



## **Kingdom Governance Movement (KGM)**

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### **"Kingdom Mandate, Kingdom Dominion, Kingdom Inheritance"**

Attention Committee Secretary

Portfolio Committee on Justice & Correctional Services

P.O Box 15

Cape Town

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#### **Submission/ Comments on the Criminal Law (Sexual Offences and Related Matters) Amendment Act, Amendment Bill B18-2014**

The Kingdom Governance Movement (KGM) appreciates the opportunity to make its submission on the proposed Bill that seeks to amend the Criminal Law (Sexual Offences and Related Matters) Amendment Act, 2007.

KGM's purpose is to unite all political formations and other institutions within the broader society into a non-partisan Assembly of the Kingdom Of God and a political Alliance for Ethical Democracy. Our mission is to develop character leadership, mobilize and disciple the nation into righteousness, peace, justice and prosperity of the Kingdom of God.

As we are already aware, the Constitutional Court found that it was not constitutionally permissible to criminalise consensual sex or sexual acts between adolescents.

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obliged to act in accordance with the order of the Constitutional Court. For this reason, it may be a futile exercise to persuade Parliament not to amend the Act in accordance with the Constitutional Court decision.

According to Advocate Nadine Badenhorst it is proper for Parliament to adopt a narrow interpretation of the Constitutional Court's judgment in the *Teddy Bear Clinic* case, and to go no further in its amendments of the Act than what is absolutely necessary to give effect to the Court's judgment. The anticipated submissions to Parliament in respect of the Bill will hopefully provide Parliament with a creative solution to do just that – give effect to the Court's judgment, while also protecting our young girls who are particularly impressionable.

The above is the consequence of adopting a liberal constitution which undermines biblical and Godly traditional values and principles in 1996. This was hugely influenced by the adoption of the Philosophies of the global secular humanism propagated mainly by atheists and humanists who do not recognise the existence of God. KGM strongly suggests that this liberal Constitution should be amended on the bases of positive values, principles, ethics and moral standards in order to establish a value based Constitutional Order. These facilitates and ensure a value based society and a prosperous nation.

Accordingly, the intention is to ensure that children of certain ages are not held criminally liable for engaging in consensual sexual acts with each other as per Section 16, 1 paragraph (a) and (b) which reads as follows:

" (1) A person ("A") who commits an act of sexual violation with a child ("B") who is 12 years of age or older but under the age of 16 years is, despite the consent of B to the commission of such an act, guilty of the offence of having committed an act of consensual sexual violation with a child, **unless A, at the time of the alleged commission of such an act, was—**

**(a) 12 years of age or older but under the age of 16 years; or**

**(b) either 16 or 17 years of age and the age difference between A and B was not more than two years."**

As KGM we believe that Parliament should consider the question whether it is morally correct or acceptable for minors to engage in consensual sex or sexual acts taking into account the physical, emotional/ social and spiritual consequences of such activities.

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illegal but their cases be treated differently from those of hard-core criminal for correctional purposes?

Responding to the above questions is critical because (1) it means that it is also acceptable, morally correct or legal for minors below 12 years as well to be engaged in consensual sex or sexual activities. (2) Further, this seeks to suggest that the consequence of engaging in consensual sexual activity by minors is legally acceptable in spite of society's different views on this matter. This effectively undermines the morals values of the society and parent's authority over their children. (3) It also suggest that parents or members of society who refuse their minor children to be involved in consensual sex would be violating their children's right to "free sex" in spite of the well-known consequences.

KGM still believes that the majority of our people believe in God whose character is manifested as absolute values; likewise our character and human behaviour should imitate His character by daily application of these values and principles by responsible citizens which includes our children.

Therefore, Parliament as a legitimate representative of all the people of South Africa should adopt Godly Values, Principles and Ethics that protect and prevents our children from sexual exploitation by each other or adults. Further it should also pass legislation which is consistent with the positive timeless values, principles and ethics.

KGM urges Parliament to desist from intentionally or unintentionally implementing the 10 Point Charter of Alice Bailey. She together with her New Age Movement planned to remove God and prayer from the education system, destroy the Judeo- Christian family structure, reduce parental authority over their children, make homosexuality an alternative lifestyle and make sex free among others. They argued that "If sex is free, then make abortion legal and easy."

Our government is already confronted with a challenge of escalating teenage pregnancy that subsequently put a huge strain on sustainability of the Child Support Grant due to huge numbers of babies born by our teenagers

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correctional measures be applied in order to avoid their treatment as hard-core criminals, this may include utilisation of special children's court for such cases. This means that the Parliament should effectively come up with a creative clause which will not legalise consensual sex by minors, preventing or protecting these minors from abusing themselves or abusing one another without treating them as criminals as it is legally possible.

In other words we insist that consensual sex or sex activities by minor should not be legally permissible but those who violate that legal principle should be corrected through reasonable and acceptable legal measures.

Kingdom Governance Movement hopes that you shall find the above in order and will receive your favourable consideration.

Yours in kingdom advancement

  
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**Mkhangelisi Matomela**

President

Kingdom Governance Movement (KGM)

**Date:** 03 February 2015

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