

Every child is a National Asset

SOUTH AFRICA'S PROGRESS ON ENDING CORPORAL PUNISHMENT IN SCHOOLS

28 APRIL 2022



basic education
Department:
Basic Education
REPUBLIC OF SOUTH AFRICA



Read to Lead
A Reading Nation is a Leading Nation

PROBLEM STATEMENT

- Corporal Punishment in schools has been banned in South Africa since 1996, however it is still taking place in schools and homes
- A Study conducted by PLOS One in the City of Tshwane (Gauteng), revealed that 52% of learners had experienced corporal punishment in schools in the 2021 academic year
- However, over the years, South Africa has seen a decline in corporal punishment incidences: the 2019 General Household Survey revealed that corporal punishment incidences had declined from 16% in 2009 to 6% in 2019

NATIONAL LEGISLATION

- **The Constitution of the Republic of South Africa (Section 12):** *“Everyone has the right not to be treated or punished in a cruel, inhuman or degrading manner”*. **Chapter 2: Bill of Rights:** *“Everyone has inherent dignity and all have the right to have their dignity respected”*.
- **National Education Policy Act 1996:** prohibits anyone from administering corporal punishment in schools
- **The South African Schools Act 84 of 1996:** prohibits anyone from administering corporal punishment in schools. Anyone who contravenes, is guilty of an offence and maybe subjected to criminal charges. SASSA further advocates for the adoption of codes of conducts as means to manage discipline. These codes of conducts must be developed in alignment to positive discipline measures
- **The Children’s Act 38 of 2005:** advocates for care and protection of children and it emphasises the rights of children. “The DG must keep and maintain **the National Child Protection Register-** abusers.
- **Corporal punishment at home declared unconstitutional 2019** (The development to criminalise it is still in process)

PROGRAMMATIC INTERVENTIONS BY THE DEPARTMENT OF BASIC EDUCATION

- Alternatives to Corporal Punishment include Positive Discipline, 2001
- Protocol to Deal with Incidents of Corporal Punishment, 2017

ALTERNATIVES TO CORPORAL PUNISHMENT

Focus Areas:

- Focus on positive discipline than punishment. Be restorative
- Engage learners in managing discipline, than exclusion
- Establish a Code of Conduct in line with Positive Discipline Measures- (incentivize good behavior)



PROTOCOL TO DEAL WITH INCIDENTS OF CORPORAL PUNISHMENT IN SCHOOLS

Focus Areas:

- Reinforces the banning of corporal punishment
- Outlines the roles and responsibilities of key stakeholders in dealing with Corporal Punishment
- Articulates the disciplinary procedures for Educators accused/ guilty of corporal punishment

PROGRESS REPORTS ON PROGRAMMATIC INTERVENTIONS

- All schools have been trained on the alternatives to behaviour management that do not involve the use of corporal punishment in schools.
- On the Protocol on Dealing with Incidents of Corporal Punishment in Schools: training workshops are ongoing for schools; and the change in behavior is reinforced through an annual circular to ensure the legislative uptake.

INTERNATIONAL DAY TO END CORPORAL PUNISHMENT

30 APRIL 2022

- The 2022 Circular to enforce an end to corporal punishment reaches approximately 25000 schools
- The Deputy Minister of Basic Education releases a short video to all media houses- reiterating the banning of corporal punishment in schools
- The Department of Social Development is responsible for advocating for the end of corporal punishment in homes
- Ending corporal punishments is part of a nation wide interdepartmental government campaign to end violence in schools, including bullying, gender-based violence and drug and substance abuse.

SOUTH AFRICA THANKS YOU

