

**CHAPTER 17**

# **SCHOOL VIOLENCE**

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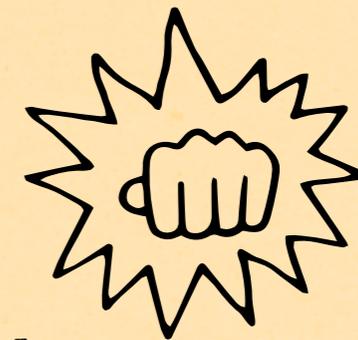




Figure 17.1: Satirical cartoon commenting on the lack of safety and security at many South African Schools. (Zapiro, July 2007, <http://mg.co.za/zapiro/fullcartoon/263>)

## INTRODUCTION

Going to school is more than just learning to read and write and do maths. The South African Schools Act of 1996 says that our schools are meant to:

[L]ay a strong foundation for the development of all our people's talents and capabilities, advance the democratic transformation of society, combat racism and sexism and all other forms of unfair discrimination and intolerance, contribute to the eradication of poverty and the economic well-being of society, protect and advance our diverse cultures and languages, uphold the rights of all learners, parents and educators.

A significant part of learning and developing is to feel safe. Unfortunately, school violence in South Africa is a widespread problem. It is caused by many different factors, and has adverse and sometimes tragic consequences for learners. The cartoon above

illustrates how learners do not see school as a safe environment.

Violent acts are understood, according to the World Health Organisation, as the deliberate 'use of physical force, or power, threatened or actual' that 'results in or has a high likelihood of resulting in injury, death, psychological harm, maldevelopment or deprivation'.

School violence includes more than just acts at school; it is about the school environment and the school experience of learners. Patrick Burton and Lezanne Leoschut, from the Centre for Justice and Crime Prevention, explain that it does not only occur within the physical border of the school but includes 'acts

that are, on a daily basis, associated with school, specifically travelling to and from school, or arriving at or waiting outside the school grounds'.

This overview chapter discusses some of the factors that contribute to the high prevalence of violence in schools, and what the different types of violence are. It is also important to know what the law says about violence in schools, and how learners, parents and educators must respond if they become victims of or witness violence in schools. This chapter intends to equip learners, parents and educators with the necessary information and tools to help address school violence.

## CONTEXT OF SCHOOL VIOLENCE IN SOUTH AFRICA

Violence was used as a tool of oppression during apartheid, but also as a tool of resistance; and the schooling system segregated black from white, and was used as another means to oppress the majority of South Africans.

Violence in schools, violence against learners and violence in communities was a common occurrence during apartheid. Our courts have noted that '[i]t is regrettable, but undeniable, that since the middle 1980s our society has been subjected to an unprecedented wave of violence' (*S v Williams*).

This culture of violence became deeply rooted in our society, and led many to adopt an ideology of violence. Experts such as Hamber have observed that:

The root cause of political violence in South Africa has to be located within the social matrix and the long history of oppression, poverty and exploitation in the country... These factors, coupled with the socially sanctioned use of violence and the politicisation of everyday life, resulted in extraordinary levels of intra- and inter-community conflict.

In 1994, South Africa became a constitutional democracy; and there was a strong emphasis placed on creating a peaceful society

that promoted respect, dignity, tolerance and non-violent solutions to problems. Our Constitution seeks to create a society that 'endeavours to move away from a violent past.' (*S v Williams*).

Although South Africa has made significant strides in entrenching a culture of human rights, the continued exposure to violence has had a very harmful impact on our schools.

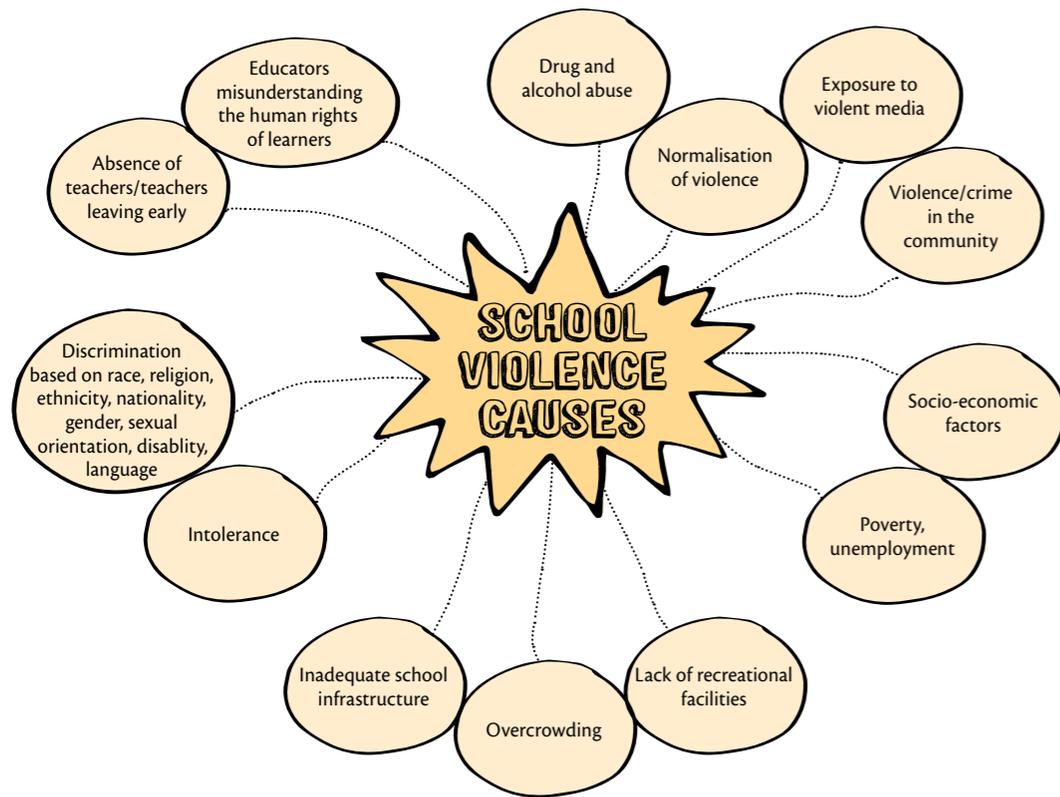


Figure 17.2: Factors contributing to violence in schools.

## FACTORS CONTRIBUTING TO VIOLENCE IN SCHOOLS

There is no one cause of violence in schools; but rather, several intersecting factors that lead to school violence. The South Africa Council for Educators (SACE) states that ‘school-based violence does not take place in a vacuum, but is rather influenced and shaped by contextual factors’.



### EXTERNAL INFLUENCES

Studies indicate that school violence often occurs more in lower-income communities in South Africa. Socio-economic factors such as poverty and unemployment can make people feel disempowered and frustrated by their circumstances, leading them to use violence, rape and other forceful acts as a means of asserting power and being in control. Increased exposure to violence at home or in communities can also influence the prevalence of violence at schools. Violent games and TV programmes can perpetuate the normalisation of the use of violence.

### INTERNAL INFLUENCES

While schools reflect the norms and values of society, they can also be at fault for enabling school violence and failing to prevent it. The use of inappropriate and illegal

forms of discipline, such as corporal punishment, sets bad examples for both learners and educators. The power dynamics between educators and learners can lead to educators believing that their position entitles them to abuse learners, or expect sexual favours from learners in exchange for good grades. Disability, gender, race and sexual orientation can often be factors that lead to violent behaviour. Schools that are mismanaged and lack effective leadership often create spaces for incidences of violence to exist.

Whether the influences are external or internal it is important to remember that:

Present-day school violence in South Africa must be understood with reference to the country’s legacy of political struggle, as well as the associated economic disadvantage and social inequality. Pahad & Graham, Department of Psychology, Wits

### EXAMPLE 1:

Ntombi is a learner at Phumelela High. She has complained to the principal about her teacher, who often says very inappropriate things to her about her looks and the ways in which he thinks about her. He also sends her pictures of himself that she doesn’t like looking at. She has told the principal that this makes her feel uncomfortable, and that she wants the principal to speak to him. The principal told her that he would, but he never did, because he is friends with this educator and doesn’t want to reprimand him.

Ntombi’s teacher is sexually harassing her, which is a form of violence; but because of poor leadership and a failure to respect the dignity of learners, this school is failing to address school violence.

# TYPES OF SCHOOL VIOLENCE

School violence can manifest itself in many different ways, and to differing degrees.

In a 2008 report, the South African Human Rights Commission (SAHRC) held that '[i]n South Africa, school-based violence is multi-dimensional and takes on various forms. How it

manifests itself often depends on the context in which it arises'.

Table 17.1 below defines some common forms of school violence.

These definitions have been taken from

different pieces of legislation, such as the Children's Act, the Schools Act, and the Sexual Offences Amendment Act, as well as from various departmental policies and programmes.

**Table 17.1: Some common forms of school violence as defined in legislation and policies.**

<b>ABUSE</b>	Any form of harm or ill-treatment deliberately inflicted on a child, and includes: <ul style="list-style-type: none"> <li>Assaulting a child or inflicting any other form of deliberate injury to a child</li> <li>Sexually abusing a child or allowing a child to be sexually abused</li> <li>Bullying by another child</li> <li>Exposing or subjecting a child to behaviour that may harm the child psychologically or emotionally.</li> </ul>
<b>ASSAULT</b>	Unlawfully and intentionally: <ul style="list-style-type: none"> <li>Applying force to a learner</li> <li>Creating a belief that force is going to be applied to the learner.</li> </ul>
<b>BULLYING</b>	Bullying can be characterised as frightening or intimidating treatment to which a learner is repeatedly subjected to by another learner/learners or an educator, resulting in: <ul style="list-style-type: none"> <li>Physical harm to the learner or his or her property</li> <li>Emotional harassment</li> <li>Making the learner fear for his or her own safety or the safety of his or her property</li> <li>The ultimate creation of a hostile environment that is counterproductive to learning.</li> </ul>
<b>CORPORAL PUNISHMENT</b>	Any deliberate act against a learner to punish or contain him or her that inflicts pain or physical discomfort. This includes, but is not limited to: <ul style="list-style-type: none"> <li>Spanking, slapping, pinching, paddling or hitting a learner, with a hand or with an object</li> <li>Denying or restricting a learner's use of the toilet</li> <li>Denying meals, drink, heat and shelter</li> <li>Pushing or pulling a learner with force</li> <li>Forcing the learner to do exercise</li> <li>Throwing things – such as a board duster – at a learner.</li> </ul> <p><i>Corporal punishment is dealt with in more detail in Chapter 19.</i></p>
<b>GANGS</b>	A gang is a group with a sense of unity that seeks to intimidate and commit violent acts or other crimes, and which defends itself physically against violent acts of other groups.
<b>GENDER-BASED VIOLENCE</b>	Discrimination and gendered or sex-based harassment and violence, rape, femicide, sexual harassment and homophobia.



<b>HARASSMENT</b>	Directly or indirectly engaging in conduct that causes harm or threatens harm. This can include: <ul style="list-style-type: none"> <li>Following, watching, pursuing or accosting a learner, or loitering outside of or near the building or place where a learner lives, goes to school or waits for transport.</li> </ul>
<b>INJURY</b>	Physical harm or damage to person or property.
<b>INITIATION</b>	Any act that forms the basis of being accepted or admitted into a group, and which places the initiate in a situation that could lead to physical or emotional danger, and which undermines the dignity of that learner. Initiation practices are prohibited by the Schools Act.
<b>RAPE</b>	Any person who unlawfully and intentionally commits an act of sexual penetration with another person without their consent. Sexual penetration includes any act which causes penetration to any extent whatsoever in: <ul style="list-style-type: none"> <li>The genital organs of one person into or beyond the genital organs, anus, or mouth of another person</li> <li>Any other part of the body of one person, or any object, including any part of the body of an animal, into or beyond the genital organs or anus of another person</li> <li>The genital organs of an animal, into or beyond the mouth of another person.</li> </ul>
<b>SEXUAL HARASSMENT</b>	Unwelcome sexual attention, which includes: <ul style="list-style-type: none"> <li>Suggestive behaviour</li> <li>Messages or remarks of a sexual nature</li> <li>Intimidating or humiliating a learner</li> <li>Implied or expressed promise of reward for complying with a sexually oriented request, such as good marks or being promoted to the next grade.</li> </ul>
<b>SEXUAL VIOLATION</b>	Includes any act which causes direct or indirect contact of: <ul style="list-style-type: none"> <li>The genital organs, mouth or anus of a learner, and in the case of a female, her breasts</li> <li>The masturbation of one person by another person</li> <li>compelling a learner to self-masturbate or watching the masturbation of another person</li> <li>The insertion of any object resembling or representing genitalia into a bodily orifice of another person</li> <li>Forcing a learner to watch a sexual offence or sexual act.</li> </ul>

## EXAMPLE 2:

In April 2016, a teacher hit 13-year-old Siphokazi Tyalidikazi on her right hand with a hosepipe for not finishing her homework. The beating damaged the nerves in Siphokazi's hand, causing her to lose the use of that hand. She now has to learn to write with her left hand, which is slowing down her learning process.

*'Cape Town pupil loses use of hand after caning' GroundUp, 4 April 2016*

## EXAMPLE 3:

In 2015, a school that caters for learners with disabilities in KwaZulu-Natal was reported for allegations of abuse. City Press reported that 'pupils have been physically and sexually abused in the hostel, and one pupil became pregnant as a result'. As a result of falling pregnant, this learner did not return to school. (This handbook deals with learner pregnancy in Chapter 8.)

*'Hostel hell for disabled children' City Press, 20 September 2015*

#### EXAMPLE 4:

A 12-year old learner, who was a non-verbal autistic child, contracted a sexually transmitted infection while at school. The Right to Education of Children with Disabilities Campaign (R2ECWD) explained that the 'absence of protection measures at the school' means that this learner still remains out of school.

These examples illustrate how school violence can prevent learners from going to school or participating in school activities. The last two examples also illustrate the vulnerability of learners with disabilities.

The World Health Organisation (WHO) explains that children with disabilities are more vulnerable to abuse and neglect than children who do not have disabilities. The WHO explains that there are many factors that contribute to the vulnerability of children with disabilities. These include stigma, powerlessness and social exclusion. The WHO explains that children with disabilities are 'often perceived as easy targets'.

While all learners should always be protected from violence in order for them to receive the education they have a right to, learners with disabilities – who already have difficulty accessing education easily – are even more vulnerable to violence than others.

School-based violence has an impact on learners in a variety of ways. Wounds, scars and other physical consequences or injuries can disrupt the ordinary learning experience, and affect a learner's ability to take part comfortably in learning; and it may also prevent a learner from going to school.

The different types of school violence can be committed by different people. They may be educators, learners, or staff members. While learners are most often the victims of school violence, they can also be the perpetrators. Bullying, initiation and gang violence are very prevalent in South African schools. The next section provides a brief discussion of bullying.

#### BULLYING

Bullying is understood as negative or aggressive behaviour that creates a pattern of victimisation; it can be verbal, non-verbal, physical, sexual or social. The Children's Act defines 'abuse' in relation to a child as any form of harm or ill-treatment, which includes bullying by another child.

Age, race, gender, disability or sexual orientation can be factors that contribute to bullying.

A workbook on 'Addressing Bullying in Schools', published by the Department of Basic Education and the Centre for Justice and Crime Prevention, explains that everyone has a role to play in combating bullying in schools.

#### 1. WHAT SHOULD THE SCHOOL DO TO ADDRESS BULLYING?

Schools along with school governing bodies (SGBs) can adopt anti-bullying policies, which among other things:

- Define bullying
- Highlight why it is important to address bullying
- Explain the responsibilities of different role players
- Explain the consequences of bullying and the procedures for addressing bullying.

It is important for schools to have an effective anti-bullying policy, but it is more important that the principal, the SGB and the educators ensure that the policy is implemented, to ensure that the school environment is free from hostile behaviour and that the learners feel safe.

#### 2. WHAT SHOULD LEARNERS DO IF THEY OR SOMEONE THEY KNOW IS BEING BULLIED?

Learners often feel they cannot speak out about bullying, because they are scared it will lead to further or more severe bullying. This is why it is important for schools to have policies and procedures in place such that learners feel safe in reporting incidents of bullying.

A learner who is bullied, or sees someone being bullied, can do the following:

- Report the bullying to an educator. If you do not feel comfortable doing this alone, then speak to someone you feel safe with and who you think is

reliable, and ask them to approach an educator with you or on your behalf

- If you feel that your complaint was not taken seriously, you can approach another teacher or the principal
- If you have been bullied or have witnessed bullying, it can be helpful to speak to someone about it. If this is something you would like to do, you should ask your teacher to help set up counselling sessions for you. Bullying can be very traumatic and have very negative effects on a learner, so it is important that you have someone who can help you work through your experiences.

#### 3. WHAT SHOULD A PARENT DO IF THEIR CHILD IS BEING BULLIED?

- Speak to your child and explain

to them that this is not their fault. Reassure them that you love them and that you support them

- Ask them for all the facts, and ask them how you can help them
- Speak to your child's educator or to the principal about the bullying.

Sometimes bullying can be so severe that it requires someone to lay criminal charges. South Africa has laws against harassment, assault, the use of weapons, threatening behaviour and damage to property. If the bullying amounts to this behaviour it is important to report it to the school and to the police. Educators have a legal duty to report the abuse of a child; this will be discussed further on in the chapter.

It is important to understand that threats of violence and verbal assault can also have adverse consequences for learners, and that the 'impact of school-based violence can go beyond the physical harm that arises from violent incidents' (SAHRC). The psychological impact of threats of violence and verbal assault on learners can include depression, low self-esteem, and feeling isolated, scared or embarrassed. It can cause learners to dislike or want to avoid school.

#### EXAMPLE 5:

Mrs Modise does not like Thembi, and doesn't think she is smart. Mrs Modise often makes Thembi read out loud or do sums on the board, which she battles with. Mrs Modise encourages the other learners to laugh and call her names. The learners started calling her 'Uyisidom', which Mrs Modise now also calls her. Mrs Modise will say things like: 'Uyisidom! Why are you so stupid?', 'Uyiphuphu! You are never going to pass', and 'You don't belong in a class like this. You should go play with the toddlers'.

These are examples of verbal assault. Comments and ridicule like this cause Thembi severe emotional distress, and have a negative psychological impact. She no longer wants to go school, and doesn't think she will pass or ever achieve anything. Exposing or subjecting a child to such behaviour may harm the child psychologically or emotionally.

# STATISTICS ON SCHOOL VIOLENCE

The South African Council of Educators (SACE) is a statutory body that was established to develop and maintain ethical professional standards for educators. All educators are required to register with SACE and abide by its Code.

Every year, SACE submits a report that provides a breakdown of all the complaints, per province, regarding alleged breaches of the code. In 2014/2015, SACE received 86 complaints of verbal abuse, victimisation, harassment and defamation. SACE received 161 complaints of unprofessional conduct, alcohol abuse and absenteeism. It reported that during the year, 94 complaints of sexual misconduct and rape were received, and 253 complaints of corporal punishment.

Other statistics, from the 2012 National School Violence Study, indicated the following:

- 13% of learners reported bullying
- 14% of learners claimed to have had someone at school threaten to say something about them that was intended to stigmatise them
- 13.3% of learners reported that they had been forced by someone at school to engage in activities, against their will, that they felt were wrong and did not want to engage in
- 12.2% had been threatened with violence by someone at school
- 6.3% had been assaulted

- 4.7% had been sexually assaulted or raped;
- 4.5% had been robbed at school.

Save the Children, an independent organisation which advocates for children's rights, has reported that children with disabilities are also three to four times more likely to be exposed to abuse, including physical, emotional and sexual abuse, as well as neglect.

In 2013, the Department of Women, Children and People with Disabilities and UNICEF reported the following:

- One in every five incidents of sexual abuse happens in schools
- One third of people who raped children were teachers
- One in every five boys is a victim to bullying.

Approximately two million learners have experienced some form of violence in schools.

If these numbers seem low, it is important to keep the problem of under-reporting in mind. Learners often feel disempowered or

uncomfortable reporting incidents of violence, or are uncertain about how to report them, or do not think they are allowed to speak out.

This overview chapter and the chapters that follow will address this problem, and provide practical advice and guidance to learners, educators and parents on reporting all types of school violence.

We acknowledge that school violence comes in many different forms, and that the Department of Basic Education and the government have a responsibility to protect learners from all forms of violence. We have chosen to focus on corporal punishment and sexual violence in the following two chapters, as they have been identified as systemic problems throughout South African schools and incorporate many aspects of violent behaviour.

Complaints about these forms of violence are frequently received by SACE, the SAHRC and other public interest organisations. The SACE report concluded that most of the offences they dealt with related to corporal punishment, harassment and sexual misconduct.

# LAW AND POLICY

This section sets out the laws, policies and programmes in place to address school violence. It is important that we are aware of what needs to be done, so that we can ensure that all role players meet their legal obligations to ensure the safety of all learners.

## INTERNATIONAL LAW

The Convention on the Rights of the Child (CRC) was created internationally to acknowledge the inherent human rights of all children. South Africa ratified the CRC on 16 June 1995. This means that South Africa is obligated to act in accordance with it, and to ensure that its domestic laws are consistent with the provisions of the CRC.

Article 19 of the CRC places an obligation on states to:

[T]ake all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child.

In a general comment made by the Committee on the Rights of the Child, it was stated that '[c]hildren do not lose their human rights by virtue of passing

through the school gates'. The General Comment states further that 'education must be provided in a way that respects the inherent dignity of the child'.

Article 16 of African Charter on the Rights and Welfare of the Child (ACRWC) provides similar protection. It states that:

'Children should be protected from all forms of torture, inhuman or degrading treatment and especially physical or mental injury or abuse, neglect or maltreatment including sexual abuse.'

## THE CONSTITUTION

Like all the people of South Africa, children are entitled to all the rights set out in the Constitution's Bill of Rights. When children are subjected to violence at school, various rights are violated. These include:

- Section 9: the right to equality
- Section 10: the right to human dignity
- Section 12: the right to the freedom and security of the person
- Section 28: the right of the child, which includes:

- The right to be protected from maltreatment, neglect, abuse or degradation;
- That in every matter concerning the child their best interest is of paramount importance;
- Section 29: the right to a basic education.

## NATIONAL LAW

The National Education Policy Act of 1996 (NEPA) seeks to 'facilitate the democratic transformation of the national system of education into one which serves the needs and interests of all the people of South Africa and upholds their fundamental rights'. This includes those rights listed above.

Other national laws can be divided into three broad sections in respect of school violence: what educators must do, what educators must refrain from, and the consequence of failing to refrain from prohibited acts.

## WHAT EDUCATORS MUST DO

### Mandatory Reporting

While educators have a general duty to 'acknowledge, uphold and promote basic human rights, as embodied in the Constitution of South Africa' and to 'respect the dignity, beliefs and constitutional rights of learners and in particular children', there are also more specific duties that are placed on educators with regard to school violence.

Section 110(1) of the Children's Act states that any educator

who on reasonable grounds concludes that a child has been abused in a manner causing physical injury, sexually abused or deliberately neglected, must report that conclusion in the prescribed form to a designated child protection organisation, the provincial department of social development or a police official.

This mandatory reporting is a legal duty placed on educators. Failure to report in terms of this section is a criminal offence.

### Duty of Care

South African law places a legal duty on certain people to take steps to make sure that other people are not harmed. In *Rusere v The Jesuit Fathers*, a case about a learner who lost vision in one eye after playing a game using grass shoots as arrows, it was acknowledged this obligation exists between schooling authorities and learners.

Section 28(1)(b) of the Constitution states that every child has the right to appropriate childcare when removed from the family environment. In *Hawekwa Youth Camp v Byrne*, a case about a learner on a school camp who fell from a bunk bed and fractured his skull, it was submitted that the Minister of Basic Education acknowledged that educators owed learners a duty of care, to take

reasonable steps to ensure that the learners are safe from risks and dangers.

In the 2002 draft Regulations to Prohibit Initiation Practices in Schools, the Minister stated that '[e]ducators have a duty to care for and protect learners from violence because of their *in loco parentis* status'. '*In loco parentis*' means 'in the place of the parent'.

The high courts of South Africa and the Supreme Court of South Africa have repeatedly held (as recently as April 2016) that if a child is under the care and control of the school, the teachers of that school owe the child in their care a legal duty to prevent physical harm. (*Pro Tempo v Van der Merwe*).

In other words, educators are required by law to try and make sure that learners are protected from any acts of violence.

## WHAT EDUCATORS ARE NOT ALLOWED TO DO

### South African Schools Act

Section 10 of the Schools Act prohibits the use of corporal punishment in schools, and states that an educator who administers corporal punishment to a learner is guilty of an offence. It also prohibits the use of initiation practices at schools.

### The Employment of Educators Act, 1998 (EEA)

Section 18 of the EEA states, among other things, that misconduct includes unfairly discriminating against a learner

... on the basis of race, gender, disability, sex, pregnancy, marital status, ethnic and social origin, colour, sexual orientation, age, disability, religion, conscience, belief, culture, language, birth, family responsibility, HIV status, political opinion or other grounds prohibited by the Constitution.

The EEA lists the following as acts of serious misconduct:

- Committing an act of sexual assault on a learner, student or other employee
- Theft, bribery, fraud or an act of corruption in regard to examinations or promotional reports
- Having a sexual relationship with a learner from the school where he or she is employed
- Seriously assaulting, with the intention to cause grievous bodily harm to, a learner, student or other employee
- Making a learner or a student perform any of these acts.

The South African Council for Educators Code of Professional Ethics states that an educator must:

- Refrain from improper physical contact with learners
- Refrain from any form of sexual harassment (physical or otherwise) of learners
- Refrain from any form of sexual relationship with learners at any school
- Not use language or behaviour that is inappropriate in his or her interaction with learners.

The Protection from Harassment Act 17 of 2011 and the Sexual Offences and other related matters Act 6 of 2012 do not specifically mention educators. However, both these Acts criminalise a wide range of violence. These prohibitions are applicable to educators.

## THE CONSEQUENCES

### Under the EEA:

Disciplinary hearings can be held when there is an allegation of violence against a learner.

- If an educator is found guilty

of misconduct, the educator can be discharged

- If an educator is found guilty of serious misconduct, the educator can face dismissal.

Sometimes educators who have been dismissed go to the Education Labour Relations Council (ELRC) to determine, based on the facts, if the dismissal was fair.

### Under SACE:

SACE has a prescribed disciplinary procedure that is used when they receive a complaint of an alleged breach of the code. If an educator is found guilty of a breach:

- He or she can be reprimanded or cautioned
- He or she can be made to pay a fine not exceeding one month's salary
- His or her name can be removed from the SACE register (this can be for a specific period, indefinitely or permanently).



### Under the Children's Act:

The Children's Act established the National Protection Register.

- Part B of the Register records persons who are found to be unsuitable to work with children
- Once a person's name appears on Part B, they may no longer be employed at an institution dealing with children.

### Under the Sexual Offences

#### Amendment Act:

The Sexual Offences Amendment Act provides for the establishment of the National Register for Sex Offenders.

- This keeps a record of the names of people found guilty of sexual offences against children and mentally disabled people
- People who employ educators are entitled to check the register to ensure that an educator is fit to work with children and people with disabilities.

## PROVINCIAL PROTECTION

The legislation at the provincial level reflects the national legislation.

However, some provinces have gone beyond this and have issued circulars and policies in an attempt to combat violence in schools. In 2012, the Western Cape Department of Education issued a circular titled 'Safe School Call Centre – Reporting of School Crime and Abuse'. The KZN Department of Education issued a circular in 2012 titled 'Measures to Counter Violence, Drug Abuse and Other Forms of Crimes in Public Schools'. KZN has also issued two policy guidelines, the most recent in 2015 on 'Guidelines for the Management of Child Abuse, Neglect and Exploitation for Public Schools in KwaZulu-Natal'. In 2014 the Gauteng Department of Education issued a circular about the 'Prohibition of Corporal Punishment in Public Schools'.

# WHAT TO DO WHEN THERE HAS BEEN AN INCIDENCE OF SCHOOL VIOLENCE

This section will indicate briefly what steps to take when reporting violence in schools. The following chapters will go into more detail about reporting sexual violence and corporal punishment.

## LEARNERS

If you or someone you know has been a victim of school violence, it is important to report it. Reporting school violence is necessary to ensure that the incident does not happen again, that the learner is supported and assisted, and that ultimately, your school is safe. It can be scary or intimidating for a learner to report school violence, so it is often helpful to have someone with you who can support you during this process.

Learners are encouraged to report the incident to a teacher. If the teacher is involved in the violence, to report the incident you can go to another teacher who you trust, or to the principal. You might feel safer if you

tell a parent or caregiver about the incident, and ask them to report the matter with you or on your behalf.

When reporting, it is important to give as much information as possible. Sometimes this can be difficult, and you might not feel comfortable sharing everything; but learners are encouraged to share as many facts as possible, so that the school, police or SACE have enough information to address the problem properly.

School violence has wide-ranging and adverse effects on learners. Getting counselling and speaking to someone about what has happened can often be very helpful. If you need to talk to someone, you can ask a teacher, parent or caregiver to help set up counselling sessions for you.

## TEACHERS

As discussed above, there is a legal duty on teachers to report school violence. Use the diagram on the right to report violence at schools.

## PARENTS

Parents should play a very supportive role in addressing any violence that has been committed against their child at school. It is important as a parent to make your child feel safe. You must report any incidents of violence. You might need to fill out forms with your child, and take your child to counselling to ensure they are fully supported during this process.

## HOW TO REPORT

This diagram explains the different reporting mechanisms for school violence. Learners, teachers and parents should take the following steps when reporting school violence.

It is important to remember that

all these processes need to be done simultaneously. Different statutory bodies impose different consequences on teachers found guilty of an offence, so we need to ensure that all measures are taken to ensure that guilty teachers are appropriately punished, and that

present and future learners are safe.

Learners, parents and teachers are also encouraged to report incidents of violence to organisations such as Childline, Lawyers Against Abuse, SECTION27, Centre for Child Law, Legal Resources Centre and Equal Education.

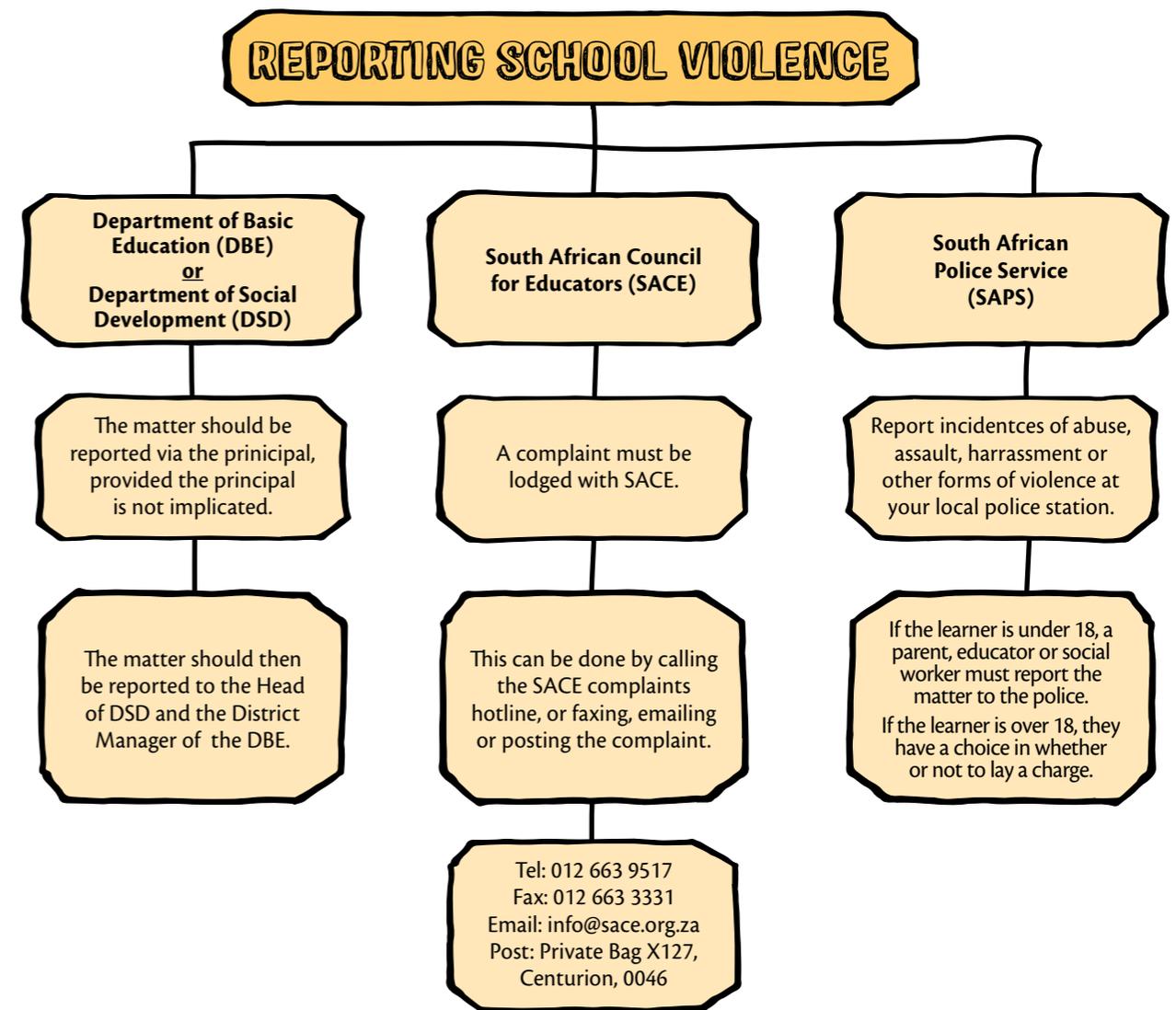


Figure 17.2: The three avenues of reporting incidents of violence in schools.

## CONCLUSION

Violence in South African schools is a serious problem, and is caused by a wide range of intersecting factors. Since 1994, South Africa has tried to create a culture of peace, tolerance and respect.

Unfortunately, learners are still exposed to physical and psychological violence – and threats of violence – daily.

We have laws in place designed to protect learners. Those who fail to do so can and must be held responsible. 'It takes a village to

raise a child', so all members of the village have a duty to ensure that children are protected from harm.

Communities should work together to promote and encourage non-violence. Schools also have a very important legal duty of creating a

safe place for children. We all have a role to play, whether it is teaching our children good values and morals, setting a good example, respecting the dignity of children, reporting violence, or supporting learners who have been victims of violence.

**'We owe our children – the most vulnerable citizens in society – a life free from violence and fear.' – Nelson Mandela**

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