

**Oral Submission on the Amendment to the Unlawful disposal of body of child Act
(Section 113 of Act 46 of 1935)
Presented 09 September 2008 – Old Assembly Building
by Pastor Alan Day representing the Fish Hoek Baptist Church**

Madam Chair, Members. Thank you for the opportunity to present this submission.

Our submission is one of a practical approach to this matter and we have some suggestions for your consideration.

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. This is murder and must be treated as such and 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 issue here goes a lot deeper than convictions and prosecutions. The existing bill does not address this issue at all.

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. (Discourage is probably a too weaker word to use here).

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. They need to clearly understand the consequences of their decisions.
- Detailed explanation of the foetal development stage of her babies. She needs to know what is going on within her body.

- Detailed explanation of the psychological impact including the long term emotional implications of baby abandonment or abortion. As a pastor I have dealt with women who carry incredibly deep emotional scars resulting from uninformed or unwise decisions made sometimes 20 or even 30 years earlier.
- 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.

Thank you

Pastor Alan Day