



PARLIAMENT
OF THE REPUBLIC OF SOUTH AFRICA

National Assembly
Member of Parliament

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26 January 2018

Ms Princess Magopane
Senior Legal Officer – South African Human Rights Commission
Legal Services Unit

By email: kmagopane@sahrc.org.za

Dear Ms Magopane,

COMPLAINT REGARDING THE SOUTH AFRICAN DEMOCRATIC TEACHERS UNION (SADTU)
(previously referenced GP/1516/0505)

The events unfolding at Hoërskool Overvaal in the past week have been deeply concerning to all with an interest in basic education. Protests and confrontations culminated in a protest by the South African Democratic Teachers Union (SADTU) and other unions and political parties.

SADTU has once again demonstrated their willingness to disrupt teaching time, and more shockingly, involve children in their protest action. Using the language of fear and chaos, the union demanded that Overvaal be closed yesterday, which it was forced to do fearing for the safety of learners.

As a result of SADTU's actions, there was thus no learning for the Overvaal learners, learners co-opted into the protest action, and learners at the schools where all the protesting teachers should have been teaching. Just one week into the school year, hundreds of learners will not be able to access their Constitutional right to a basic education today.

Throughout the past week, threats have been made by protestors and on social media to burn the school down or shoot the school's learners. The protestors yesterday engaged in threatening behaviour, and physical scuffles ensued when they attempted to force their way through the police officers protecting the school.¹

We would thus like to make this additional submission of evidence to that of 29 May 2017 (by then Shadow Minister of Basic Education Gavin Davis).

¹ <https://twitter.com/TimesLIVE/status/956449563224825856>

1. Involvement of children in protest

In her submission to the Commission on 21 September 2016, Minister Angie Motshekga stated that “the DBE is not aware that children are being used in strike action”. Yesterday’s protest provided clear video² and photographic evidence that this is indeed occurring.

2. Hate speech by protestors

Further to this, protestors sang songs that can be classed as hate speech, such as ‘white man, they must die’³ and ‘kill the boer’⁴ (found to be hate speech by court ruling).

Screen grabs of the various infringements are attached below, as well as the video content via email.

We ask that you provide us with an update on progress in your investigation at your earliest convenience.

Yours sincerely,



Ian Ollis MP

DA Shadow Minister of Basic Education
082 714 7572

² <https://twitter.com/YoliswaSobuwa/status/956458793604444160>

³ <https://twitter.com/AdrianaStuijt/status/956471334648901632>

⁴ <https://twitter.com/ermbates/status/956463356289961984>

Screen grabs of protest reporting:



<https://twitter.com/TeamNews24/status/956455878114332672>



<https://twitter.com/ermbates/status/956462077308276736>



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Hloni @myBeneficiium

7m

More pupils making there wa to the gates of #OverVaalHoerskool @The_New_Age

<https://twitter.com/myBeneficiium/status/956471047863373824>



315 views

0:00 / 0:33



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Yoliswa Sobuwa @YoliswaSobuwa

57m

YCL Provincial secretary Alex Mdakane says Gauteng education should dismiss the SGB @SowetanLIVE #OverVaalHoerskool

<https://twitter.com/YoliswaSobuwa/status/956458793604444160>



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Nokuthula Zwane @Zwane_2Li2Ls

1h

School students marching and chanting down the street of outside #HoerskoolOvervaal. The department and the SGB of the school have accepted the memorandum of demands drawn up by Sadtu members. @ReporterStar



https://twitter.com/Zwane_2Li2Ls/status/956482055000543232



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Hloni @myBeneficium

4h

Pupils at the #OverVaal demonstrations. The pupils have started to demand that school gates be open @The_New_Age



<https://twitter.com/myBeneficium/status/956449926019452928>