

# A GUIDE TO MAKING SUBMISSIONS TO THE PROVINCIAL PARLIAMENTS ON THE CHILDREN'S AMENDMENT BILL

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## **What is a submission to Parliament?**

A submission is an individual's or an organisation's comments on a draft law (or Bill) that is being discussed by a Portfolio Committee in the national Parliament or in a provincial Parliament. A submission expresses support for or opposition to the Bill. It may also propose changes. A submission is usually a written document. However, a person or organisation may also ask to make an oral presentation to the Committee. A submission can be a very simple document, like a letter or a short statement. It can also be much longer. It depends on the writer and what she or he wants to say.

## **Why make a submission?**

Submissions are one of the ways that the public can make their voices heard in the law-making process. Members of Parliament (MPs) need to know if the public supports a Bill. They also need suggestions from the public about how to improve Bills.

You may have suggestions that would help make the law better. By making a submission, you can raise matters of concern or suggest solutions that MPs might not have thought of.

It is a practical way to ensure that the new law is appropriate and relevant to the challenges being faced by your organisation and the community that you work with.

## **Let us raise our voices together**

The Children's Bill Working Group is encouraging organisations and individuals to act together to prepare submissions. We will keep in touch with you and let you know what we are doing. This is important because, if several groups make similar points and propose similar amendments, we are more likely to make an impact.

## **Where is the Bill now?**

On the 8th June 2006 the President signed the first Children's Bill and it is now known as the Children's Act 38 of 2005. This will not come into force until the second Bill, the Children's Amendment Bill [19 of 2006] has been passed by Parliament.

On the 25<sup>th</sup> July the Minister of Social Development, Dr Zola Skweyiya introduced the Children's Amendment Bill in the National Council of Provinces (NCOP). This Bill deals with issues that affect the provinces and it will therefore be sent to all of the provincial parliaments. The provincial parliaments then send the Bill to the provincial committees on social development or social services.

These committees must then consult on the Bill. The committees can choose how they consult. This could be through calling for written submissions and/or public hearings, or through site visits. It is important to send written submissions to the committees but also to let the provincial parliament know that there is demand for public hearings on this critical Bill. The contact details for the different provinces are attached or can be accessed on the Children's Institute website.

## **When should we make submissions on the Children's Amendment Bill?**

It is very likely that public hearings will be called on very short notice during the month of October. Since there is no deadline, it is best to begin working on your written submission as soon as you have a copy of the Bill and send it to your provincial committee once the committee announces its due date.

## **How should we write our submissions?**

There is no set format for a submission. It can be a simple letter of support or opposition, or it can be a longer document with suggestions for changes. The important thing is to say what you want to say clearly.

Usually, the shorter and simpler the better. MPs are busy people and will probably not have time to read very long complicated submissions.

## **Know what the Bill says**

Read the Bill or the sections of the Bill that you intend to make comment on. If you need a copy of the bill you can get a copy of it on the internet at <http://ci.org.za/>. Or you can contact Lucy Jamieson at the Children's Institute at [lucy@rmh.uct.ac.za](mailto:lucy@rmh.uct.ac.za).

## **Begin with a summary to make the main points**

If your submission is long, write a summary. Your summary should briefly outline your main points and recommendations.

## **Say who you are**

If you are making the submission as an individual, explain why you want to comment on the legislation. If you have training or experience that is relevant to the issue, say so.

If you are making the submission as an organisation, describe the organisation: Who are its members? Why are they concerned about this Bill? Does the organisation have special expertise or experience in this issue?

## **Explain your point of view**

This is the main part of your document. Start by saying whether you support or oppose the Bill. And what parts of the bill you oppose and support. If you want to suggest changes, do so here.

If you have a particular story to tell, tell it here. Short stories which explain how a particular problem is impacting on a child, a family or a community help the MPs to understand the context in which children are living. This helps them ensure that the provisions of the Bill are made relevant and appropriate to the challenges facing children in South Africa.

In 2004, at the parliamentary hearings on the first Children's Bill, a crèche told the story of how difficult it had been to get registered and funded and how they persevered through all the difficulties to ensure that the 80 children in the crèche still got food and care. The MPs were very moved by the story and afterwards they had a much better understanding of the difficulties faced by crèches.

It is important not to just make political points but rather to explain what is happening on the ground. Do not assume that the MPs know about the challenges you face.

### **Use the language of your choice**

Use the language you feel most comfortable with. The main language used in Parliament is English. However, the majority of MPs speak Xhosa, Zulu or Sotho. They will enjoy reading submissions in any of these languages. But remember, the media probably do not understand many South African languages. So attach a one-page summary of your main points in English.

### **Logos/ letterheads**

Put the logos on your submission or write the submission on your organisation's letterhead.

### **Contact details**

Give full contact details including a cell number where you can be reached at any time. Indicate clearly your preferred method of communication.

### **Endorsements**

If you want other organisations in your province to endorse your submission, before it goes to the committee circulate it to the provincial network e-mail list.

### **Oral Presentation**

If you wish to make an oral presentation at the public hearings, you must make that clear in your submission or the covering letter.

### **What to do when you have finished your submission**

You need to send your submission to your provincial Portfolio Committee on Social Development/Social Services. You should send it to the Chairperson of the Committee AND the Committee Co-ordinator or Secretary.

See the attached list of contact details for Provincial Committees for details on who to contact in each province. The list is also on the Children's Institute website ([www.ci.org.za](http://www.ci.org.za)) under the Children's Bill link (then look under the heading "contact government decision makers").