**Criminal Law (Sexual Offences and Related Matters) Amendment Act**

**Presentation submitted to:**

Dr. Mathole Motshekga - Chairperson: Portfolio Committee on Justice and Correctional Services

Amendment Bill [B18-2014] Public Hearings - 09:00 Wednesday 4 March 2015

**Prepared by:**

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By introduction I hereby express appreciation to Dr. Mathole Motshekga, MP and the Portfolio Committee on Justice and Correctional Services for the opportunity to submit this presentation.

My name is Albert Wiggins. I have been a resident of the Belhar Community for the past 36 years and serve as the pastor of the Logos Assembly of God Belhar church since 1 April 1995.

I am a father of 4 adult children and a grandfather of 7 as well as a spiritual father to many.

My wife and I together with members of our congregation have been serving both the church and the Belhar community for more than 35 years with children’s needs forming a large part of our community involvement.

Our home receives daily visits of hungry, desperate children, often from dysfunctional family backgrounds. Our church engages in feeding many children through a regular weekly program. Our Children and Youth ministries have served hundreds, if not thousands of children over the years of our existence within the Belhar community. This same sentiment can be expressed by many other churches and organizations in Belhar.

I consider my views expressed to be in the interest of our local congregation, the Belhar community with a population of approximately 70,000 and the peoples of our beloved country of South Africa.

As stated in my correspondence of 27 January 2015 I express strong disapproval of the decrimalization of consensual sex between children in the age group of 12 – 16 years.

God’s design is that sex should be experienced and enjoyed within the boundaries of biblical marriage of adults who generally are physically, mentally and emotionally more developed and mature than the

12 – 16 year age group forming the basis of our consideration in this Amendment Bill.

The bible teaches us in Psalm 127:3 that children are a gift from God to us. The fruit of the womb is a reward.

The greatest resource our nation has been blessed with is that of children. The value of human life is far greater than that of precious minerals or material wealth.

Without children this country will have no future.

Without healthy children this country will have no hope.

Without morally sound children this country will have no future integrity.

Without spiritually equipped and empowered children, raised in righteousness, our nation will succumb to the evils and vices plaguing our society and be sucked into the vortex of moral decay and destruction.

The bible teaches us in Proverbs 14:34 (MKJV) Righteousness lifts up a nation, but sin is a shame to any people. (CEV) Doing right brings honor to a nation, but sin brings disgrace.

Parents in a family are blessed and entrusted by God with children, so too is every nation of the world. Yet often children are identified as amongst the most vulnerable citizens of society and are reliant upon the responsibility and integrity of their custodians, viz parents and the state.

They are often a voiceless and defenseless sector of modern society, often victimized, abused and misused in their innocence, ignorance and vulnerability.

We are further exhorted in scripture in Proverbs 22:6 (CEV) to” Teach your children right from wrong, and when they are grown they will still do right.”

I again place on record strong disapproval of decriminalization of consensual sex between children in the age group of 12 to 16 years old.

I do not believe that South Africa will be acting in the best interest of its children to approve the following proposed amendments of Amendment Bill [B18 – 2014]

Amendments of Sections 1, 15 and 16 of Act 32 of 2007

In South Africa we consider the age of 18 as acceptable for the following:

Eligibility to vote

Eligibility to marry

Eligibility to drive a motor vehicle

Eligibility to purchase liquor products from liquor retailers

In South Africa we consider the age of 21 as acceptable for the following:

Eligibility to own a firearm providing certain stringent requirements are met

It is certainly alarming that we have before us an Amendment Bill aimed at granting Children 12 years of age or older but under the age of 16, the legal passage to engage in acts of consensual sexual penetration. The consequences of such a legal decision are certainly far reaching and I believe detrimental to the fabric of life of those in question and to the disadvantage of the South African society as a whole.

God’s design is that sex should be experienced and enjoyed within the boundaries of biblical marriage of adults who generally are physically, mentally and emotionally more developed and mature than the

12 – 16 year age group forming the basis of our consideration in this Amendment Bill.

Sex between children is NOT the moral norm and can result in them becoming dysfunctional individuals with emotional and psychological scars.

The approval of this amendment will definitely contribute towards the already high and exacerbating incidence of teenage pregnancies, school dropouts, sexually transmitted diseases and sexually related vices so rampant within our communities. Added thereto is the potential to adversely affect their future psychological wellbeing and negatively impact upon their adult marital and social relationships.

Sexual activity between children in this age group should not be decrimanilized.

Let us be proactive in preventing physical, emotional and psychological damage of our children by providing safe legal parameters and healthy moral guidelines which can contribute towards producing a healthy and wholesome society who can add value to marriage and the sanctity of family life by upholding responsible, sound moral values and thereby leave behind a good legacy.

As a father, grandfather and spiritual father I would find it most encouraging and even comforting to know that our government would so appreciate the value of our current young generation and many future youth generations and thereby do all in its power to provide the necessary legal parameters to ensure adequate protection of our youth from harmful practices and provide for them a safe environment of sound moral influence, wherein their growth and development may flourish, thereby contributing to their development as citizens of outstanding character and integrity and role models to the rest of the world.

I again express appreciation for this opportunity and conclude with the following verses from the book of Isaiah, chapter 54 and verse 13

(RV) And all thy children shall be taught of the LORD; and great shall be the peace of thy children.

(GNB) "I myself will teach your people and give them prosperity and peace.