

NATIONAL ASSEMBLY

WRITTEN REPLY

QUESTION 5640.

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5640. Mrs N J Nolutshungu (EFF) to ask the Minister of Basic Education:

(a) What total number of learners between the ages of 10 to 14 fell pregnant at schools during the period 1 April 2024 up to 31 March 2025, (b) what steps has her department taken to report these Schedule 5 criminal offences to the SA Police Service (SAPS) and (c)(i) what number of these Schedule 5 cri

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Response

(a) The Department of Basic Education (DBE) collects data on learner pregnancies through the Education Management Information System (EMIS), based on reports submitted by schools. However, it must be noted that this dataset is affected by underreporting, as not all cases are disclosed to schools or accurately recorded.

To strengthen data accuracy, the DBE has established a data-sharing protocol with the Department of Health (DoH), which allows for access to health-facility data on deliveries and terminations of pregnancy among individuals aged 10–19 years. While this dataset is not limited to learners, it serves as a reliable proxy for estimating the prevalence of learner pregnancies within this age group.

According to this dataset, the total number of learners aged 10 to 14 who delivered or terminated pregnancies in health facilities between 1 April 2024 and 31 March 2025 is 2 833.

(b) The DBE and Provincial Education Departments (PEDs) play an important role in both the prevention and management of learner pregnancy as part of their commitment to ensuring that all learners can complete their education in a safe and supportive environment.

In this regard, the actions of the DBE and PEDs are guided by two key frameworks, namely:

- The Policy on the Prevention and Management of Learner Pregnancy in Schools (2021); and
- The Protocol for the Management and Reporting of Sexual Abuse and Harassment in Schools.

These frameworks collectively ensure that all learner-pregnancy cases are treated as child-protection matters, with appropriate legal and psychosocial interventions.

In terms of the Policy on the Prevention and Management of Learner Pregnancy, schools are required to:

- Refer all pregnant learners to the nearest health facility for medical assessment, antenatal care and counselling, in collaboration with the DoH; and

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- Refer affected learners to the Department of Social Development (DSD) or a registered child-protection organisation for psychosocial support, counselling and an assessment of possible sexual abuse or statutory rape.

Where learners are below the age of 16, the matter may constitute a criminal offence under the Criminal Law (Sexual Offences and Related Matters) Amendment Act, 2007 (Act No. 32 of 2007), and schools are legally obligated to report such cases.

In accordance with section 110(1) of the Children's Act, 2005 (Act No. 38 of 2005) and section 54 of the Sexual Offences Act, educators and principals are mandated reporters and must immediately notify the South African Police Service (SAPS), the DSD, or a recognised child-protection organisation when they suspect or become aware of any case involving the sexual abuse or exploitation of a child.

These obligations are reinforced through continuous training and awareness programmes conducted by the DBE for educators, School Governing Bodies (SGBs) and district officials, ensuring compliance with statutory reporting requirements.

(c) (i) The DBE does not maintain a standalone national database of criminal investigations or prosecutions relating to learner pregnancies, as these cases fall within the jurisdiction of SAPS and the Department of Justice and Constitutional Development (DoJ&CD). However, the DBE is in the process of finalising a data-sharing arrangement with the DoJ&CD to improve monitoring and oversight of reported statutory-rape and sexual-abuse cases involving learners.

(ii) In the interim, schools are required to submit quarterly reports to their PEDs detailing learner-pregnancy cases, including referrals made to SAPS, DSD and health facilities. These reports are consolidated and monitored by the DBE to track compliance with the 2021 Policy on the Prevention and Management of Learner Pregnancy and the Protocol for the Management and Reporting of Sexual Abuse and Harassment.

Cases reported to SAPS are formally recorded through the DBE-SAPS Implementation Protocol, which standardises interdepartmental procedures for the reporting and investigation of offences occurring in school settings. Reports are logged as formal case dockets at the nearest police station, supported by an incident report prepared by the school principal. The protocol also ensures regular feedback between SAPS and district offices to strengthen accountability and case tracking.

The DBE remains deeply concerned about the high number of pregnancies among learners aged 10-14, as these cases reflect serious violations of children's rights and

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are criminal offences under South African law. Through strengthened collaboration with the Departments of Health, Social Development, Justice and Constitutional Development and SAPS, the DBE continues to enhance prevention, reporting and response mechanisms to ensure that all learners are protected from sexual exploitation and abuse, and that pregnant learners receive the necessary support to continue their education in a safe and dignified environment.

At the same time, the DBE recognises that learner pregnancy is a deeply socio-economic issue that extends beyond the boundaries of the school environment. Many of South Africa's most vulnerable children are exposed to sexual violence and exploitation within their broader communities. Addressing this crisis therefore requires a whole-of-government and whole-of-society approach, bringing together parents, community leaders, civil-society organisations, faith-based groups, and all spheres of government to strengthen protection systems, raise awareness, and ensure that every child can grow up free from abuse and access education in safety, dignity, and equality.