

**Ms Joy Leavesley**

**Via email:** Joy Leavesley <joyleavesley1@gmail.com>

Dear Ms Leavesley

**CORRESPONDENCE WITH ANNELLE BURGER REGARDING HOME SCHOOLING**

Thank you for your letter dated 10 April, in response to my letter to Annelle Burger.

It is quite apparent that we have a difference of opinion that will not be resolved by discussion. You, and the Pestalozzi Trust, are clearly of the view that government has no role to play in the education of a child. Our legislation in South Africa provides otherwise.

Once an Act is passed by a government, the only way that it will not be enforceable is if it is amended by Parliament, or if it is declared invalid by a court of law.

None of these has yet happened. So, section 3 of the SA Schools Act ("SASA") which provides for compulsory education between the ages of 7 and 15, is a binding law of our land. Your comment, therefore, that a child may choose NOT to be educated, is incorrect.

Your list of questions surrounding a simple form which enables government to have some oversight over the fact that children of compulsory school-going age are in fact receiving an education, and to know who is taking responsibility for it, is quite astounding. The responsibility for compliance with the aspects that are taught are not intended to be complied with in the form. That is to be dealt with by the home schooling parent. This is an administrative exercise by government.

Democracy involves hearing the voices of our people, but it does not mean that every comment by every individual (or group) will be able to be accommodated in every law that is made, as they are often contradictory. At the end of the day, a government has to govern, and has to make decisions where the views of people are not all the same.

I am aware that home schoolers continue to say that the Western Cape government is against home schooling. I have said before, and reiterate now, that this is FALSE. We are completely supportive of home schooling, and are taking our responsibility seriously to

ensure, to the best of our ability, that the children for whom we are legislatively responsible (7-15 years at this stage) have someone who is taking responsibility for their education.

As you mentioned in your letter, there has been much correspondence on this issue for many years. It appears that it goes round and round in circles.

As much as you ask a number of questions about the vagueness of our forms and assessment procedures, you seem to be currently quite happy to operate without any procedures at all. How can that possibly be in the interests of children? And how would we know?

I can assure you that we are very much aware of our obligations, and would very much like to work with home schoolers in the best interests of all our children.

We cannot simply take a "hands-off" approach, though.

If you cannot accept this, and you are of the view that the law of South Africa regarding basic education, or any aspect of it (including the policy and forms), is unconstitutional, your remedy is to challenge it in court. Until such time as it is declared unconstitutional, it is binding on all those in South Africa.

Kind regards



**DEBBIE SCHÄFER, MPP**  
**PROVINCIAL MINISTER FOR EDUCATION**

**DATE:** 25/4/2019