

# FOR SA urges broad public participation in spanking bill consultations



Freedom of Religion SA (FOR SA) has sent out an email alert encouraging broad public participation in the provincial consultations, and written submissions, on the [Children's Third Amendment Bill](#) which outlaws any form of physical discipline at home.

Provincial consultations on the bill will be held in August and September, and written consultations are invited by September 7.

In its alert FOR SA highlights the following two main objections to the bill which it urges should be raised in consultations and submissions.

1) Existing law (including the Children's Act, the Domestic Violence Act, and the common law offence of "assault") already provide firm and adequate protection against child abuse and violence. The amendment, however, poses a severe threat to parental rights and religious freedom. It removes the option for parents to decide for themselves – in accordance with their own moral or Scriptural convictions – what is in the best interest of their children.

□2) While the State must intervene where physical violence or abuse is taking place, a statutory prohibition on physical correction in the home may create the situation that

significant amounts of taxpayers' money are misdirected into training interventions and court cases involving parents and families that are not at risk, when it should be directed towards those families and communities that are truly vulnerable and in need of such intervention.

Most notably, from a parental rights and freedom of religion perspective, section 8 of the bill proposes that "positive discipline" (which is not defined in the bill) be the only legally acceptable form of child correction. It specifically proposes that corporal punishment in the home be prohibited and the common law defence of reasonable chastisement be abolished, says FOR SA.

In plain language, it says the bill aims to make any form of physical discipline by a parent – no matter how light or well-intentioned – illegal and potentially subject to criminal prosecution for assaulting a child, to which there will be no defence in law.

The provincial consultations dates are:

Gauteng (Johannesburg / Pretoria), Free State (Bloemfontein)  
August 15 – 17

Western Cape (Cape Town), Limpopo (Polokwane)  
August 22 – 24

Northern Cape (Kimberley), North West (Rustenburg), KZN  
(Durban)  
August 29 – 31

Eastern Cape (Port St Johns), Mpumalanga (Nelspruit)  
September 5 – 7

FOR SA says it will circulate an alert as soon as the venues for the provincial consultations are confirmed. Alternatively, participants can contact Ms Sarah Mabasa (DSD Chief Directorate: Children's Legislation, Monitoring and Reporting)

directly at SarahMaf@dsd.gov.za or 012 – 312 7725.

Written comments on the bill can be e-mailed to Sarah Mabasa at [SarahMaf@dsd.gov.za](mailto:SarahMaf@dsd.gov.za) and Matlhogonolo Sebopela at [SarahMaf@dsd.gov.za](mailto:SarahMaf@dsd.gov.za)