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# **COMMENTS AND INPUT FROM THE NATIONAL INTERFAITH COUNCIL OF SOUTH AFRICA ON THE CRIMINAL LAW (SEXUAL OFFENCES AND RELATED MATTERS) AMENDMENT ACT, AMENDMENT BILL**

NICSA as an Interfaith Movement representing a variety of faith based communities would like to make its observation in the following issues:

Morality and ethics as part of our brief are our primary concern, and given the state of moral decay and regeneration in our country, also recognizing the psychological damage that was caused by the previous apartheid system, and the laws that they had enacted, understand and accept amendments that need to be changed by legislation.

However as an Interfaith Movement we are guided by certain moral and ethical codes. To believers consensual sex remains a code for married people. We however, recognize that societies and cultures evolve and new practices and influence are part of this process.

To us the age of a consenting person to have sex should be 18 or above and not define a child of 12 years to be put in that category, however, recognizing that in other cultures 16 years could be the consenting age. We support the amendment with the following provisions, that any form of sexual activity with a child between 12 and 16 be declared a statutory rape without any compromise of the law.

We concur that the Director of Public Prosecution be given the Authority to determine cases of those who engage in any form of sexual activity with children as categorized by the law prosecuted in line with the Act.

We concur with the Amendment of section 16 of Act 32 of 2007.

Amendment of Section 46 of Act 32 of 2007

Amendment of Section 47 of Act 32 of 2007

Amendment of Section 48 of Act 32 of 2007

Amendment of Section 50 of Act 32 of 2007

President: Bishop D. Matebesi; Deputy President: Rev. C. Madiapha; Secretary General: Rev. T. Mvambo; Deputy Secretary: Ms. C. Lodi; Treasurer: Bishop S. Govender; Public Relations Officer: Dr M. Motshekga; Communication: Rev. L. Ramosa

Amendment of Section 51 of Act 32 of 2007

Amendment of Section 56 of Act 32 of 2007

Amendment of Section 57 of Act 32 of 2007

We however as an Interfaith Movement remain skeptical with certain Section of the Bill, we hope parliament will consider some of the observations and concerns we have raised.

We respect the ruling that was made by the Constitutional Court.

As law abiding citizens who believe in the rule of law, we respect the Constitution of the Republic of South Africa and will abide by it.

Submitted by NICSA.