

What are your options when you find out that you are pregnant and you do not want the baby?

I am pregnant. What am I going to do? My boyfriend has left me. My family will be very angry if they find out that I am pregnant. I do not have a job. I cannot afford to have this baby.

Should I dump my baby?

Should I have an abortion?

Should I give my baby up for adoption?

What is maintenance and how do I get it?





Baby dumped in seaside bracken

ON Saturday afternoon two young brown men, in a heavy frame of mind for they were slightly inebriated, walked through a large cluster of bracken following a well-trodden footpath. As they were about to cross the road linking the holiday bungalow complex with the seaside street passing the research centre of Sea Fisheries, they heard a baby crying.

This was good luck.

They went to the nearest bungalow where they found Mr Arno Stofberg, a Grootfontein resident on a visit to Swakopmund. They told him that they had heard the crying of a baby. They then walked up closer to the place of the crying infant and saw the small baby who later showed a two kilogrammes weight when taken to the state hospital ...

The baby girl, about 36 hours of age when she was discovered, suffered sunburn and bluebottles had laid eggs in her ears ...

Baby dumped in bushes

The Police have arrested a Grade 10 student from Onga Secondary School after the body of a newborn baby was found dumped in the bushes.

The baby boy has apparently died after having sand forced in his mouth. The incident happened last Friday.

The mother, aged 19, from Okatope, told the Police that she had abandoned the baby because she was afraid that she would be removed from school, as is common practice when a schoolgirl gives birth.

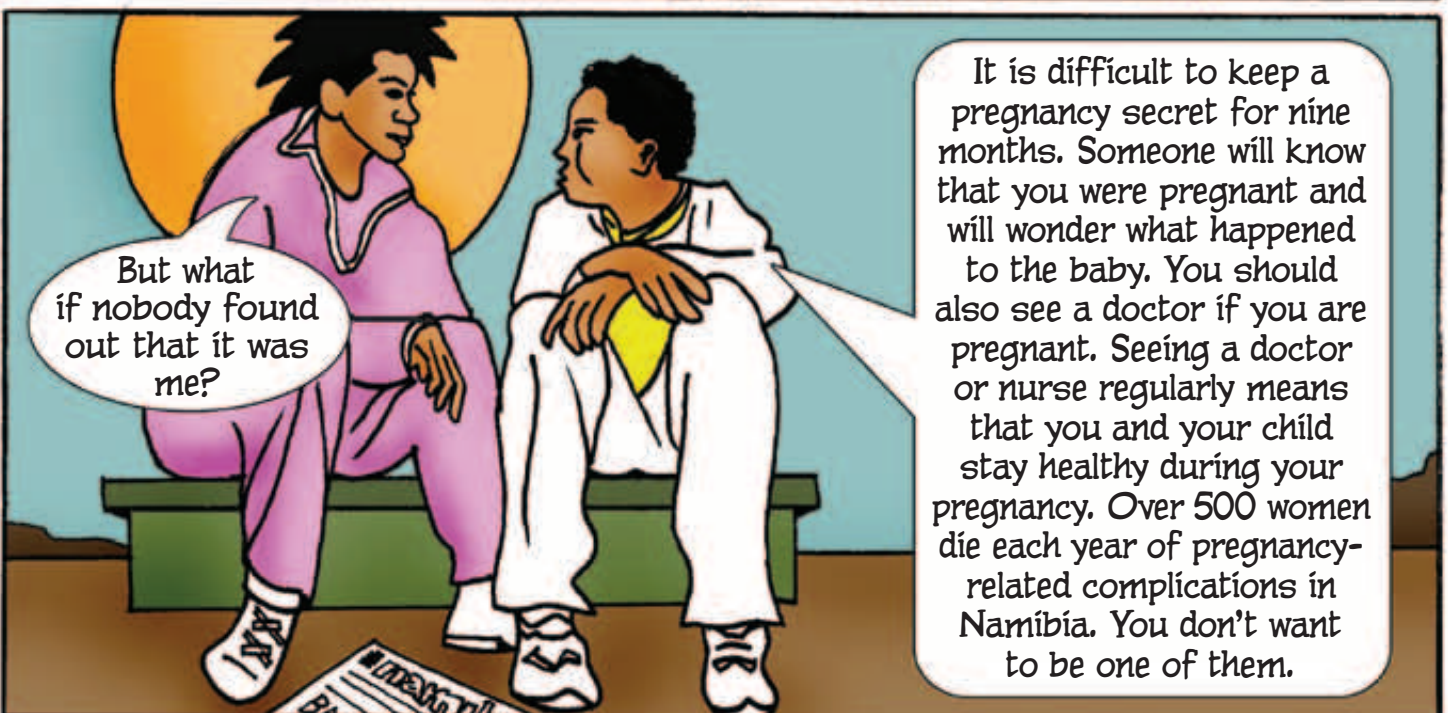
She said she had been six months pregnant and only a few of her classmates had known about her condition.

She confirmed to the Police that the baby had been alive when delivered.

Dead baby found at Water Works

Police in Windhoek are investigating a case of murder after the body of a baby boy was found near the Gammans Water Works yesterday.

Nampol spokesperson Warrant Office Hieronymus Goraseb said that the body was found by Municipal security officers who were patrolling the area. Although it was not known how the baby died, the police suspect foul play.





You also need to see a doctor after your baby is born. Some women suffer from something called *postnatal depression*. This is a type of depression that some women suffer from after they have given birth.

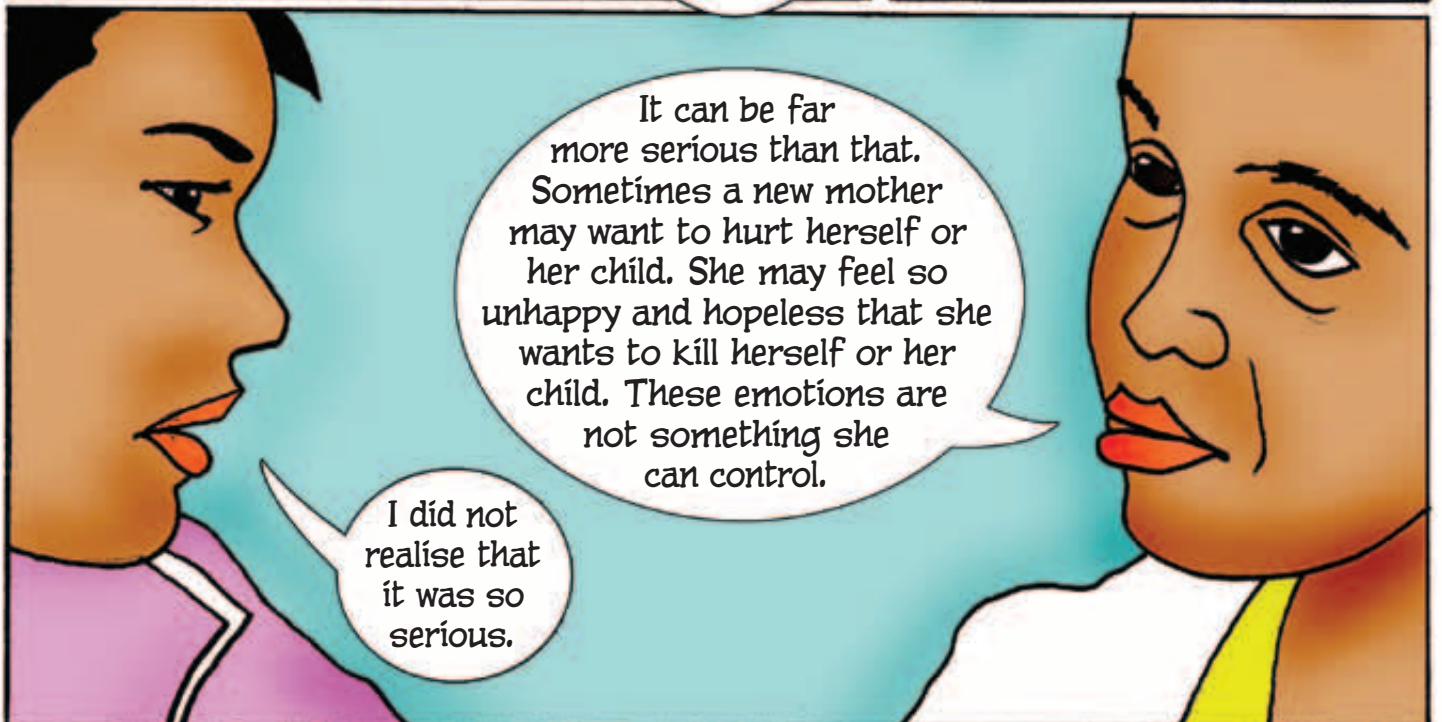
Do you mean when women are sad after they have given birth? Women should just snap out of it and cheer up.



Postnatal depression is a real illness. It is caused by changes in your hormone levels. Some women need treatment for it because it can be very serious.

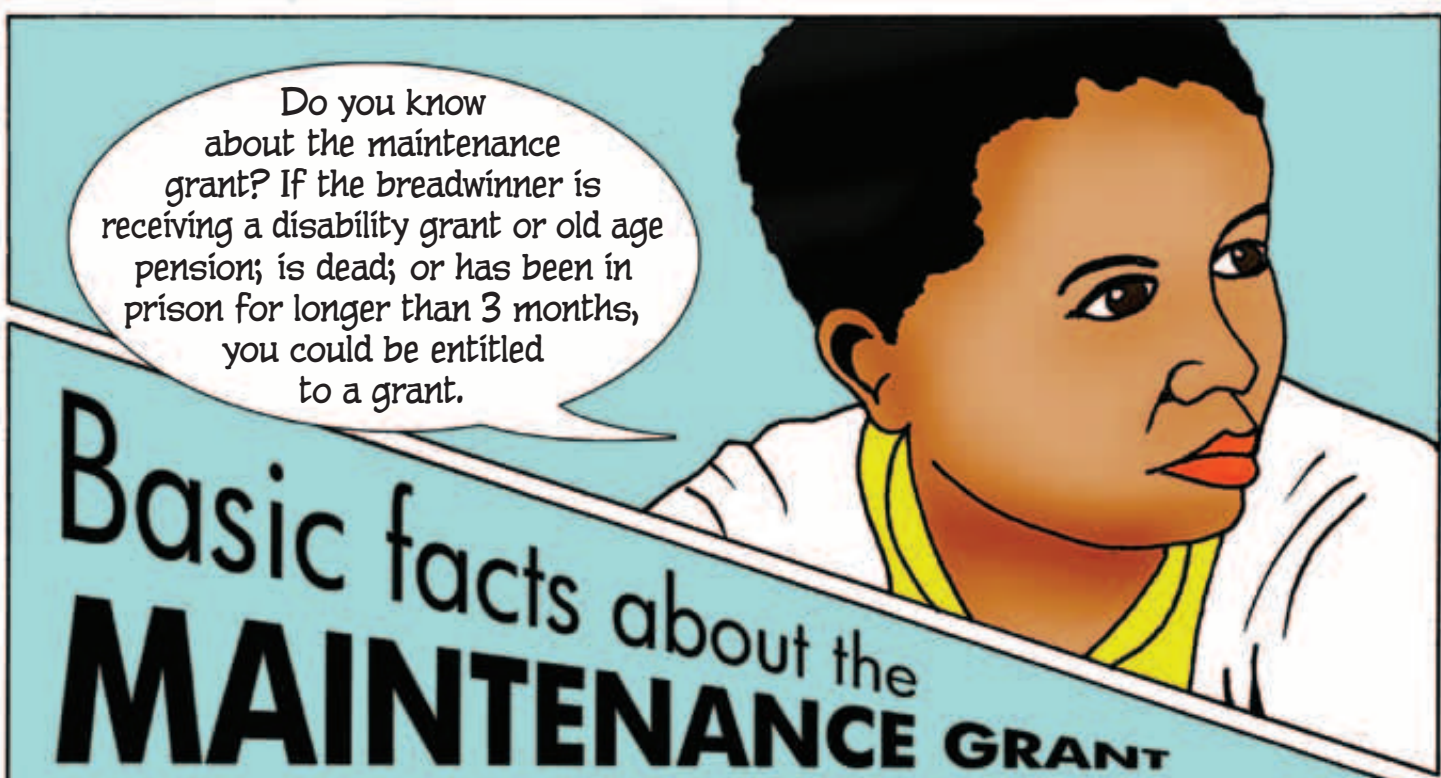


Lots of women cry after they have given birth. That is not serious.



It can be far more serious than that. Sometimes a new mother may want to hurt herself or her child. She may feel so unhappy and hopeless that she wants to kill herself or her child. These emotions are not something she can control.

I did not realise that it was so serious.



- A maintenance grant is an amount of money which the government pays to particularly needy parents for the support of their children. Only parents with very small incomes can get maintenance grants.
- A child who is aged 7 or older must be attending school to receive the grant – unless he/she is not able to attend because of a disability.
- The income of the parent who is making the application must not be more than N\$1000/month.
- One of the following situations must apply:
 - The other parent was the breadwinner but is now receiving an old age pension or disability grant.
 - The other parent was the breadwinner but has died.
 - The other parent was the breadwinner but has been sentenced to go to prison for 3 months or more.



What the law says about **ABORTION**

When is abortion allowed?

You can have a legal abortion if:

- your life is in danger;
- the pregnancy may cause serious harm to your physical or mental health;
- there is a strong risk that the child will have a serious mental or physical problem;
- the pregnancy is a result of rape or incest;
- the pregnancy is the result of sexual intercourse with someone who has a mental disorder so severe that she did not understand what she was doing.

How can I get an abortion?

The steps for getting permission for a legal abortion depend on the reason for the abortion. The first step is to see a doctor. Any doctor should be able to help you follow the other steps.

Can I get an abortion any other way?

If an abortion is performed without permission, both the doctor and the woman can be found guilty of a crime.

Illegal abortions that are done secretly can be very dangerous.

Legal abortions are more widely available in South Africa. Some people travel to South Africa to have an abortion.

BASIC FACTS ON THE MAINTENANCE ACT



FACT SHEET

Gender Research & Advocacy Project
LEGAL ASSISTANCE CENTRE
Windhoek, Namibia, 2008

What is maintenance?

- Maintenance is money or goods that a person has a legal duty to provide for the basic living expenses of his or her dependants.
- Maintenance is used for basic living expenses such as housing, water, electricity, food, clothes, transport, medical expenses and school fees. Maintenance may also be provided for pregnancy and birth-related expenses.
- All children have a right to maintenance.
- All children are treated equally before the law.
- Both parents are responsible for their children, even if a child is being cared for by someone else.
- The amount of money each parent must pay will depend on how much money they have and how much money they earn.
- The payment of maintenance must come before anything else except for payments parents make to support themselves.



What to do if maintenance is not paid

If you do not receive a maintenance payment 10 days after it should have been paid, you should contact the Clerk of the Court. The court can take the money directly from the defendant's wages, or sell some of his or her property.



Who can claim maintenance?

A parent, the person who looks after the child (such as the grandmother) or any other person who is worried about the child (such as a teacher) can apply for maintenance. A child can also claim maintenance from a parent without assistance from an adult.

How long must a parent pay maintenance for a child?

A maintenance order generally ends when a child is able to look after him- or herself. This is usually when the child reaches 18. But if a child marries or starts work before the age of 18, a maintenance order will stop. If a child goes to university, maintenance may need to be paid for longer.



How to claim maintenance

Go to the Magistrate's Court

- The Clerk of the Court will help you to fill in the forms. The entire process should be private and you do not need a lawyer.

Meeting with the Maintenance Officer

- Both parents will be asked to attend an informal meeting. Most cases are settled at this meeting. The maintenance officer will try to help the parents come to an agreement. If the parents cannot agree, a Magistrate will have to decide the case.

Enquiry by the Magistrate

- If the Magistrate has to decide the case, both parents must come back on another day to explain their position to the Magistrate.

- It is a crime to lie to the Magistrate or Maintenance Officer or to delay the process.
- It is a crime to threaten or intimidate the complainant.
- It is a crime to ignore a maintenance order or to misuse maintenance money.
- It is a crime for the Magistrate or Maintenance Officer to tell anyone about the details of the case.

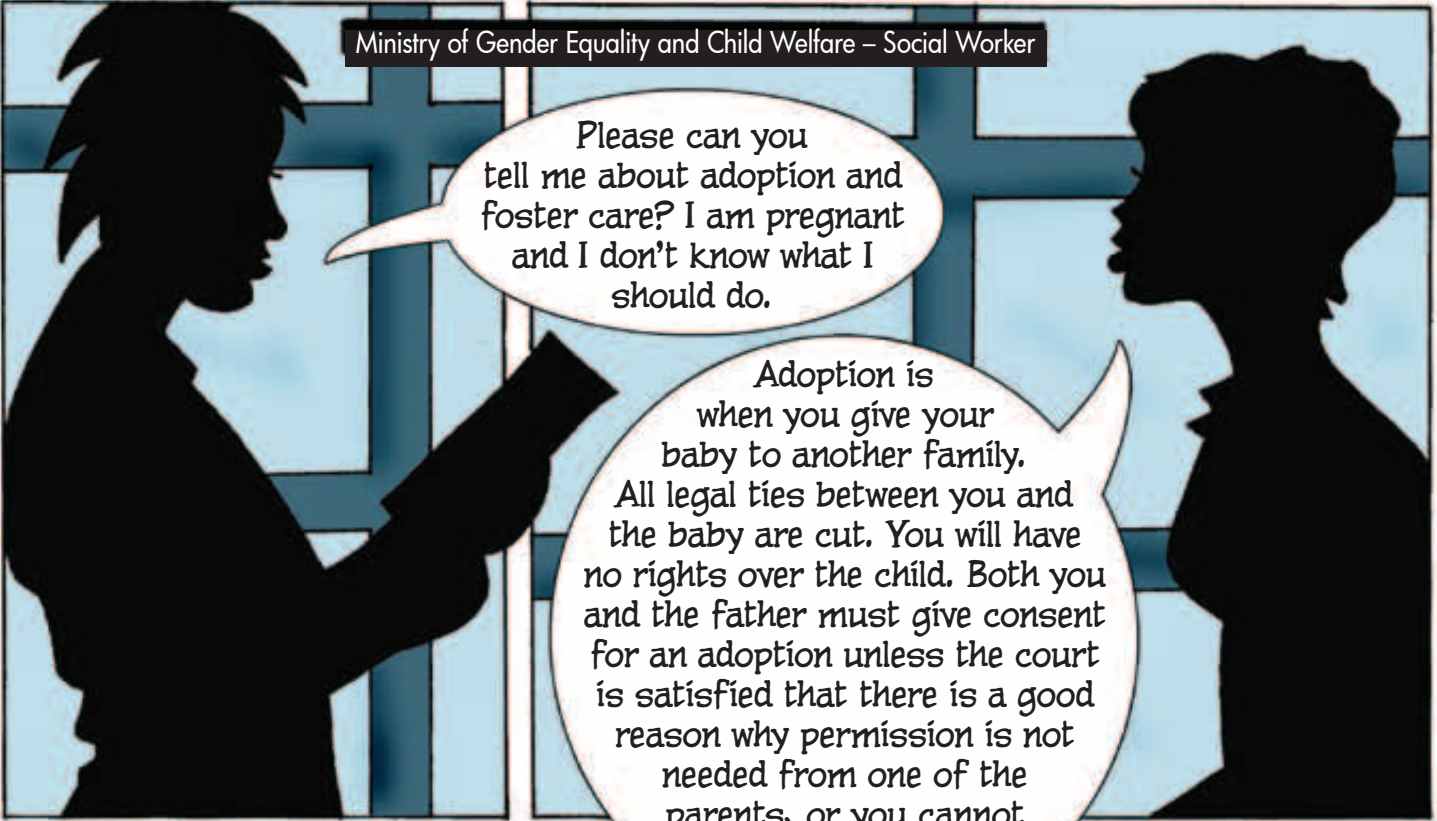
See the Legal Assistance Centre's Guide to the Maintenance Act 9 of 2003 for more details.

Pdf (Acrobat) versions of LAC publications are posted on the LAC website: www.lac.org.na



Funded by the
Embassy of the French Republic
Legal Assistance Centre
P.O. Box 604, Windhoek, Namibia
Tel. 061-223356





Please can you tell me about adoption and foster care? I am pregnant and I don't know what I should do.

Adoption is when you give your baby to another family. All legal ties between you and the baby are cut. You will have no rights over the child. Both you and the father must give consent for an adoption unless the court is satisfied that there is a good reason why permission is not needed from one of the parents, or you cannot find the father of your child.




If I give my child up for adoption, can I keep it a secret?

There are two types of adoption. A closed adoption is when you are not told anything about the family that adopts your child. The new family does not know anything about you either. An open adoption is when all information about both families is shared. In an open adoption the new parents may allow you to visit the child from time to time.

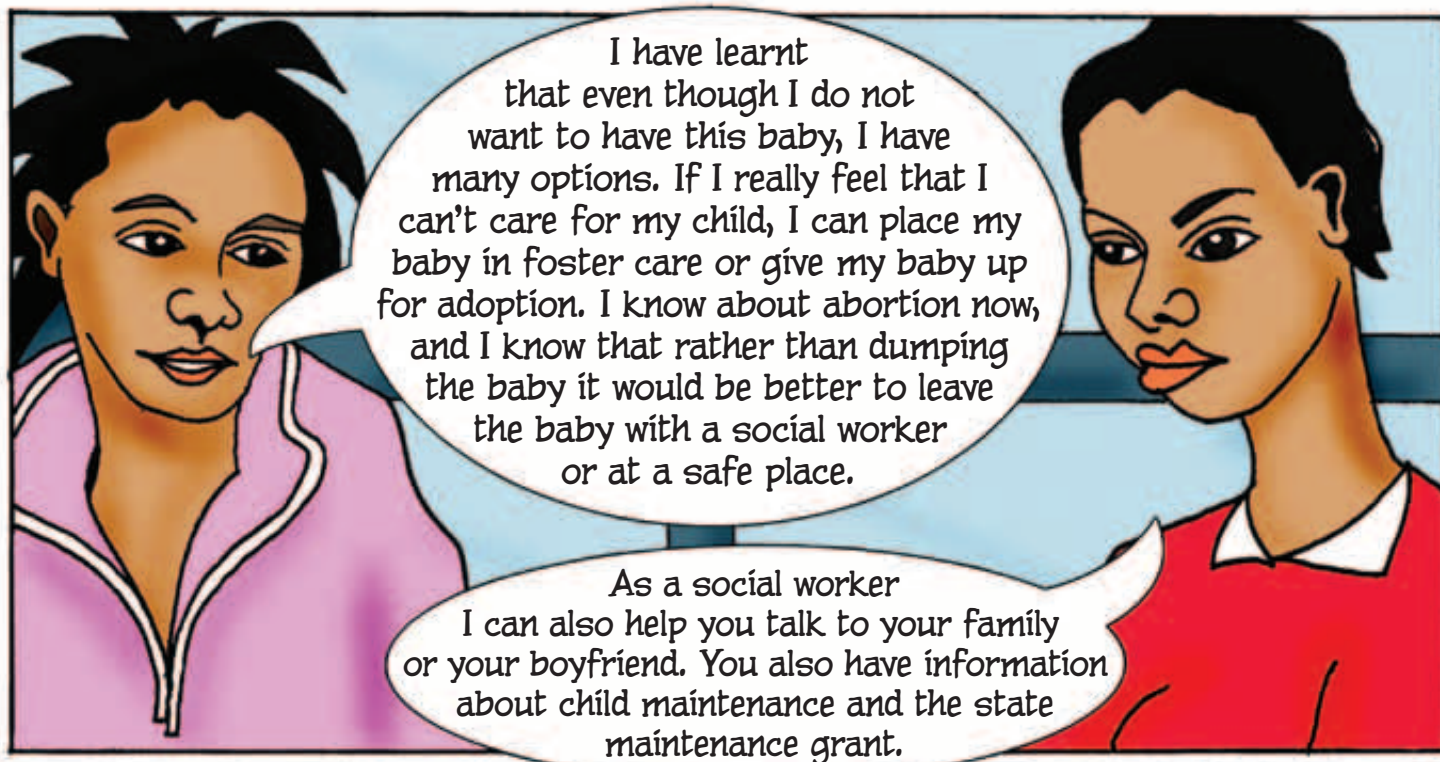


What is foster care?

Foster care is when another family cares for your child on a temporary basis. This may be for just a few weeks or for a longer time. Sometimes foster parents care for a foster child for many years.



Now I must decide what to do.



I have learnt that even though I do not want to have this baby, I have many options. If I really feel that I can't care for my child, I can place my baby in foster care or give my baby up for adoption. I know about abortion now, and I know that rather than dumping the baby it would be better to leave the baby with a social worker or at a safe place.

As a social worker I can also help you talk to your family or your boyfriend. You also have information about child maintenance and the state maintenance grant.



I have a lot of thinking to do. But one thing I do know is that I am not going to dump my baby. There are many ways to keep my child safe and I am going to choose one of them.

**What do you think Esther will do?
What would YOU do?**

DO YOU

... HAVE A QUESTION?

... HAVE A COMMENT?

... NEED MORE INFORMATION?

CONTACT US!

SMS: 081-6000098

Email: comic@lac.org.na

Fax: 088-613693

Post: P.O. Box 604 Windhoek

**We would like to hear
your feedback about
this comic.**

Text:

RACHEL COOMER

Illustrations, design and layout:

DUDLEY VIALI and PERRI CAPLAN

Project supervision:

RACHEL COOMER and DIANNE HUBBARD

Funding:

DUTCH MINISTRY OF FOREIGN AFFAIRS,
MDG3 FUND

Printing:

JOHN MEINERT PRINTING
(PTY) LTD

Publisher:

GENDER RESEARCH &
ADVOCACY PROJECT,
LEGAL ASSISTANCE CENTRE,
2010

This comic may be freely
copied for educational
purposes, as long as the
source is acknowledged.

An electronic version of this
publication is available on the
LAC website: www.lac.org.na

