

REGIONAL OFFICE: WESTERN CAPE

# LEARNERS DIALOGUE ON CONSTITUTIONAL EDUCATION REPORT

18 April 2016



**the doj & cd**

Department:  
Justice and Constitutional Development  
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## **LEARNER DIALOGUE: INTRODCUTION**

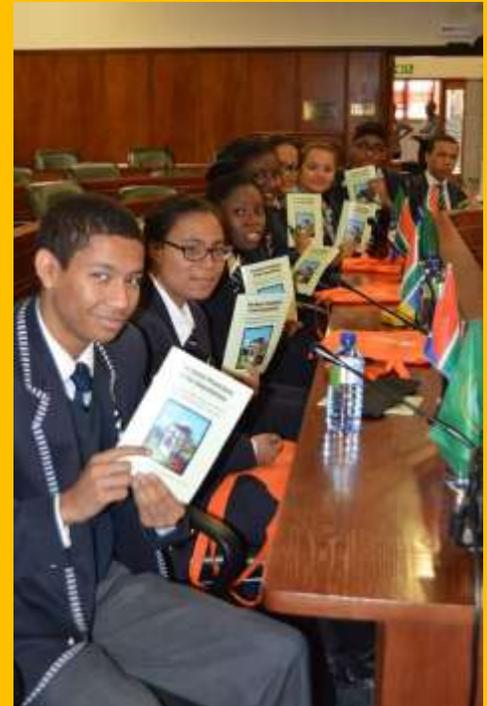
On the 18th of April 2016, 100 school learners across the Western Cape had the opportunity to be "honorable members of Parliament" for the day. These learners formed part of their very own Parliamentary panel, whilst interacting with the Minister, Micheal Masutha, in a learner dialogue about Constitutional Education. The learner dialogue was held ahead of Minister Masutha delivering his budget vote speech in Parliament on the 19th of April, 2016.

The learners were transported from their respective schools to Parliament on the morning of the 18th of April and received refreshments on arrival before the day commenced. The following schools participated on the day:

Phillipi High School; Manenberg High School, ID Mkhize; Tuscany Glen High School; The Settlers High School; Masiphumulele High School and Grassdale High School. Learners were explained the reasons why we celebrate 20 years of the Constitution this year.

Adv. Owen Kleinhans started off the morning by welcoming the students and making them feel comfortable and at ease by doing an ice – breaker. The Ice - breaker entailed the students answering a series of questions pertaining to the Constitution. Each student that answered correctly received a prize from the DOJ&CD.

## **PHOTO GALLERY: STUDENTS IN PARLIAMENT**



## **INPUTS BY THE REGIONAL HEAD AND MINISTER MASUTHA**

The Regional Head Adv. Hishaam Mohamed spoke to the learners about the History of the Constitution. He stated that the aim of the Learner dialogue on the Constitution was to educate and interact with the learners regarding their human rights as protected in the Constitution. “ In 1996 our constitution boldly envisioned a democratic and open society, built on the recognition of past injustices. Though we have worked hard towards realizing this vision, the long walk to freedom is not yet complete,” said Adv Hishaam Mohamed.

The Regional Head further encouraged the learners; “If the next generation of South African leaders are to determine our future, they must first understand the struggle of our past. You are our next generation!” exclaimed Adv Hishaam Mohamed. "What can hasten the end of inequality is the collective will of young people. If you are aware of the rights enshrined in our constitution then you will be empowered with the correct tools to eradicate inequality " he said.

Minister Micheal Masutha emphasized the divided nation that we come from and that a lot more still needed to be done in order for our nation to be where it needed to be. “We come from a history where a war was created that allowed one group to exercise power over another” said Minister Masutha.

Minister Masutha highlighted that communities to this day are still not integrated enough, “One of the things we have been trying to achieve since 1994 was to reintegrate communities”, said adv.Masutha.

He further stated that they were not allowed to make use of the same toilets or facilities nor were they able to enjoy many of the rights the learners enjoy today. He therefore highlighted the importance of the Bill of rights, for example the right to education, “Your rights are Fundamental”, said Minister Masutha. Hence the importance of Constitutional Education, it is important for learners to understand their rights as enshrined in the Constitution in order for them to exercise it accordingly.

**PHOTO GALLERY**



## **ROUND OF QUESTIONS**

The learners had an opportunity to pose various questions to Minister Masutha pertaining to their Constitutional rights. All questions were welcomed by the Minister as he deemed the insightful nature and the questions the learners asked as being very good.

### **Amongst those questions asked were the following:**

Athshoni Nyembezi, a grade 11 pupil from Philippi High School put a question to Minister Masutha about the circumstances he found himself in. " We study in a shack , it gets extremely hot and cold in these containers. I want to know are our rights getting attention . We are suppose to be getting good quality education," Athshoni said.

Manenberg High School pupil, Nafisah Norman added that if the Constitution is the supreme law to accommodate everyone's rights. " Why is it then that the majority of people's rights to accommodation is not met", said Nafisah.

### **Minister Masutha answers students:**

Minister Masutha started his response off by emphasizing that when he joined the Department of Social Development in 1996, one of his tasks was to replace the law on maintenance grants. "The idea was to develop a social scheme that would cushion the most poor children from poverty", he said.

Furthermore, Minister Masutha said that what the state was trying to do was to raise the commitment in the Bill of Rights that says everyone is entitled to social security if they cannot support themselves. "Children are the most vulnerable. How can we expect children to prosper in school when they are hungry?

"Social grants are there to cushion them against the worst effects of poverty, but we accept that we are not able to do all of this in one go", said Minister Masutha.

### **Question:**

A grade 11 pupil from Masiphumulele posed a question to Minister Masutha; "If you commit a crime as a school learner, can you still go to varsity?".

### **Minister Masutha**

"You can come to our correctional facilities, we can rehabilitate you, but you will carry what you have done for the rest of your life," he told the learner. Masutha warned pupils that they wrongly thought that slapping someone, or harming them in some way, was petty and not really crime."It is assault," added Minister Masutha. He or she would have to wait out the 10 years it took to expunge their record.The pupil would have to declare that record on every job application. Employers could decide to overlook it, but it would make it tougher to land certain jobs.

The Government was considering shortening, from 10 years to five, the period a criminal record remained in place until it was expunged. But even once it was expunged, it still had to be declared, said Masutha. He spoke about drug addiction, saying pupils in rehabilitation were beautiful and smart, but would never heal completely and would carry their addiction, "like a baby", for the rest of their lives. "So just remember, even when you are just a child, you are writing you own future. Never ever say to yourself, 'I'm still a kid, everybody will have forgotten when I'm 30'. Good behavior when you are still a child, is a license to a better future."

**PHOTO GALLERY: QUESTION SESSION**



Once the question session was completed Minister Masutha thanked all the learners for their participation. He also identified teachers as key role players “teachers are like the parent at school, you play a crucial role and spend most of the learner’s time with them, even more than their parent, we thank you for all that you do” said Minister Masutha.

The learners were then given an opportunity to have their pictures taken with the Minister, along with a signed Constitution from the Minister. The photo session was shortly followed by a tour around Parliament before they received lunch.

**PHOTO GALLERY: SCHOOL LEARNERS WITH MINISTER MASUTHA**



**MEDIA COVERAGE**

INTERACTIVE SESSION WITH PUPILS IN PARLIAMENT

CAPE TIMES TUESDAY, APRIL 19, 2016

# 'I want to be president, a servant of the people'

Nicolette Dirk

"I WANT to become the president of this country one day who will be a servant of the people. Someone who comes down to the level of the poorest to help with situations people like I live."

This is the vision Athabasi Nyandeni, 17, expressed at the Learner Dialogue on constitutional education. The event, held at Parliament yesterday, was organised by the Justice and Correctional Services Department to heighten constitutional awareness among pupils.

Justice and Correctional Services Minister Michael Masutha had an interactive session with more than 100 pupils from various schools.

Athabasi, a Grade 11 pupil from Philippus High, said he had hoped to get answers regarding the constitution's effectiveness in Philippus where he lives.

The message director's clash with his four sisters and parents meant he only three people at his school, many classrooms are also blocked.

So put a question to the minister about the circuits systems he found himself in.

"We study in a shack, it gets extremely hot and cold in these containers. I want to know are our rights getting attention. We are supposed to be



**'COMMITTED':** Justice and Correctional Services Minister Michael Masutha said he is fighting for everyone's rights.

getting good, quality education," Athabasi said.

During the debate session, Mamelong High pupil Ndlovu Norzani, 16, also questioned the minister on the constitution being the supreme law to accommodate everyone's rights.

"Why is it then that the majority of people's right to accommodation is not met," said Ndlovu.

The minister said when he joined the Department of Social Development in 1996, one of his tasks was to explain the law on entrepreneurship grants.

"The idea was to develop a social scheme that would

rescue the most poor children from poverty," he said.

It's said what the state was trying to do was to ease the commitment in the Bill of Rights that says everyone is entitled to social security if they cannot support themselves.

"Children are the most vulnerable. How can we expect children to prosper in school when they are hungry?"

"Social grants are there to cushion them against the worst effects of poverty. But we must ensure that we are able to do all of this in one go," said Masutha.

The minister identified



**QUESTIONED:** Justice and Correctional Services Minister Michael Masutha addressed pupils from schools in the Western Cape in a Learner Dialogue on constitutional education in Parliament. Pictures: BRENTON GEACH

wishes as key employers in ensuring constitutional awareness in schools to make pupils aware of their rights.

"Teachers also have a responsibility to teach pupils from a young age the values of

the constitution so that they grow up knowing they are worthy human beings and they are not inferior to anyone," said Masutha.

But both Athabasi and Ndlovu said a lot still had

to be done in their areas for them to see the effects of the constitution.

Athabasi said 20 years since the constitution was adopted, the only thing that had improved was that they had

powered electricity.

"I wanted answers about why 20 years since our freedom I still have to study by a candle."

"Our schools don't even have textbooks, but the Bill of

Rights states everyone has the right to access information. How do you get information with no books to study and become the future leaders in this country?" he asked.

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ENCOURAGEMENT: Minister of Justice and Correctional Services Michael Masutha talks to pupils from several Western Cape schools.

PICTURE: BRENTON GEACH

## School kids discuss Bill of Rights with minister

FEMALE pupils have said male teachers were violating their rights by offering them better marks in exchange for courtship, Minister of Justice and Correctional Services Michael Masutha heard in Parliament yesterday.

Masutha engaged with 100 high school pupils on constitutional education and human rights.

He urged the girls to record incidents, gather evidence and report them as soon as possible.

Masutha focused on the Bill of Rights as every citizen's protection from discrimination: "You must never allow anyone to

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discriminate against you because of your race, gender and sexuality. It is wrong.

"We are all equal before the law and we are protected by the constitution," he said.

Masutha said teachers should play central roles in pupils' understanding of their rights.

He encouraged pupils to refrain from drugs and crime.

"The good behaviour of a young person is a licence for a better life for you," he said. Zoe Hanalo, of The Settlers High School, appreciated the opportunity to learn more about the constitution and got her voice heard. "I learnt a lot about how the laws are being developed as well as my rights as a young person, which were designed to make me equal to others.

"The minister was patient with us and he answered all our questions without shouting us down," she said.

The engagement forms part of the department's celebration of the constitution's 20th anniversary. The Grade 10 and 11 pupils

were from Philippolis, Mankenberg, ID Mkhize, Tuscany Glen, Masiphumulele, Grassdale and The Settlers high schools.

Masutha held a similar dialogue last week at the Apartheid Museum for Gauteng pupils.

Hishaam Mohamed, regional head of the justice department, was impressed by the pupils. "It was a real treat to see students asking very important questions related to first, second and third generation rights.

"I was happy to hear the learners have taken the time to actually study the preamble of the constitution in recognition of past injustices."

## Even a 'petty crime' record will hound you forever, Masutha warns pupils

2016-04-18 14:32

Jenni Evans, News24



Cape Town - Justice Minister Michael Masutha on Monday urged a group of Cape Town school pupils to make sure they didn't get criminal records, because it was a blemish that would follow them for life.

"You can come to our correctional facilities, we can rehabilitate you, but you will carry what you have done for the rest of your life," he told pupils in a question-and-answer session on the Constitution in Parliament on Monday.

Masutha warned pupils that they wrongly thought that slapping someone, or harming them in some way, was petty and not really crime.

"It is assault," he told the pupils from schools, which included Settlers High School and Manenberg High School.

A criminal record meant a pupil would be unable to take up a promising bursary in the US or the UK, because of strict visa rules. He or she would have to wait out the 10 years it took to expunge their record.

The pupil would have to declare that record on every job application. Employers could decide to overlook it, but it would make it tougher to land certain jobs.

Schools had to take pupils back once they had served their sentence, or if they had been charged with anything, but a criminal record made life complicated.

Even prospective judges and magistrates were asked whether they had ever committed a crime or been charged with a crime.

The government was considering shortening, from 10 years to five, the period a criminal record remained in place until it was expunged. But even once it was expunged, it still had to be declared, said Masutha.

He spoke about drug addiction, saying pupils in rehabilitation were beautiful and smart, but would never heal completely and would carry their addiction, "like a baby", for the rest of their lives.

"So just remember, even when you are just a child, you are writing you own future. Never ever say to yourself, 'I'm still a kid, everybody will have forgotten when I'm 30'. Good behaviour when you are still a child, is a licence to a better future."