place, date and time where the bully must attend a preliminary inquiry. This written notice or summons must be delivered in the presence of the alleged bully's parents or legal guardians who must



also sign the written notice or summons.

Before the preliminary inquiry can be held, a probation officer will be appointed to assess the bully in the same manner as mentioned above. The preliminary inquiry will be held at a Magistrate's Court, and the bully's parents or legal guardians are allowed to be present during the preliminary inquiry. The purpose of the preliminary inquiry is to consider the assessment of the probation officer and to decide on the appropriate measures that should be taken against the bully. After the preliminary inquiry, the bully can be referred for diversion (for example, a rehabilitation programme) or referred to a Child Justice court to continue with the criminal charges against the bully.



Should the alleged bully and his or her parents or legal guardians fail to attend a preliminary inquiry, a warrant of arrest may be issued to force that person to attend a preliminary inquiry.

It is important to note in cases that involve minors, an arrest is usually a last resort. When an adult is found guilty of an offence, the sentence is usually either a period of imprisonment or the payment of a fine. However, this is not the case with children. The main aim of the child justice system is to rehabilitate the child and not merely to provide a sentence as a form of punishment.

There are various diversion programmes available to children who have been found guilty and are listed in the Child Justice Act, including attending a programme such as counselling, therapy, community service or even writing an apology. Diversion is only considered for a child if the child freely and without undue influence acknowledges responsibility for the offence, when there is evidence that the child committed the offence, and when the child and his/her parents agree to the diversion and the prosecutor agrees that the matter may be diverted.

How to protect yourself



Keep evidence

Save and screenshot everything. Whenever you receive a mean or threatening message, take a clear screenshot that shows the sender, date and time. Do not delete or destroy any abusive emails, texts, or posts. Writing down or recording the details (when, where, what was said) can help a lot later on.



Do not reply

Responding often makes the situation worse. Instead, block the bully's account and/or change your privacy settings so they cannot contact you.



Tell a trusted adult

Speak to a parent, teacher, school counsellor or another adult you trust as soon as possible. Explain what is happening and show them the evidence you have. Adults can then help you take the next steps.



Report to the school

Inform the principal or school safety officer about the harassment. Schools have a duty to investigate and put a stop to any bullying among learners. If needed, the school can also involve the police or Child Protection Services.



Report to the police

If the abuse is serious (for example, threats of violence or distribution of intimate images), call the South African Police Service. You can also go to the nearest police station and lay a charge. The Harassment Act protects you: once you report the incident, the police can assist you in applying for a Protection Order from the Magistrate's Court. The court can then order the harasser to stop contacting you and to remove any harmful online content.



Take proactive steps

Strengthen your online privacy: use strong passwords (never share them), limit your social media friends to people you know, and turn on privacy settings so that only trusted friends can see your posts. Avoid sharing personal contact details or locations online.



Report on the platform itself

If you are being victimised by digital abuse or harassment, or if you are a witness to someone else being subjected to that behaviour, report it via the platforms' mechanisms, and to a person in your life and to law enforcement where possible.



Think twice before forwarding

Do not share personal information of others, or statements where you are unsure of their accuracy. Just because you are not the original author, you are not exempt from the consequences of the content you are sharing.



Leave groups

If you are on a group where someone is being victimised by digital abuse or harassment, immediately leave to avoid attracting criminal or civil liability and report the behaviour. Being a bystander could attract liability.



Remember that texts can hold up in court

Do not fool yourself into thinking that messages over text are free of consequence. Your online messages are admissible in court, where they can and will be used against you if need be.



Get help

At the end of this manual, you will find a list of resources you can contact if you have witnessed or been a victim of digital abuse or harassment yourself.



Conclusion and take aways

The law interacts with digital abuse and harassment with respect to children in a complex manner. Section 15 of the Cybercrimes Act, along with section 10, 11A, and 19 of SORMA all criminalise forms of exposure or threats of violence to people over a digital platform. In addition, section 18F of the Films and Publication Act and section 1 of the Intimidation Act criminalises the distribution of intimate images, and coercive manipulation of people, respectively. On top of that, different forms of legislation, such as the Schools Act and Children's Act obligates schools and practitioners to safeguard students from harm during school activities, and necessitates reporting and record-keeping when abuse is reasonably concluded to have taken place.

A complainant is at liberty to report any of the various crimes we've described in this manual to a police station without parental consent. That claimant is also empowered to apply for a protection order in terms of the Harassment Act, to more expeditiously deter any of the behaviour if it is ongoing.



References

Acts

- Children's Act 38 of 2005.
- Child Justice Act 75 of 2008
- Constitution of the Republic of South Africa, 1996.
- Criminal Law (Sexual Offences and Related Matters) Amendment Act 32 of 2007.
- Cybercrimes Act 19 of 2020.
- Intimidation Act 72 of 1982.
- Protection from Harassment Act 17 of 2011.

Cases

- *KS v AM and Another* (2021/28121) [2024] ZAGPJHC 1187; 2025 (4) SA 626 (GJ).
- *Member of the Executive Council Education North West Province v Foster and others* 2023 JDR 0408 (SCA).
- *Le Roux and Others v Dey* 2011 (3) SA 274 (CC).

Press releases

UN press release: UNICEF-commissioned 'Disrupting Harm Study' 2021 available [here](#).

Resources

General Helplines

Gender-Based Violence Command Centre Emergency Line

0800 428 428 | "please call me" – *120*7867#
SMS 'help' to 31531

SMS for persons with disabilities

SMS 'help' to 21531

SAPS Emergency Services

0860 10111/10111

Crime Stop tip-off line

08600 10111

Child Line South Africa

0800 055 555, then dial 116

Child Welfare

Number unavailable at time of publication

Child Emergency line

Number unavailable at time of publication

Depression and Anxiety Helpline

0800 708 090

Department of Social Development

0800 121 314
SMS 32312

Film and Publication Board

0800 148 148

Gay-Lesbian Support

SMS 079 891 3036

Human Trafficking Hotline

0800 222 777

Lifeline SA

0861 322 322

Sonke Gender Justice for counselling and support

Cape Town: 021 423 7088;
Johannesburg: 011 339 3589

Stop Gender Violence Helpline

0800 150 150

Suicide Crisis line (SADAG)

0800 567 567

Take It Down

1-800-843-5678

TEARS

010 590 5920
Dial *120* 7355#

Thuthuzela Care Centre

0800 0428428
Please call me *120*7867

Independent Police Investigative Directorate

012 399 0000

Rape Crisis

021 447 9762

Organisations

Film and Publication Board

<https://apps.fpb.org.za/hotline/clientsupport@fpb.org.za>

Saartjie Baartman Centre for Women and Children (SBCWC)

021 633 5287

StopNCII

<https://stopncii.org/>

Take It Down

<https://takeitdown.ncmec.org/>

TEARS Foundation

010 590 5920



Magistrates courts in Gauteng

Johannesburg

225 Albertina Sisulu Street, Jeppe
New Doornfontein, 2198
011 618 4516

Brixton

High Street,
Brixton Mayfair West, 2092
011 839 2768

Senwabarwana

Main Rd next to Bochum Plaza,
Senwabarwana, 0790
015 505 3152

Newlands

186 Main Road,
Newlands, 2092
011 477 7252

Hillbrow

32 Sam Hancock Str,
Hillbrow Johannesburg, 2038
011 642 4441

Randburg

18 Shepherd Ave
Randburg, 2125
011 998 5300

Alexandra

223 2nd Street, Wynberg
Alexandra, 2090
011 786 5181

Germiston

2 Hardach St, North Germiston
011 873 0500

Soweto

Heckroodt Circle, Zone 2,
Meadowlands Soweto, 1851
011 536 0555

Soshanguve

Commissioner Street,
Soshanguve Block F
Soshanguve, 0164
012 730 1000

Daveyton

Mockey Street
Daveyton, 1520
011 424 1199

Tembisa

232 Andrew Mapheto Dr
Johannesburg, 1632
011 281 0300

Mamelodi

868 Shabangu Ave, Naledi,
Pretoria
012 805 4001

Khayelitsha

Steve Bikho Street, Khayelitsha,
Pretoria Central
021 360 1400

Sebokeng

18 Moshoeshoe Street, Iscor North
Sebokeng
016 988 1320



Magistrates courts in Western Cape

Albertinia

Hof Street, Albertinia
Corner of William and Hof Street
028 735 1007

Athlone

Old Klipfontein Road
Athlone, 7764
021 697 1246

Atlantis

Corner of Wesfleur Circle and
Reygersdal Street, Wesfleur
Atlantis, 7349
021 572 1003

Beaufort West

Corner of Bird and Church Street,
Beaufort West, 6970
023 415 1787

Bellville

Corner of Voortrekker Road
and Landdros Street,
Bellville, 7530
021 950 7700

Bishop Lavis

Corner of Myrtle and Valhalla Drive,
Bishop Lavis, 7490

Bonnievale

2 Coetzee Street, Bonnievale
023 616 2150

Bredasdorp

22 Long Street, Bredasdorp, 7280
028 424 1139

Caledon

28 Kerk Street, Caledon, 7230
028 212 1076/ 028 212 1077

Calitzdorp

13 Queen Street, Calitzdorp, 6660
044 213 3309

Cape Town

7-11 Parade Street,
Cape Town, 8000
021 401 1511;
021 401 1544

Ceres

44 Voortrekker Road,
Ceres, 6835
023 312 1112/1188/1189/1067

Clanwilliam

Main Road 4, Clanwilliam, 8135
027 482 2114/5

George

130 Corner of York and
Courtney Streets, George, 6530
044 802 5800/5891

Goodwood

273 Voortrekker Road,
Goodwood, 7460

Grabouw

33 Main Road, Grabouw, 7160
021 859 4461/ 9300

Heidelberg

52 Van Riebeeck Street, Heidelberg, 6665
028 722 1927 / 2874

Magistrates courts in Western Cape...continued

Hermanus

63 Main Road, Hermanus, 7200
028 312 3713

Hopefield

24 Voortrekker Road,
Hopefield, 7355
022 723 0506

Khayelitsha

Corner of Walter Sisulu and
Steve Biko Roads,
Khayelitsha, 7785
021 360 1400

Kleinvele

021 904 1321

Knysna

3 Main Street, Knysna, 6570
044 382 1141 / 2 / 3

Kuilsriver

122 Van Riebeeck Road,
Kuilsriver, 7580
021 903 7902

Laaiplek

Jameson Street,
Laaiplek, 7365
022 783 0090

Ladismith

57 Queen Street,
Ladismith, 6655
028 551 1009/ 1019

Laingsburg

Station Street, Laingsburg, 6900
Next to the Police Station
023 551 1010

Malmesbury

Piet Retief Street,
Malmesbury
022 482 1121

Mitchells Plain

1st Avenue, Eastridge,
Mitchells Plain, 7785
021 370 4200/4208

Montagu

39 Piet Retief Street, Montagu
023 614 1105

Moorreesburg

7 Station Road,
Moorreesburg, 7310
022 433 1084/3406

Mossel Bay

Louis Fourie Road,
Mossel bay, 6500
044 693 3113

Murraysburg

14 Church Street,
Murraysburg, 6995
049 844 0001

Oudtshoorn

120 St John Street,
Oudtshoorn, 6620
044 203 6400/6410

Magistrates courts in Western Cape...continued

Paarl

Berg River Boulevard,
Paarl, 7622
021 872 3127

Parow

Arnold Wilhelm Street,
Parow, 7500
Private Bag X4,
Goodwood, 7459

Phillippi

c/o New Eisleben and Govener Mbeki Road
Philippi, 7802
021 372 0902

Piketberg

44 Voortrekker Street, Piketberg, 7320
022 913 1110 / 3179

Plettenberg Bay

Marine Drive, Pletten-berg Bay, 6600
044 533 3156

Porterville

37 Voortrekker Street,
Porterville, 6810
022 931 2410

Prince Albert

27 Church Street,
Prince Albert, 6930
023 541 1450

Riversdale

13 Mitchell Street,
Riversdale, 6670
028 713 2428

Robertson

50 Church Street,
Robertson, 6705
023 626 3023

Simon's Town

133 St Georges Street,
Simonstown, 7995
021 786 1561



Somerset West

33 Caledon Street,
Somerset West, 7129
021 850 7420

Stellenbosch

Alexander Street,
Stellenbosch, 7600
021 887 0114

Strand

Gordons Bay Road No1,
Strand, 7140
021 854 7217/8

Swellendam

88 Voortrekker Street,
Swellendam, 6740
028 514 1109/1160

Tulbagh

Piet Retief Street,
Tulbagh, 6820
023 230 0006

Magistrates courts in Western Cape...continued

Uniondale

51 Voortrekker Street,
Uniondale, 6460
044 752 1002

Vanrhynsdorp

2 Church Street,
Vanrhynsdorp, 8170
027 219 1002

Vredenburg

17 Piet Retief Street,
Vredenburg, 7380
022 713 5274

Vredendal

24 Voortrekker Street,
Vredendal, 8160
027 213 2010/2011/2898/4450

Wellington

30 Jan van Riebeeck Street
Wellington, 7655

Wolseley

29 Eufees Street,
Wolseley
023 231 1086

Worcester

57 Adderley Street,
Worcester, 6850
023 342 2325

Wynberg

64 Church Street,
Wynberg, 7824
021 799 1800



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BBBEE STATUS: LEVEL ONE CONTRIBUTOR

Our BBBEE verification is one of several components of our transformation strategy and we continue to seek ways of improving it in a meaningful manner.

PLEASE NOTE

This information is published for general information purposes and is not intended to constitute legal advice. Specialist legal advice should always be sought in relation to any particular situation. Cliffe Dekker Hofmeyr will accept no responsibility for any actions taken or not taken on the basis of this publication.

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Form 22

REPORTING OF ABUSE OR DELIBERATE NEGLECT OF CHILD

(Regulation 33)

[SECTION 110 OF THE CHILDREN'S ACT 38 OF 2005]

[Form 22 substituted by GNR.497 of 29 June 2012.]

**REPORTING OF ABUSE TO PROVINCIAL DEPARTMENT OF SOCIAL DEVELOPMENT,
DESIGNATED CHILD PROTECTION ORGANISATION OR POLICE OFFICIAL****NOTE: A SEPARATE FORM MUST BE COMPLETED FOR EACH CHILD**

TO: The Head of the Department

Pursuant to [section 110](#) of the Children's Act, 2005, and for purposes of [section 114 \(1\) \(a\)](#) of the Act, you are hereby advised that a child has been abused in a manner causing physical injury/sexually abused/deliberately neglected or is in need of care and protection.

Source of report (do not identify person)			
☐ Victim	☐ Relative	☐ Parent	
☐ Neighbour	☐ Friend	☐ Professional (specify)	
☐ Other (specify)			
Date Reported to child protection organisation:	DD	MM	CCYY

1. CHILD: (COMPLETE PER CHILD)						
Surname:			Full name(s):			
Gender:	M	F	Date of Birth:	DD	MM	CCYY
School Name:			Grade:		Age/Estimated Age:	
*ID no.:			*Passport no.:			
Contact no.:						

2. CATEGORY OF CHILD IN NEED OF CARE AND PROTECTION			
☐ Child abuse	☐ Child labour	☐ Child trafficking	☐ Street child
☐ Commercial sexual exploitation	☐ Exploited children	☐ Child abduction	

3. OTHER INTERVENTION - CONTACT PERSON TRUSTED BY CHILD	
Surname:	Name:
Physical address:	Telephone number:

Other children interviewed:	☐ Yes	☐ No	Number:
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4. CAREGIVER INFORMATION (If not same as trusted person or parent(s) of child)	
Surname:	Name:
Physical address:	Postal address:
Relationship to child:	
Telephone number:	Mobile:

5. ALLEGED ABUSER						
(5.1) Surname:				Full Name(s):		
Date of Birth:	DD	MM	CCYY	Gender:	M	F
ID No.:				Age:		
*Passport No.:				*Drivers licence number:		
Also known as:				Relationship to child:		
Street Address (include postal code):				. Father . Mother . Grandfather		
				. Grandmother . Step father . Step mother		
				. Foster father . Aunt . Uncle		
				. Foster mother . Sibling . Caregiver		
				. Professional: social worker/police officer/teacher/caregiver/priest/dr/volunteer		
Postal Code:				. Other (specify)		
(5.2) WHEREABOUTS OF ALLEGED PERPETRATOR:						
. Section 153 (Request for removal by SAPS) . Still in home						
. In hospital (Name/Place)						
. In detention (Name/Place)						
. Living somewhere else (Address)						
. Whereabouts unknown . Un-identified						

6. PARENTS OF CHILD (If other than above)						
Surname: Father/Stepfather				Full Name(s)		
Date of Birth	DD	MM	CCYY	Gender:	M	F
ID number:				Age:		
Surname: Mother/Stepmother				Full Name(s)		
Date of Birth	DD	MM	CCYY	Gender:	M	F
ID number:				Age:		
Names and ages of siblings or other children if helpful for tracking						
Surname		Full names		Age/Date of birth		
Street Address (include postal code):					Postal Code:	

7. ABUSE									
Date of Incident:			If date unknown (mark with x here):	Episodic/ongoing from (date)			Reported to CPR:		
DD	MM	CCYY		DD	MM	CCYY	DD	MM	CCYY
P l a c e o f incident: . Child's home . Field . Tavern . School . Friend's place . After school centre . ECD Centre . Neighbour . Private hostel . Child and youth care centre . Foster home . Temporary safe care . Temporary respite care . Other (specify)									
(7.1) TYPE OF ABUSE (Tick only the one that indicates the key motive of intent)									
Physical			Emotional		Sexual		Deliberate neglect		
(7.2) INDICATORS (Check any that apply)									
<u>PHYSICAL:</u> . Abrasions . Bruises . Burns/Scalding . Fractures . Other physical illness . Cuts . Welts . R e p e a t e d injuries . Fatal injury (date of death) . Injury to internal organs . Head injuries . N o v i s i b l e i n j u r i e s (elaborate) . Poisoning (specify) . Other Behavioural or physical (specify)									

<u>EMOTIONAL:</u>			
☐ Withdrawal ☐ Depression ☐ Self-destructive aggressive behaviour			
☐ Corruption through exposure to illegal activities ☐ Deprivation of affection			
☐ Exposure to anti-social activities ☐ Exposure to family violence			
☐ Parent or caregiver negative mental condition ☐ Inappropriate and continued criticism			
☐ Humiliation ☐ Isolation ☐ Threats ☐ Development Delays ☐ Oppression			
☐ Rejection ☐ Accusations ☐ Anxiety ☐ Lack of cognitive stimulation			
☐ Mental, emotional or developmental condition requiring treatment (specify)			
<u>SEXUAL:</u>			
☐ Contact abuse ☐ Rape ☐ Sodomy			
☐ Masturbation ☐ Oral sex area ☐ Molestation			
☐ Non contact abuse (flashing, peeping) ☐ Irritation, pain, injury to genital			
☐ Other indicators of sexual molestation or exploitation (specify)			
<u>DELIBERATE NEGLECT:</u>			
☐ Malnutrition ☐ Medical ☐ Physical ☐ Educational			
☐ Refusal to assume parental responsibility ☐ Neglectful supervision ☐ Abandonment			
(7.3) Indicate overall degree of risk to child:			
☐ Mild ☐ Moderate ☐ Severe ☐ Unknown			
(7.4) Where applicable, tick the secondary type of abuse or multiple abuse:			
☐ Sexual	☐ Physical	☐ Emotional	☐ Deliberate Neglect
Brief explanation of occurrence(s) (including a statement describing frequency and duration)			

8. MEDICAL INTERVENTION (*)			
Examined by: . Doctor . Reg. Nurse	Treatment received: . Yes . No	Where (name of hospital, clinic, private doctor):	Hospitalised: . For assessment . For treatment . As temporary safe care (place of safety)
Contact person:	Contact person:	Contact person:	Contact person:
Telephone No.:	Telephone No.:	Telephone No.:	Telephone No.:

9. CHILDREN'S COURT INTERVENTION (*)			
Removal of child to temporary safe care (Section 152): . Yes . No		Date	
		MM	DD

10. SAPS: (ACTION RELATED TO ALLEGED ABUSER(S)) - (*)					
Reported to SAPS: . Yes . No		Charges laid: . Yes . No		Date	
				DD	MM
CASE NR		Police Station		Telephone Nr	
Name of Police Officer			Rank of Police Officer		

11. CHILD KNOWN TO DESIGNATED CHILD PROTECTION ORGANISATION (DCPO)/SOCIAL DEVELOPMENT (DSD)?		
(11.1) Child known to DCPO/DSD?: . Yes . No		
Name of DCPO/DSD Office:	Contact number	Reference number

12. DETAILS OF PERSON WHO REPORTS ALLEGED ABUSE (Refers to a professional or mandatory obliged to report child abuse in terms of Section 110 (1))
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CAPACITY (OF INFORMANT)					
Caregiver	Correctional Official	Child and Youth Care Centre	Dentist	Doctor	Drop in Centre
Homeopath	Labour Inspector	Legal Practitioner	Midwife	Member of staff - partial care facility	Medical Practitioner
Minister of Religion	Nurse	Occupational Therapist	Psychologist	Police Official	Physiotherapist
Religious leader		Social service professional		Social worker	
Speech therapist		Shelter		Traditional leader	
Teacher		Traditional health practitioner		Volunteer Worker - partial care facility	
Other (specify)					

Surname of informant	Name of informant	Name of employer
Employer Address	Work Telephone Nr	Fax Number
Email Address		

(*) = Complete if information is available or applicable

I declare that the particulars set out in the above mentioned statement are true and correct to the best of my knowledge.

Signature of informant:

Date:

Official Stamp
