

## Abstract:

### Presentation for Dui Hua Webinar 14 December 2020 by Professor Ann Skelton

#### Girls as sex offenders

Girls are generally a minority when it comes to being charged with offences, and that is equally true of sexual offences. However, in recent years in South Africa we have seen certain categories of crime developing that draw girls into the net of being treated as criminals in ways that the legislature may not have foreseen. The presentation focuses on the (de)criminalisation of consensual sex between adolescents, and other 'new generation' crimes such as sexting, and the specific effects of societal attitudes about girls' sexuality. The impact of these new laws will be assessed through recent case studies, and the **South African Constitutional Court** judgment of *Teddy Bear Clinic v Minister of Justice* 2014 (2) SA 168 (CC) will feature. It is argued that these offences present new challenges within the scope of status offences – as identified by the Global Study on Children Deprived of their Liberty. The presentation calls for decriminalisation of consensual sexual activities, in line with guidance of the Committee on the Rights of the Child.