

# **MEDIA STATEMENT ON THE FINDINGS OF THE INVESTIGATION FOLLOWING ALLEGATIONS OF CORPORAL PUNISHMENT INFLICTED TO A LEARNER WHO PASSED ON AT SIDLEMU PRIMARY SCHOOL ON 25 JUNE 2012**

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**Ladies and Gentlemen,**

Thank you for gracing this media conference.

I must say that it will be an understatement to state that I was shocked to receive news that one of our learners was alleged to have died because of corporal punishment inflicted on him by a teacher.

What disturbed us is that a lot is being done on an ongoing basis to make teachers aware that corporal punishment has no place in our schools.

To confirm the validity of this allegation, the Department instituted an investigation into the matter which was conducted by our Director for Labour Relations.

His terms of reference were to establish if there were probabilities and the authenticity of the allegations leveled against the school and the teacher in question.

Our findings revealed that:

There is a probability that the late learner was beaten by the teacher concerned who further instructed some learners to also do so on her behalf.

The Department suspended the said teacher on **15 June 2012**.

Subsequently, the teacher in question tendered her resignation letter to the Department on **18 June 2012**.

To this effect, the Department discharged her in terms of Section 14(1) (C) of the employment of Educators Act that reads as follows:

*An educator appointed in permanent capacity who-*

*(c) While suspended from duty, resigns ...;*

*Shall, unless the employer directs otherwise, be deemed to have been discharged from service on account of misconduct,*

This simply means that this teacher will at no stage be employed in the public service to work with children in accordance with the Children's Act of 2005.

The Department has directed the Ehlanzeni District Director to terminate her employment in accordance with the above provision.

The Department will further consult with the South African Council of Educators to lead a process to de-register this teacher from their Educators' Roll.

This in my view will send a clear message to teachers who continue to practice corporal punishment that we will find out and deal decisively with them.

### **Remedial Measures going forward**

We concede that we needed to act swiftly to verify the authenticity of these allegations by confining ourselves only on this case.

I share a view that there is going to be a need to investigate the extent of this problem in the Province in an effort to root it out completely.

In the 2011 academic year, the Department dealt with 16 cases of corporal punishment.

These refer to those which were formally reported to us.

Sitting here and based on last year's development, I would have expected that the numbers of cases would have been zero.

I therefore, undertake to do everything in my ability to send a message to those who practice this, that they do so at their own peril. This is a clear indication of how serious we intend to curb this practice.

The Department will intensify its advocacy programmes on this matter as part of our school safety campaign.

I also take this time to invite communities and parents to alert us where such prohibited practices take place.

## **SAPS**

Now, the matter relating to this teacher is in the hands of the South African Police Service who will ensure that based on the evidence at their disposal they bring her to book and ensure that at the end justice takes its course.

The Department will cooperate with the SAPS should there be a need.

We also promise to monitor the developments in this regard.

I hope that you are aware that the Department of Basic Education and the South African Police Service (SAPS) have formalized their co-operative partnership through a signed agreement known as the Partnership Protocol.

This Protocol, sets out the framework for close inter-departmental co-ordination in order to create Safe, Caring and Child Friendly Schools, in which quality learning and teaching can take place.

## **Condolences**

Once more, I take this time to convey our profound condolences to the Ndlovu family; we hope that the unfortunate passing on of their son will not be in vain.

## **Appreciation**

I want to also take this time and extend my appreciation to the PR Councilors in Nkomazi Local Municipality who made it her business that the matter is reported to the Department.

This is what public representatives must do on a daily basis and ensure that the welfare of our citizens is given due consideration.

I also thank you for attending this media conference.

**End**