



Cnr Ou Kaapse Weg & Buller Louw Drive - P.O. Box 1116 Sun Valley 7985
Tel (27) 021 785 4200 - Fax (27) 021 785 3586 - E.mail office@kingofkings.org.za

Mr V. Ramaano
Committee Secretary
Portfolio Committee on Justice and Constitutional Development
Western Cape Provincial Parliament

02 September 2008

Dear Chairperson

**Submission: Amendment to the Unlawful disposal of body of child Act
(Section 113 of Act 46 of 1935)**

Introduction

Fish Hoek Baptist Church is actively involved in the community and has a number of projects such as in HIV, AIDS treatment and care, job creation and also in providing practical help with homeless people.

We commend Parliament for addressing this issue. The deliberate dumping of newborn babies with the intention of letting them die is abhorrent to us and we must do all we can to stop this practice. The amendment of this bill will go a long way to discourage infanticide in South Africa.

However, as detestable as this practice is, we as a church seek to address this issue in a sensitive and realistic way and recognise our responsibility in not only in representing the interests of the newborn child but also those of the hurting and bewildered mothers faced with incredibly difficult circumstances. The existing bill does not address this issue at all.

Amendment to Section 113

We feel that three issues need to be addressed:

Firstly that the Bill needs to discourage women from abandoning newborn infants and that this should remain a criminal and punishable offense.

Secondly, that "Places of Safety" be identified and/or established where newborn infants can be taken for protection. Mothers choosing this option would be free from prosecution. Mothers should have the option of anonymity or not. Places of Safety would include hospitals, clinics, police stations and designated churches or NGOs willing to provide interim sanctuary to newborn infants.

Thirdly, that adequate and effective counselling be carried out and pregnant mothers should be fully informed of the alternatives available to her. We as a church are vehemently opposed to abortion as an option and feel that this is synonymous with baby abandonment. However, we also feel that counselling should adequately address all the risks involved both physically, emotionally and spiritually. Counselling should be carried out by trained professionals who are impartial and should at least include the following:

- Detailed explanation of the penalties and legal implication of baby abandonment.
- Detailed explanation of the foetal development stage of her babies.
- Detailed explanation of the psychological impact including the long term emotional implications of baby abandonment or abortion.
- Pregnant mothers should be given the contact details of services offering additional counselling or offering help towards motherhood.
- Pregnant mothers should be given information regarding to and contact information of agencies offering alternatives to baby abandonment or abortion.

Adequate and clear signage should be displayed at all hospitals and clinics to advertise such counselling services and Places of Safety. In this way the pregnant mothers can be fully empowered to make knowledgeable decisions for them and be fully informed of the consequences of her decisions.

We trust that our submission will receive attention. We pray for wisdom for you and your committee.

Yours faithfully

Alan R. W. Day
Pastor – Visitation and Care

pp. The Executive and Members of Fish Hoek Baptist Church