



Ministry of Gender Equality and Child Welfare

PROTECTING THE RIGHTS OF NAMIBIA'S CHILDREN

Revising the Child Care and Protection Bill



In 2009, the Ministry of Gender Equality and Child Welfare will be revising the Child Care and Protection Bill. The Bill, first drafted in 1994 and revised several times since then, is a vital piece of legislation intended to replace the outdated Children's Act 33 of 1960. Law reform in this area is essential if children in Namibia are to receive the care and protection they so desperately need. The Bill addresses a number of key areas including children's courts, early intervention services, procedures for removing endangered children from the home, foster care, adoption, child trafficking, child-headed households and many more issues. In all of these areas, there is a critical need to ensure that the rights of children in Namibia are protected and upheld.

To ensure that the Bill is in the best possible form before being tabled in Parliament at the end of 2009, the Ministry of Gender Equality and Child Welfare will be running a multi-faceted multi-media project to consult with stakeholders and the public on the Bill's contents. The objectives of this process are as follows:

- a) to refine the Bill, which is still in rough draft form, so as to ensure its appropriateness to the Namibian situation;
- b) to draw on the experience of other African countries with recent law reforms on similar issues, particularly South Africa which shares a common legal history with Namibia on children's rights;
- c) to raise the level of public awareness of the forthcoming law and provide opportunities for public input, which will advance overall awareness and understanding of children's rights in Namibia; and
- d) to consult service providers and other stakeholders on various thematic topics covered in the draft law, to ensure that the proposals for law reform are appropriate and feasible to implement in practice.

The Legal Assistance Centre will be providing technical assistance to the Ministry of Gender Equality and Child Welfare throughout this process. The project is supported by UNICEF and guided by a Technical Working Group which meets regularly. The stages of the revision process are as follows:

1. Summary of the Bill into factsheets (produced in English and indigenous languages) and preparation of a simple-language summary of entire Bill.
2. An intensive media campaign to inform the public about the revision process and to consult them on their opinions using print, radio, television and other communication methods - with special efforts to involve children and get their input.
3. Four regional workshops to discuss key aspects of Bill.
 1. *Karas/Hardap: 28-30th April*
 2. *Kavango/Caprivi: 12-14th May*
 3. *Omusati, Ohangwena, Oshana & Oshikoto: 26-28th May*
 4. *Erongo/Kunene/Otjozondjupa/Khomas/Omaheke: 7-9th July*
4. Five national workshops to consult with key stakeholders and international child law experts (June 8-15th)
 1. *Children's court procedures and legal representation for children*
 2. *Protection against exploitation, trafficking and other harms*
 3. *Age of majority and age of consent to various medical procedures*
 4. *Adoption*
 5. *Children in need of care/protection and foster care options, including implications of foster care provisions for system of foster care grants*
5. Collection and collation of written input from key stakeholders.
6. Detailed analysis and comparison of the draft Bill with the comparable South African law.
7. Collation of all comments and technical input.
8. Final preparation of Bill for tabling in Parliament

For more information on the draft Child Care and Protection Act, contact the Permanent Secretary at the Ministry of Gender Equality and Child Welfare



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