

**AFFIDAVIT**

I, the undersigned,

**DEBORAH ANNE SCHÄFER,**

Identity Number 661218 0006 088

Hereby make oath and state that:

1. I am an adult female and act herein in my capacity as Provincial Minister of Education in the Western Cape Province.
2. My office is situated at 23<sup>rd</sup> floor, Golden Acre Building, Adderley Street, Cape Town.
3. On Monday 15 September 2014 and at Grabouw, violent protests broke out.
4. These continued today, and as a result the Western Cape Education Department has had to close five schools, namely Kathleen Murray Primary, Pineview Primary, Groenberg High, Umyezo Wama Apile High and Primary.
5. Other schools in the surrounding area are also being affected and experiencing low attendance. All in all, over 6 000 learners have been affected.
6. As a result, learners are being deprived of their constitutional right to education, are being prejudiced in that matrics are writing their “mock matric” exams, and two of the primary schools are involved in writing Annual National Assessment tests.
7. In a SAPA news report dated 15 September 2014 (annexed hereto marked “DAS1”), the following was reported:
  - a. Andili Lili, leader of the Ses’Khona Peoples Movement, confirmed by telephone that members of Ses’Khona were involved in organising yesterday’s march, and that they were supporting the Grabouw Civic Association;
  - b. The ANC Western Cape and South African Communist Party have pledged support for the “protesters”.
  - c. John Michels, leader of the Grabouw Civics Organisation, warned that the N2 would be blocked every weekend until their demands were met.
8. Section 3(6)(b) of the South African Schools Act provides that:

“Subject to this Act, and any other applicable law, any other person (other than a parent) who, without just cause, prevents a learner who is subject to compulsory attendance from attending a school, is guilty of an offence and liable on conviction to a fine or to imprisonment for a period not exceeding six months”.

9. I respectfully submit that, whatever the reasons for the so-called protest action, it does not constitute just cause to commit violence and prevent innocent learners from accessing their rights to education.
10. Whether Andile Lili, the ANC or SACP are present at the scene or not, their public statements endorsing the action make them equally culpable.
11. I accordingly hereby lay charges against the following arising from this action:
  - a. All members of the executive committee of the ANC Western Cape;
  - b. All members of the executive committee of Ses'Khona Peoples Movement;
  - c. All members of the executive committee of the South African Communist Party;
  - d. Andile Lili,
  - e. John Michels and the Grabouw Civic Organisation, and
  - f. Any other members involved in the violent action which has caused the schools to be closed.

Dated at CAPE TOWN this 16<sup>th</sup> day of September 2014.

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D A SCHÄFER

Thus sworn to before me at Cape Town on 16 September 2014, the Deponent having confirmed that she has no objection to taking the oath, that she regards it as binding on her conscience and that the contents hereof are true and correct.

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COMMISSIONER OF OATHS