

Western Cape government wins school closure case

By [Barbara Maregele](#)

7 Mar 2019

Parents and members of the school governing body (SGB) at Uitzig Secondary near Elsies River have vowed to take their fight to keep the school open (which would mean going to the Constitutional Court).



Parents and members of the school governing body at Uitzig Secondary near Elsies River have vowed to continue their fight to keep the school open. Photo: Barbara Maregele / GroundUp

The Western Cape Education Department on Wednesday, 6 March 2019, welcomed a ruling by the Supreme Court of Appeal which upholds a 2017 decision to shut down the school.

The news dealt a blow to the SGB, supported by Cosatu, which has been at loggerheads with the province for the last four years when the closure of the school was first mooted.

Parent and SGB member Sharon Koeberg told *GroundUp* that they were shocked to be informed of the ruling through the media. “If the government can build schools in Khayelitsha then why can’t they come help us? We aren’t going anywhere,” she said.

Koeberg said the SGB will meet Thursday night to discuss what to do next.

In a statement on Wednesday, education MEC Debbie Schäfer said: “The order was handed down on the basis that [Uitzig’s SGB] had no reasonable prospect of success in any appeal, and no reason why an appeal should be heard.” Schäfer made the decision in 2017 to shutdown Uitzig due to “numerous incidents of severe vandalism and theft” of school property and dwindling class sizes.

The SGB took the matter to the Cape High Court in 2018. The court upheld Schäfer’s decision to close the school. The SGB, supported by Cosatu, then filed an urgent application to the Supreme Court of Appeal (SCA) to challenge the High Court ruling.

Just a week after schools opened in January, the High Court granted an urgent application brought by the SGB to force the department to [reopen the school](#), pending the outcome of the SCA ruling.

Schäfer said that the SCA ruling, made on 28 February, was yet another confirmation that steps taken by her and the department to close the school were lawful. The matter was dismissed with costs, she said.

“When I made the decision to close the school, I first ensured that all the learners could be accommodated at alternative schools. The WCED arranged for these learners to be placed at other schools, of which Ravensmead High School was the department’s preferred choice, just under a kilometre away,” said Schäfer.

She said she was assured by officials that “a number of learners had moved to other schools and had not experienced any additional gang related issues or danger in this regard”.

However, *GroundUp* reported on an incident that happened at Ravensmead High on 31 January, confirmed by the WCED, when a group of people, believed to be gangsters, jumped over the school fence carrying knives. *GroundUp* then spoke to several parents who [removed their children from Ravensmead](#) following this incident because of the “constant threat of violence in and around the school premises”.

Malvern de Bruyn, Cosatu’s provincial secretary, said the union would continue supporting the SGB “even if it means we take it to the Constitutional Court”.

De Bruyn said, “Parents who already live in an impoverished area will now be forced to hire taxis to take their children to school [because it is not safe for them to walk even the one kilometre]. I don’t think the department really applied their minds to this.”

This article was originally published on [GroundUp](#).