**DATE OF PUBLICATION OF INTERNAL QUESTION PAPER: 03/03/2023**

**INTERNAL QUESTION PAPER: 06/2023**

**618. Mrs D van der Walt (DA) to ask the Minister of Basic Education: to ask the Minister of Basic Education:**

**.**

(1)       What total number of cases of sexual misconduct were reported to the SA Council of Educators (SACE) in the (a) 2019-20, (b) 2020-21 and (c) 2021-22 financial years;

(2)       what number of disciplinary proceedings were instituted against the specified teachers;

(3)       (a) what number of (i) educators were found guilty, (ii) disciplinary proceedings was SACE unable to arrive at an outcome and (iii) teachers were struck of the roll in each specified period and (b) in each case, what were the reasons for SACE being unable to make a ruling at the disciplinary proceedings;

(4)       whether all teachers that were struck off the roll have been reported to the Department of Social Development for inclusion on the register for people unfit to work with children; if not, what were the reasons in each case; if so, what are the relevant details?

**Response**

|  |  |  |  |
| --- | --- | --- | --- |
| **QUESTIONS** | **2019/20** | **2020/21** | **2021/22** |
| **1. Total number of sexual misconduct cases reported** | **92** | **169** | **191** |
| **2. Total number of disciplinary hearings conducted against the specified educators for sexual misconduct** | The information for this was soured from the previous audited Annual Reports. Therefore, for 2019 and 2020 financial years, we did not specify/breakdown the number of disciplinary hearings conducted. | **23** |
| **3 (a) Total number of educators found guilty of sexual abuse only** | **17** | **07** | **19** |
| **3 (b) disciplinary hearings that SACE was unable to arrive at an outcome** | N/A | N/A | N/A |
| **(iii) Total number of teachers struck off indefinitely** | **19*** 17-sexual abuse
* 2- Severe assault
 | **11*** 7-Sexual abuse
* 1-Gross negligence
* 1-Assault of a colleague
* 2- Severe assaults of learners
 | **04** * 3-sexual relationships
* 1- removal from the register for a specified period for sexual assault of a learner
 |
| **4. Total number of educators whose names were submitted to the Department of Social Development**  | **10**This number does not include the other 9 as stated above on teachers struck-off, because the victims were above the age of 18 years. | **11**  | **19** |

**Disciplinary  proceedings where SACE was unable to arrive at an outcome:**

There were no cases where no decision could not be arrived at, at any disciplinary hearing by the disciplinary tribunal. There were however; sexual abuse cases that were closed for the following reasons:

1. Lack of evidence to substantiate the allegations.
2. Deliberate unavailability of witnesses (complainants)
3. Refusal by witnesses to cooperate with the SACE investigative or disciplinary processes, etc.

While SACE closed a number of cases for reasons mentioned above, these cases were not categorised on the breaches of the SACE code of Ethics, for an example, the cases do not indicate whether it is an assault case, sexual case, racism case, etc. A global number of that cases closed by SACE get provided.

|  |  |  |  |
| --- | --- | --- | --- |
| **Description** | **2019/20** | **2020/21** | **2021/22** |
| Total number of cases closed by the Council where cases were resolved amicably between the parties, or at the request of the complainants, or owing to lack of evidence or owing to deliberate lack of cooperation by witnesses. | 224 | 116 | **310** |