



Southern African Catholic Bishops' Conference

To: The Chairperson and Members of the National Assembly Portfolio Committee on Co-operative Governance and Traditional Affairs.

ENGAGEMENT ON THE CRL RIGHTS COMMISSION SECTION 22 COMMITTEE'S ESTABLISHMENT AND PROCESSES

The Catholic Church's position regarding the work of the CRL Commission's section 22 committee is similar to that of most other mainstream Christian denominations:

we acknowledge the fact that various serious abuses have been committed by ministers of religion or by people purporting to be pastors or ministers; and

we acknowledge that both the CRL Commission and Parliament have a right, and indeed a duty, to investigate these abuses and to suggest interventions aimed at combating them.

However, any such interventions must fully respect and uphold the right to freedom of religion, belief and opinion. In this regard, talk of codes of conduct to be imposed on religious bodies, or of legislative steps requiring religious bodies and practitioners to register with a state entity, and to be subject to the authority of such an entity, are unacceptable.

In our view the existing laws of the Republic, including criminal law and tax law, as well as or financial regulatory architecture, would be sufficient to deal with the abuses that have prompted the section 22 committee's investigations – if those laws were properly enforced by the responsible authorities.

We do not believe that state interference in the way religious bodies and practitioners carry out their rights under section 15 of the Constitution, as has been mooted by leading members of the CRL Commission on various occasions, is either necessary or justified.

In this regard, we note that this is not the first time that the Commission has embarked on an attempt to exert control over religious bodies. The same thing happened in 2017, when a similar investigation resulted in the publication of a report and a draft Bill. These were both rejected by the COGTA Portfolio Committee at the time, and we do not believe that any new circumstances have arisen since then that would justify a different outcome now.

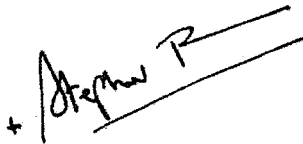
Finally, there is currently an application pending in the Gauteng High Court in terms of which it is alleged that the section 22 committee was not lawfully established. We are also mindful of the much-publicised resignation of the committee's chairperson, Prof Musa Xulu, in December 2025. Prof Xulu made various allegations of undue interference in the



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work of the committee by officials of the CRL Commission. We cannot, of course, comment on the merits of either the court application or Prof Xulu's allegations, but it would seem to be a sensible course of action for the Portfolio Committee to wait for the finalization of the court application (which may well cast light on Prof Xulu's allegations) before adopting a position as to the desirability of the section 22 committee continuing its work with its present mandate, or at all.

The Catholic Church in South Africa remains committed to co-operating in every appropriate way with the authorities to combat abuses or criminality of any kind carried out under the guise of religion. In doing so, however, neither the civil powers nor the religious bodies themselves, should unjustifiably infringe people's right to religious freedom.

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Stephen Cardinal Brislin
President
Southern African Catholic Bishops' Conference

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