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Curbing Teacher Sexual Misconduct: An Assessment of Reported Cases to the South African Council of Educators between 2019 and 2022

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ABSTRACT

This study analyzed sexual offense cases reported to the South African Council for Educators (SACE). Child sexual abuse is a severe violation of human rights and a significant factor contributing to mental health issues in adulthood. It also burdens the nation's resources through crime prevention, medical interventions, and mental health services. This study therefore used a quantitative approach to examine 474 cases of sexual offenses committed by educators. The findings revealed that most offenders are male, typically over 40 years old and with long tenures in the education system. A small number of female offenders were reported, possibly due to societal perceptions that boys cannot be victims of sexual abuse, leading to underreporting. The study also found that densely populated provinces like Gauteng have higher incidences of sexual offenses compared to less populated ones like Northern Cape. Additionally, older educators are more likely to commit such offenses than younger ones. The study recommends that SACE and the Department of Education implement awareness programs to educate educators, parents, and learners about sexual offenses. The judiciary should also play a role in addressing these crimes. Furthermore, sexual offenses should be integrated into the curriculum and taught in more depth. Peer education programs should be introduced in schools to support students. It is also suggested that the Department of Education vet educators for prior sexual misconduct and ensure all teachers are registered with SACE. Teacher training institutions should incorporate sexual offense education into their programs. This study contributes to a deeper understanding of sexual offenses in schools.

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INTRODUCTION

Sexual misconduct is one of the most serious deviant behaviors in society. Hartley and Bartels argue that child sexual abuse is a despicable and pervasive issue that continues to increase in India and other countries.[1] Alarmingly, schools where children should feel safe have become environments where some educators, who are entrusted with the responsibility of *loco parentis*, sexually molest the learners under their care. Gupta and Kaur, in their study conducted in India, contend that while many countries,

[1] Megan Hartley and Ross M Bartels, "Public Perception of Men Who Have Committed Intrafamilial and Extrafamilial Sexual Offences against Children," *Sexual Abuse* 34, no. 8 (2022): 1003–28.

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including India, have established legal frameworks and policies aimed at protecting children, only a small proportion effectively benefit those at risk.[2] Similarly, Manral et al. emphasize that children constitute a vulnerable segment of society, and it is the moral duty of governments to safeguard their interests and safety.[3] Governments attempt to fulfill this responsibility by enacting laws and creating frameworks for their implementation.

Child sexual abuse (CSA) remains a pervasive issue worldwide, prompting the World Health Organization to establish comprehensive guidelines aimed at eradicating such practices. In South Africa, similar laws are in place to protect children from abuse. However, it is profoundly alarming that reports of child molestation continue to emerge daily in newspapers and on social media. The situation becomes even more distressing when the perpetrator is an educator an individual entrusted with the responsibility of nurturing and safeguarding children. Teachers are held to high standards of professionalism and moral integrity, making such violations particularly devastating. Recently, a tragic incident occurred where a seven-year-old girl was allegedly sexually assaulted on school premises. This appalling act has sparked widespread outrage within the community, with calls for justice growing louder each day. This incident serves as a stark reminder that schools, which should be safe havens for children, are sometimes failing to protect them.

This study was, therefore, conducted in response to the increasing number of reported cases involving South African educators sexually violating learners under their supervision. The South African Council for Educators (SACE) is entrusted with upholding ethical standards within the teaching profession. However, recent trends indicate a concerning deviation from these standards, raising significant alarm for SACE, the Department of Education, and society as a whole. The primary objective of this study is to highlight the gravity of this issue, emphasizing the urgent need for collective action to address and eradicate this scourge. By shedding light on the extent of the problem, the researchers aim to mobilize stakeholders to implement effective measures that ensure the safety and well-being of all learners.

LITERATURE REVIEW

The South African School Context

South Africa is still enjoying its constitutional freedoms and human rights, after the 1994 grand entry into democracy. However, this does not mean that these freedoms and human rights are not violated. Literature suggests that South Africa is experiencing a high rate of sexual offenses in the communities. Schools as part of communities have not been spared. This view is supported by Bronfenbrenner's Socio-Ecological Model of Human Development. Bronfenbrenner emphasizes the importance of the environment in shaping one's behaviour. Schools reflect their communities.[4]

According to SAPS, statistics indicated the sexual offenses in the following years 2015/16:51895, 2016/17: 49660, 2017/18:50108, 2018/19:52420, 2019/20: 53293, and 2020/21, 46214 from the above statistics, one can see that sexual offenses are high. These statistics are worrying and are a cause for concern.[5] A study conducted by Mphatheni, et al. in the Eastern Cape, found that children are vulnerable to sexual abuse at a time when they will be developing self-control, a phenomenon which contributes to the sharp hike in child sexual abuse in communities.[6] Together the excessive use of alcohol by both the victim and the offender significantly contributes to sexual abuse cases among children. Clarke cites the poor implementation of legislation and numerous cultural and traditional beliefs in South Africa and apartheid practices that normalised violence and entrenched mistrust of police services as other contributing factors in sexual offenses.[7] Coulton et al. further cite poverty as another contributing factor

[2] Pranav Gupta and Mandeep Kaur, "Sexual Offences against Children: An Empirical Study,"*Issue 2 Indian JL & Legal Rsch.* 4 (2022): 1.
[3] Ishita T Manral et al., "A Multi-Speciality Approach to the Protection of Children from Sexual Offences Act: A Review," *Industrial Psychiatry Journal* 32, no. 1 (2023): 4–8.
[4] Urie Bronfenbrenner, *The Ecology of Human Development: Experiments by Nature and Design* (Cambridge, MA: Harvard University Press, 1979).
[5] South African Police Service, *Crime Statistics Report 2020/2021* (Pretoria: SAPS, 2021).
[6] Mandlenkosi Richard Mphatheni, Witness Maluleke, and Sphamandla Lindani Nkosi, "The Nature of Sexual Offences Against Children in the Eastern Cape Province of South Africa," *ADRRI Journal of Arts and Social Sciences* 18, no.3 (6) October-December (2021): 66–81.
[7] J. Clarke, " Why Is Sexual Violence so Endemic in South Africa and Why Has It Been so Hard to Combat? ," 2020, https://www.sahistory.org.za/article/why-sexual-violence-so-endemic-south-africa-and-why-has-it-been-so-hard-combat-jessica.

to sexual offenses among children.[8] Similarly, Handa et al., argue that young people who live in poverty are more likely to engage in transactional sex and make their sexual debuts early.[9] In rural areas educators are seen as the potential *blessers [providers of essential needs and more]* of these young children, therefore easily convincing young girls to fall in love with them. According to City Press citing the SACE report tabled before parliament certain cases are handled in a cultural approach, in which the learner's parents demand that a teacher reimburse them for defiling their child.[10] Adekola and Mavhandu-Mudzusi also cite parenting practices as one of the factors promoting sexual offenses in schools.[11]

Legal and Statutory Instruments to Curb Sexual Violence against Minors

South Africa considers the protection of children and their wellness as paramount, as a result, it has ratified the global UN Convention on the Rights of a Child, as well as the African Charter on the Rights and Welfare of the Child. In line with these statutory commitments, several legal instruments were ratified within South Africa. The most relevant is the constitution which provides an overarching protection of children's rights, leading to the development and enactment of the SACE Act no 31 of 2000, which pertains to the SACE mandate to regulate South African educators' professional practice; giving them the responsibility to protect children from any harm and ensuring that they refrain from exposing children to sexual material such as pornography, sexual grooming, and sexual harassment, notwithstanding mandatory reporting of such that they may be aware of. The SACE code of professional ethics states that teachers are not allowed to engage in any kind of sexual contact with their students or to harass them sexually in any manner. Such behaviour is also forbidden by the Employment of Educators Act of the Department of Basic Education.[12] SACE has been given the mandate to develop a Code of Conduct for professional educators, investigate the alleged transgression of the teacher Code of Conduct, institute a disciplinary process, and ultimately sanction educators who transgress these codes of conduct. Teachers found guilty of misconduct through the SACE disciplinary processes may have their names appear on the National Registry of Sexual Offenders and National Child Protection Register, with the Expulsion Act stating that names of offenders appearing on these registers may not be removed from these registers. The SACE Act is supported by numerous other statutory instruments such as the Schools Act of 1996, the Child Justice Act of 2008, the Children's Act 38 of 2005, and the ELRC Collective Agreement 3 of 2018.

According to the SACE code of professional ethics, teachers are prohibited from having any sexual relationship with pupils and from sexually harassing pupils in any way. The Department of Basic Education's Employment of Educators Act also expresses similar promulgations.

Contextualising Sexual Misconduct in South Africa

Protocol for the Management and Reporting of Sexual Abuse and Harassment in Schools Policy aims to assist schools in acting appropriately and timeously in investigating allegations of sexual violence and harassment; provides guidelines on how schools should treat victims of sexual violence and harassment; and offers guidelines on how to deal with those who are alleged to have committed such acts and clearly outlines what constitutes unacceptable conduct and this applies to all learners, educators and relevant stakeholders in schools.

The SACE website stipulates that any complaint can be made to SACE through different modes, e.g. through email, telephonically, and by fax. The case will be registered with a case number, and investigations will be instituted. SACE investigators need to contact and inform the alleged perpetrator and the informed to respond to the allegation, and the investigations will kick in. However, these

[8] Claudia J. Coulton et al., "How Neighborhoods Influence Child Maltreatment: A Review of the Literature and Alternative Pathways," *Child Abuse & Neglect* 31, no. 11–12 (November 2007): 1117–42, https://doi.org/10.1016/j.chiabu.2007.03.023.
[9] Sudhanshu Handa et al., "The Government of Kenya's Cash Transfer Program Reduces the Risk of Sexual Debut among Young People Age 15-25," *PLoS ONE* 9, no. 1 (January 15, 2014): e85473, https://doi.org/10.1371/journal.pone.0085473.
[10] City Press, " Sexual Misconduct Rife in Schools, with Teachers as Leading Perpetrators," August 17, 2021, https://www.news24.com/citypress/news/sexual-misconduct-rife-in-schools-with-teachers-as-leading-perpetrators-20210817.
[11] Ayobami Precious Adekola and Azwihangwisi Helen Mavhandu-Mudzusi, "Addressing Learner-Centred Barriers to Sexuality Education in Rural Areas of South Africa: Learners' Perspectives on Promoting Sexual Health Outcomes," *Sexuality Research and Social Policy* 20, no. 1 (March 29, 2023): 1–17, https://doi.org/10.1007/s13178-021-00651-1.
[12] City Press, " Sexual Misconduct Rife in Schools, with Teachers as Leading Perpetrators."

investigations occur in the context of human rights and legal rights for all; both the victims and the perpetrators.

As much as it is desirable to have less reporting of child sexual abuse by teachers, however only if it is the true reflection of these occurrences. Scholars seem to agree that there is a high level of underreporting of sexual abuse by children due to obvious and not-so-obvious reasons. A qualitative study by Jensen, et al., revealed circumstances under which children disclosed sexual abuse in a family setting. However, they start by identifying reasons for children's non-disclosure.[13] In their literature review, cognitive and developmental limitations, feeling responsible for the abuse and fear of consequences thereof, shame and self-blame and post-traumatic effects, relationship to the offender, and threats made to the child, were cited as some, but not all of the reasons for under-reporting of child sexual abuse. For instance, the power dynamics in teacher-learner relations is one of the strong but salient reasons for non-reporting, leading to some cases getting reported far later after the occurrence.[14]

Linked to the reporting rate, is the outcomes of the reporting, reporting with recourse for the perpetrator is likely to have a dampening effect on child sexual abuse cases. The SACE sanctioning rate is reported to be lower than expected, 60.9% in 2018/19, 15% in 2019/20, 81% in 2020/21, and 54% in 2021/22. What accounts for the lower sanctioning rate is the investigation processes and the victim's parents dropping the charges.

METHODOLOGY

In this study, a quantitative approach was adopted. A total of 474 reported cases submitted to the South African Council for Educators (SACE) formed the basis of this research. Data was collected by SACE investigators, who visited the affected schools after receiving reports of sexual offenses. The collected data was subsequently shared with the research team for analysis.

The study utilized data from the period 2019 to 2022, as these four years were considered sufficient to provide a comprehensive understanding of the prevalence and nature of sexual offenses within schools. Data was analysed using SPSS (Statistical Package for the Social Sciences).

Ethical consideration

Only documents (case files) from SACE were analysed. The content of the files is considered confidential. The report was undertaken as a research activity of the SACE in collaboration with researchers from Higher Education institutions. Research interns with a Master's degree were involved in capturing the data from the case files. The senior researchers from the Higher Education institution analysed and interpreted the data, and finally, the four researchers wrote the different sections of the report article, with continuous peer reviewing of each other's sections. Through the SACE's permission in the form of a Memorandum of Understanding with the Higher Education institution, the researchers from this institution could have access to the raw data, engage in its analysis, and be involved in the dissemination of the information emerging from the SACE research. In this report, information from the case file which included personal information, the names, of perpetrators and victims, the schools, the address, etc were not reported as they were not part of the collected data.

The data was analysed with a focus on ensuring that the research topic, the research procedures, and the reporting of results were credible, with strict considerations for the respect of the dignity and the rights of both the perpetrators and victims. The application for ethics clearance was applied from the Wits Humanities Ethics Committee, and the ethics clearance certificate was awarded for this research project.

[13] Tine K. Jensen et al., "Reporting Possible Sexual Abuse: A Qualitative Study on Children's Perspectives and the Context for Disclosure," *Child Abuse & Neglect* 29, no. 12 (December 2005): 1395–1413, https://doi.org/10.1016/j.chiabu.2005.07.004.
[14] Jensen et al., "Reporting Possible Sexual Abuse: A Qualitative Study on Children's Perspectives and the Context for Disclosure."

PRESENTATION OF RESULTS AND DISCUSSION

This section presents the findings of the study and the discussions.

Table 1: Teachers' sexual misconduct cases reported to SACE over the 4-year period in SA

Year in which cases were reported	2019	2020	2021	2022	TOTAL
Total number of cases reported	413	443	764	734	2354
Total number of sexual misconduct cases reported	92	28	191	163	474
% of sexual misconduct cases	22%	6%	21%	22%	20%

Of the 2354 cases reported over the four years 2019 to 2022, 20% are classified as sexual misconduct cases (see Table 1 above).

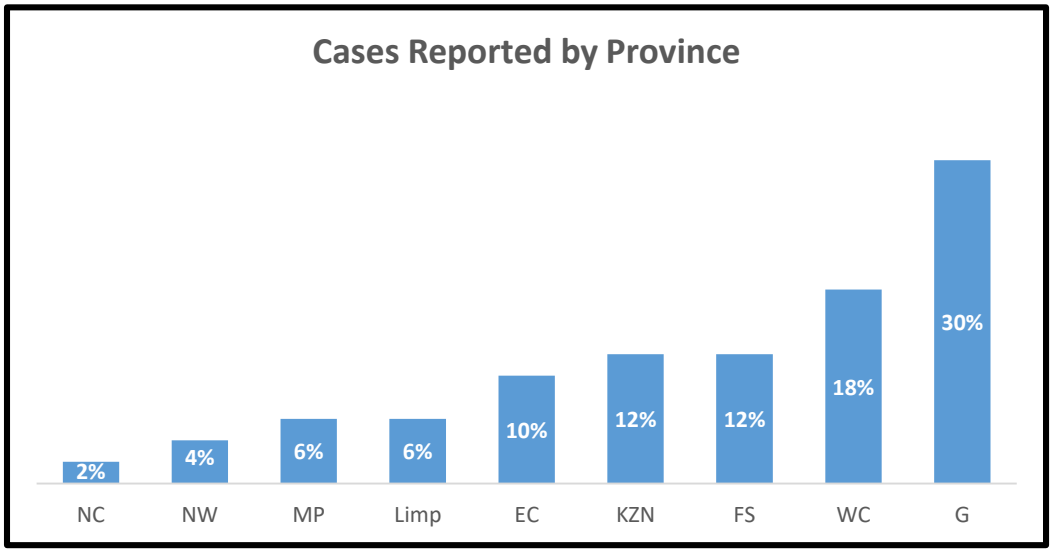

Figure 1: Reported Cases by Province

The data that was generated from provinces revealed that Gauteng is the leading province with 30% of teachers who committed sexual offenses followed by the Western Cape with 18%. Northern Cape has the lowest at 2%. Further, crime reports between 2019 and 2022, and Stats SA does not specifically depict violence against children, however, it reports on general sexual crimes, and it showed a staggering increase of 20.5% of these cases. Even though anecdotal evidence shows considerable neglect of crimes committed against children and the under-reporting of child sexual molestation by adults they trust, including teachers, this report will go a long way as a precursor to qualitative research and conversations from a child welfare, statutory, health, and education perspective.

There seems to be an association between Gauteng's higher reporting and its highest population, estimated to be 16.1 million (26.6%), with the population of public-school educators at 103,506 seconds to KwaZulu-Natal. Gauteng province is leading in terms of rape cases standing at 8,811, followed by Kwazulu Natal at 8,468.[15] The same trend is observed in Northen Cape which is the lowest at 1,096.[16]

The bigger and denser population increases the probability of having the highest number of reported sexual offenders in the province. Northern Cape has the lowest number of sexual offenses at 2%. Several factors may be attributed to this low number of reported sexual offenses by teachers. In

[15] Statistics South Africa. Census 2022 Statistical Release P03014. Pretoria: Statistics (2023). South Africa. Retrieved from https://census.statssa.gov.za/assets/documents/2022/P03014_Census_2022_Statistical_Release.pdf

[16] N. Cowling, "Number of Rape Offenses in South Africa 2022/2023 by Province," 2023, https://www.statista.com/statistics/1400289/number-of-rape-offenses-in-south-africa-by-province/.

addition, the smallest population is currently at 1,355,946 with a low number of schools compared to Gauteng and KwaZulu Natal.[17] This suggests that population size influences several sexual offenses committed by perpetrators, assuming that the reporting culture is similar in all the provinces. The data reflected in the bar graph above to a larger extent corresponds with the national population statistics of 2022. The reporting culture and accessibility to SACE offices and information by learners, parents, and the communities at large may be another differentiating factor that accounts for the difference in reported cases among the provinces.



Figure 2: National Perpetrator Gender Analysis

The above figure shows the distribution of perpetrators by gender. The analysis of the gender of perpetrators from the data shows that male perpetrators are in the majority at 90%, with the rest reported to be female perpetrators. A similar study conducted in Zimbabwe by Nhundu and Shumba found that all perpetrators were male teachers.[18] The above scenario can be attributed to many factors. Cortoni et al in their study discovered that men were significantly more likely than women to self-report having been abused by female sex offenders.[19] Some male teachers commit sexual offenses with learners because they are paedophilic.[20] Furthermore, male teachers are leading because males are naturally prone to crime in all spheres of life. Also, the reporting thereof is made easy because their acts are labelled as perverts, paedophiles, monstrous, evil, and predatory. Darling, et al. in their study found that female teachers commit sexual offences against young children when their demands are not adequately satisfied in adult relationships. They, therefore, tend to abuse to satisfy their emotional needs and to gratify their sexual cravings.[21] Other factors include unstable living patterns, troubled relationships, issues with emotional self-management, low self-esteem, loneliness, and isolation.

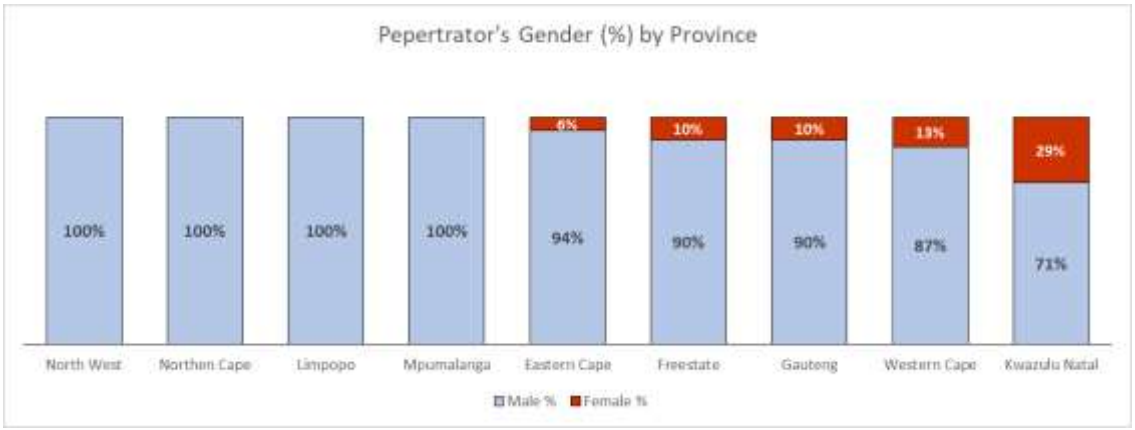

Figure 3: Provincial perpetrator gender analysis (n=172)

A total of 17 female perpetrators out of the population of 172 were observed where 15 females were between the ages 20 and 50 while only 2 perpetrators were between ages 51 and 60 years. This shows

[17] Statistics South Africa. Census 2022 Statistical Release P03014.

[18] Tichatonga J Nhundu and Almon Shumba, "The Nature and Frequency of Reported Cases of Teacher Perpetrated Child Sexual Abuse in Rural Primary Schools in Zimbabwe," *Child Abuse & Neglect* 25, no. 11 (November 2001): 1517–34, https://doi.org/10.1016/S0145-2134(01)00288-5.

[19] Franca Cortoni, Kelly M. Babchishin, and Clémence Rat, "The Proportion of Sexual Offenders Who Are Female Is Higher Than Thought," *Criminal Justice and Behavior* 44, no. 2 (February 20, 2017): 145–62, https://doi.org/10.1177/0093854816658923.

[20] Daniel Turner et al., "Pedophilic Sexual Interests and Psychopathy in Child Sexual Abusers Working with Children," *Child Abuse & Neglect* 38, no. 2 (February 2014): 326–35, https://doi.org/10.1016/j.chiabu.2013.07.019.

[21] A. J. Darling, " Understanding Female-Perpetrated Child Sexual Abuse in Organisational Contexts " (University of Durham, 2018).

that in most cases perpetrators between 20 to 50 years are the ones who commit sexual misconduct. The above data concurs with the study of Darling et al., which found that two-thirds of female perpetrators were in their mid-twenties to mid-thirties.[22]

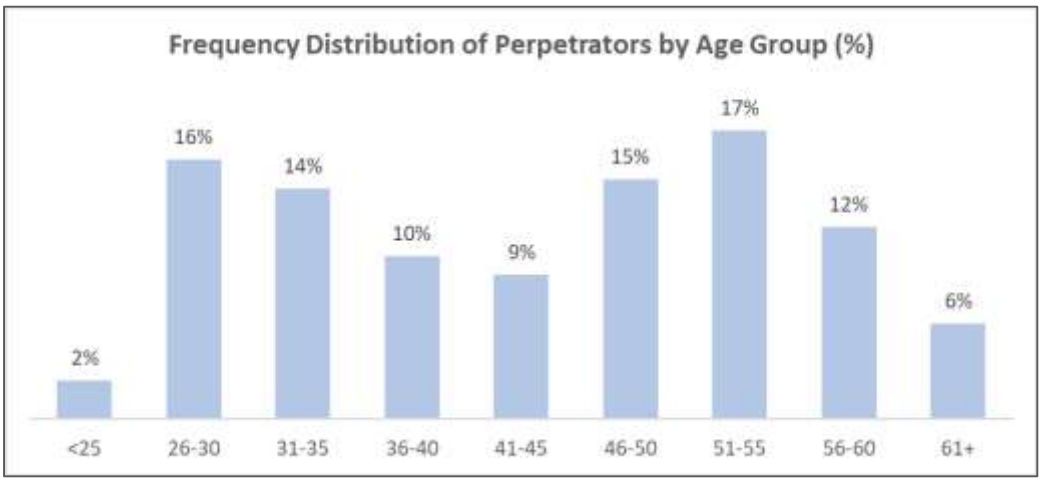

Figure 4: ***Frequency Distribution of Perpetrators by Age Group***

The above statistics also concur findings from with sexuality and reproductive studies Most women who are above 50 years old experience reduced desire for sexual activity.[23] Thus, older women are less likely to commit sexual offences.

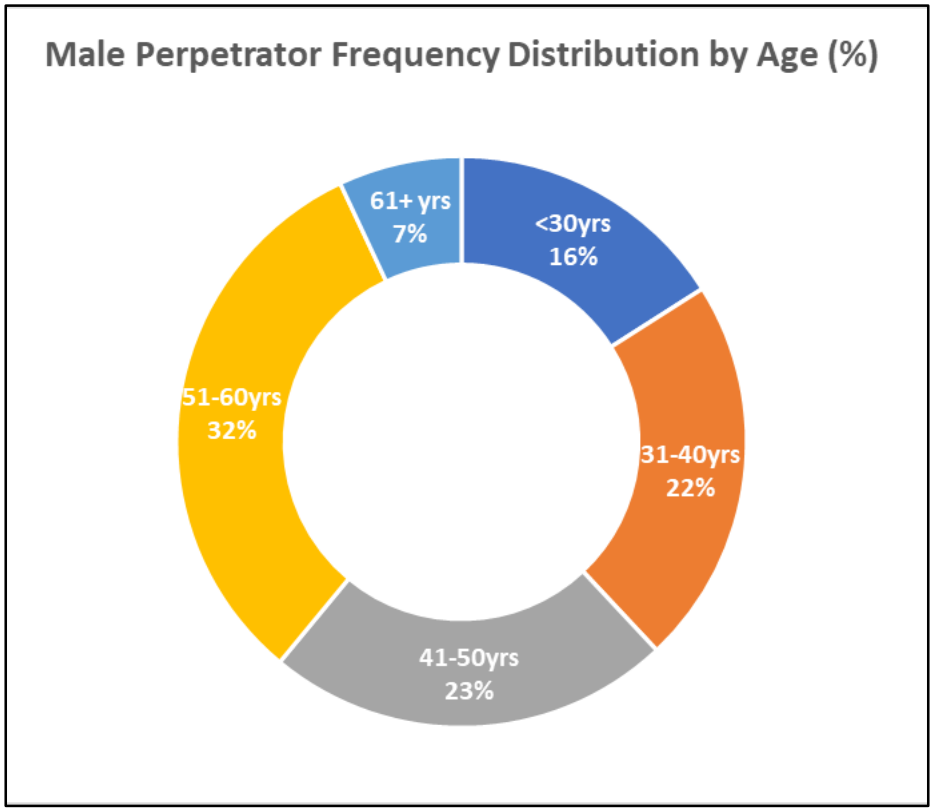

Figure 5: Male Perpetrator Age (n=155)

The pie chart above shows that a total number of 155 males out of the population of 172 discloses different ranges of age, the range between 61-70 years is the highest with 50 male perpetrators who committed sexual harassment followed by a range of 41-50 years with 35 number of male perpetrators,

[22] Darling, " Understanding Female-Perpetrated Child Sexual Abuse in Organisational Contexts ."
[23] Soheila Nazarpour, Masoumeh Simbar, and Fahimeh Ramezani Tehrani, "Factors Affecting Sexual Function in Menopause: A Review Article," *Taiwanese Journal of Obstetrics and Gynecology* 55, no. 4 (August 2016): 480–87, https://doi.org/10.1016/j.tjog.2016.06.001.

followed by the range of 31- 40 years with 43 males, followed by the range of 20-30 years with 25 number of males, followed by the range of 61-70 years males and the lowest range is between 71-75 years with the 1 number of male. The findings above concur with the study done by Mototsune who found that male offenders are usually old and serial offenders.[24] The other reason may be that men at this age are financially stable. They use their financial muscle to lure young girls. A study conducted by Leclerc-Madlala on HIV prevalence among young girls revealed that young girls gave in to old men for financial gain.[25] It is common for young women (girls) to behave in ways that show respect for older men. Cultural norms expose women to older men, such as educators, pressuring them into having sex.[26] It should however be noted that a similar study conducted in Zimbabwe by Nhundu and Shumba found that all the perpetrators were young and inexperienced teachers.[27] This is different from what is obtained in South Africa.

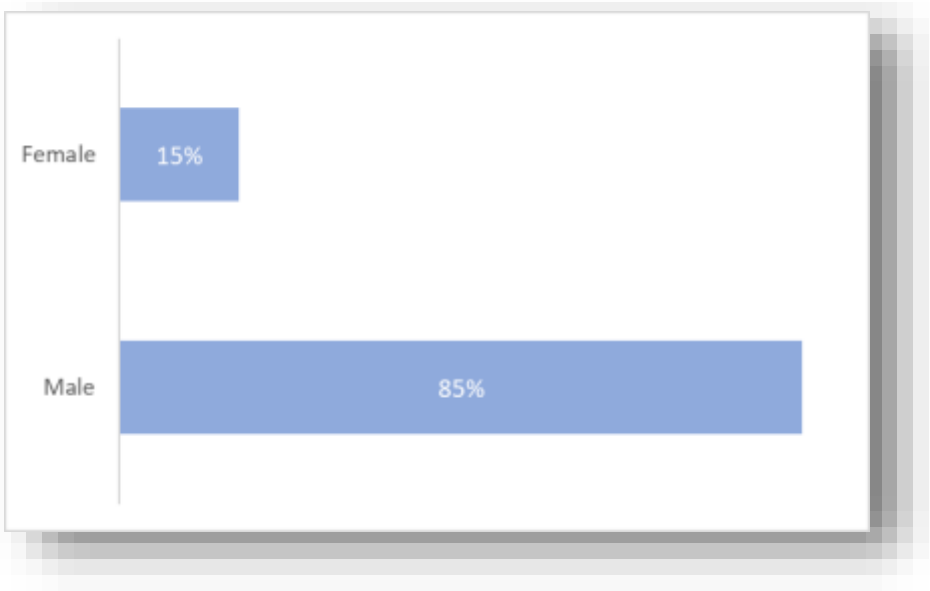

Figure 6: National victim gender analysis (n=172)

Female learners are the major victims of sexual violence in schools as reflected in the above pie chart (Figure 6). They constitute 85% of the victim profiles reported nationally. Nhundu and Shumba in their study found that 98% of the victims were females.[28] This concurs with the above statistics that girls are always the victims. The reason could be female learners are a vulnerable group of society that is always taken advantage of due to their physique and socio-economic status. It is however not expected from teachers as their code of conduct does not allow them to drink or sexually manipulate their learners. Makhaye et al., further contend that thoughts of superior masculinity, patriarchy, and uneven gender roles in which men are perceived as having power and women are of the "inferior gender" remain pervasive in South African society.[29]

This contributes to a higher percentage of female victims in South African schools. The male learners might have a low percentage due to the underreporting that we cited above. In a study conducted

[24] Taryn Mototsune, *Ontario College of Teachers Cases of Teacher Sexual Misconduct* (The University of Western Ontario (Canada), 2015).
[25] Suzanne Leclerc-Madlala, "Age-Disparate and Intergenerational Sex in Southern Africa: The Dynamics of Hypervulnerability," *AIDS* 22, no. Suppl 4 (December 2008): S17–25, https://doi.org/10.1097/01.aids.0000341774.86500.53.
[26] Soori Nnko and Robert Pool, "Sexual Discourse in the Context of AIDS: Dominant Themes on Adolescent Sexuality among Primary School Pupils in Magu District, Tanzania," *Health Transition Review*, 1997, 85–90.
[27] Nhundu and Shumba, "The Nature and Frequency of Reported Cases of Teacher Perpetrated Child Sexual Abuse in Rural Primary Schools in Zimbabwe."
[28] Nhundu and Shumba, "The Nature and Frequency of Reported Cases of Teacher Perpetrated Child Sexual Abuse in Rural Primary Schools in Zimbabwe."
[29] Mandisa Samukelisiwe Makhaye, Sazelo Michael Mkhize, and Ephraim Kevin Sibanyoni, "Female Students as Victims of Sexual Abuse at Institutions of Higher Learning: Insights from Kwazulu-Natal, South Africa," *SN Social Sciences* 3, no. 2 (February 11, 2023): 40, https://doi.org/10.1007/s43545-023-00611-z.

by Kinyaduka and Kiwara, some of the reasons why girls fall victim to male teachers is that they are promised money and expensive gadgets like laptops and cell phones. They also cited poor mechanisms for handling sexual harassment cases in schools.[30] The other issue security of female learners is not guaranteed after reporting sexual abuse. Vanwesenbeeck, argues that some parents may force their children into commercial sex for monetary gain.[31] This can be common in rural South African schools. Finkelhor raises two major reasons why both boys and girls become victims of sexual abuse. The first reason is the lack of adequate parental supervision, caused by negligence on the part of parents or caused by single parenting. The second cause is emotional deprivation. Offenders take advantage of these two factors, inadequate supervision and emotional deprivation to get close to and coerce children into having sex.[32] Finkelhor, suggests that additional people are needed to watch over and safeguard the children.[33] In a school setup set, the head teacher with selected staff members need to work together to protect innocent children, the problem is that it is difficult when children are preyed on by the very adults who are bestowed with the responsibility to protect them.

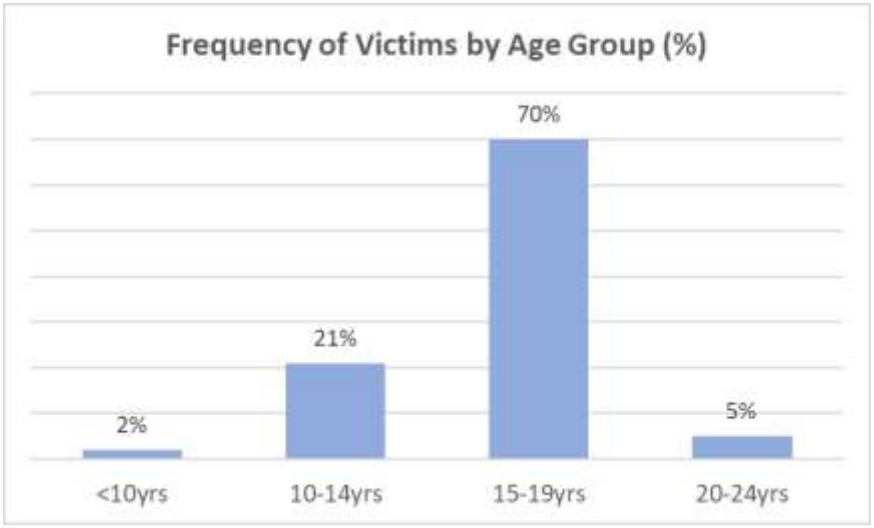

Figure 7: Victims Age Analysis (n=172)

The above figure shows the ages of the victims. The data shows a larger percentage of victims in a range of 15-19 years to be at 70%, followed by those between 10- 13 years old. There are lower percentages in the ages 6-9 and 23-35 Kaltiala-Heino et al., argue that sexual harassment among teenagers may rise in tandem with their developing sexual desires and greater early-adolescent socialising in mixed-gender peer groups.[34] At this stage, teenagers have a high desire for sex due to hormonal changes.[35] Most of their actions are impulsive, teachers who are not morally sound take advantage of these children. This might be the reason why we have a greater percentage in the age group 14 to 18. Adolescents who are still developing are also more likely to hang out with older, troubled friends, which increases their risk of becoming involved in sexual harassment.[36] There is also evidence linking sexual harassment events

[30] Bryson D Kinyaduka and Joyce F Kiwara, "Female Student-Male Teacher Sexual Relationship in Moshi Municipality, Kilimanjaro, Tanzania: Sexual Advance Points, Reasons, Reporting Status and Responsible Teacher Category," *Merit Research Journal of Education and Review* 2, no. 5 (2014): 85–91.
[31] Ine Vanwesenbeeck, "Prostitution Push and Pull: Male and Female Perspectives," *Journal of Sex Research* 50, no. 1 (January 2013): 11–16, https://doi.org/10.1080/00224499.2012.696285.
[32] David Finkelhor, "Child Sexual Abuse," *New York*, 1984, 101–15.
[33] Finkelhor, "Child Sexual Abuse."
[34] Riittakerttu Kaltiala-Heino et al., "Experiences of Sexual Harassment Are Associated with the Sexual Behavior of 14- to 18-Year-Old Adolescents," *Child Abuse & Neglect* 77 (March 2018): 46–57, https://doi.org/10.1016/j.chiabu.2017.12.014.
[35] J. Dennis Fortenberry, "Puberty and Adolescent Sexuality," *Hormones and Behavior* 64, no. 2 (July 2013): 280–87, https://doi.org/10.1016/j.yhbeh.2013.03.007.
[36] Sara E. Goldstein et al., "Risk Factors of Sexual Harassment by Peers: A Longitudinal Investigation of African American and European American Adolescents," *Journal of Research on Adolescence* 17, no. 2 (May 22, 2007): 285–300, https://doi.org/10.1111/j.1532-7795.2007.00523.x.

to increased physical attractiveness of adolescents.[37] Mitchell et al., cite early sex debut as another contributing factor for a higher percentage of adolescents experiencing sexual harassment.[38] There is a significantly low percentage of incidences among the age range of 6 to 9 because, in the majority of cases, these are not yet sexually mature. People who target this age group, usually abuse children for rituals or as paedophiles.

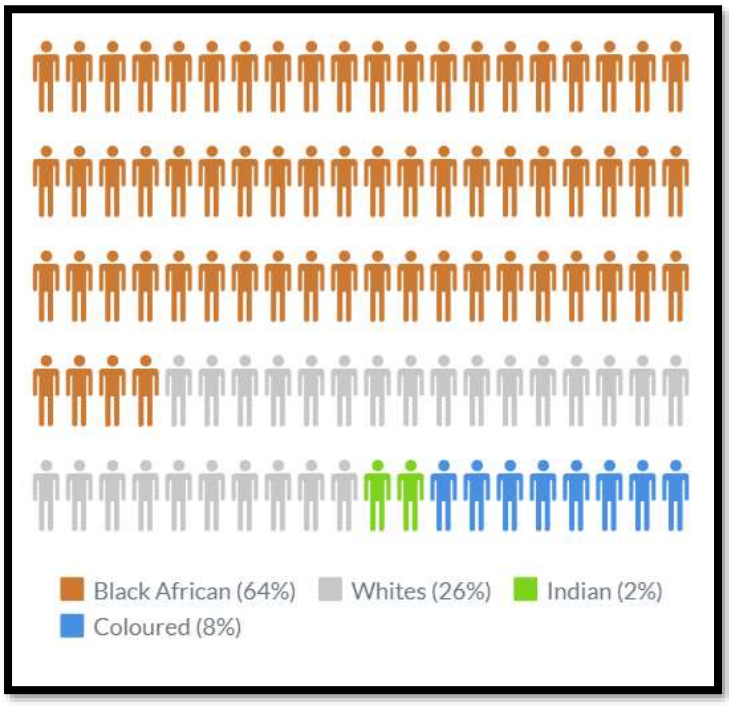

Figure 8: Perpetrator Race Analysis (n=172)

Figure 8 shows the perpetrator by race. From Figure 8 above Africans (Blacks) are the leading perpetrators at 64%. This can be attributed to a high population of blacks nationally which stands at 81.4%. Whites are the second at 26%. In terms of national population, they are at 7.3%. Coloureds are number three at 8%. At the national level, the coloured population is at 8.2%. At the bottom are Indians/Asians at 2%. This percentage is almost similar at the national level at 2.7%.

[37] Jennifer L. Petersen and Janet Shibley Hyde, "A Longitudinal Investigation of Peer Sexual Harassment Victimization in Adolescence," *Journal of Adolescence* 32, no. 5 (October 27, 2009): 1173–88, https://doi.org/10.1016/j.adolescence.2009.01.011.
[38] Kimberly J. Mitchell, Michele L. Ybarra, and Josephine D. Korchmaros, "Sexual Harassment among Adolescents of Different Sexual Orientations and Gender Identities," *Child Abuse & Neglect* 38, no. 2 (February 2014): 280–95, https://doi.org/10.1016/j.chiabu.2013.09.008.

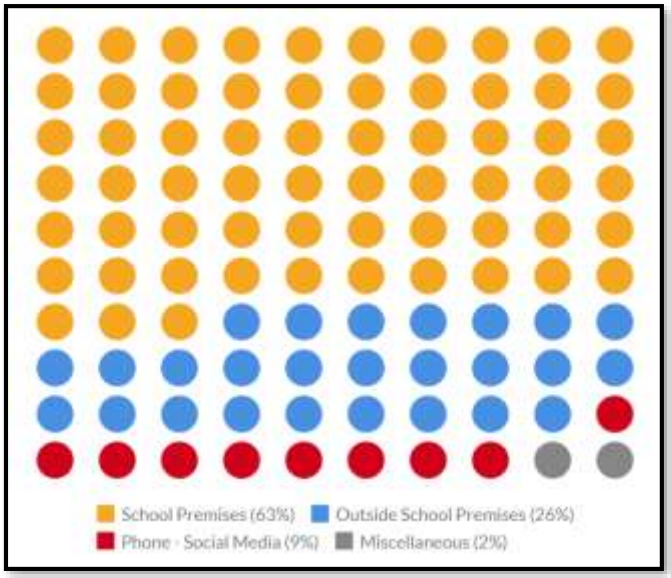

Figure 9: Analysis of spaces where the sexual misconduct occurs (n=107)

Figure 9 shows spaces where sexual misconduct occurs. The data shows that the majority of cases occurred mainly within school premises at 63% followed by Out-of-School spaces (26%).[39] Over-the-phone and Miscellaneous places had the lowest percentages at 9% and 2% respectively. This data shows that schools are not safe places because most cases occur within school premises. In a study conducted by Kinyaduka and Kiwara in Tanzania, they also found that sexual offences were committed in institution centres. Responsible authorities like the Department of Education must put measures in schools to protect young children.[40] Headteachers need to be vigilant to prevent such occurrences on school premises.

Discussion Summary

From this study, it is evident that males are the primary perpetrators of sexual offenses. Older individuals, particularly those who entered the teaching profession before the issue of sexual offenses was given significant attention, seem to be more likely to engage in such behavior compared to younger teachers, who may have gained greater awareness through their training in teacher education colleges. Female offenders, on the other hand, might go unnoticed or unpunished due to societal perceptions that men cannot be victims of sexual assault.The literature suggests that some parents may conceal perpetrators after receiving bribes, highlighting the need for awareness programs aimed at parents, particularly in rural areas, to address these issues and promote a more informed response to sexual offenses.

RECOMMENDATIONS

Recommendations for the mitigation of sexual misconduct of teachers in SA schools

SACE has endorsed four professional development programmes for educators on sexual misconduct, with the validity from 2019-2023, none of the four programmes are offered by the DBE. The four programmes are, sexual and gender-based violence in school; sexual development and orientation; sexual harassment; and sexual harassment awareness training. These programmes will give an educator a clear understanding of the type of behaviour classified as sexual harassment. The programmes also unpack the consequences of sexual abuse providing tools for educators to understand and have empathy with victims of sexual harassment.

It is noted that the Curriculum Assessment Policy Statement has Comprehensive Sexuality Education in it. However, the legislated number of hours allocated for the teaching of the topic of sexual abuse in each grade is questionable for its adequacy. For instance, only one hour is allocated in grade 4

[39] Unreported or blank places were not included in the analysis.
[40] Kinyaduka and Kiwara, "Female Student-Male Teacher Sexual Relationship in Moshi Municipality, Kilimanjaro, Tanzania: Sexual Advance Points, Reasons, Reporting Status and Responsible Teacher Category."

for the related subject of Bullying. The table below shows the number of hours allocated to this and related subjects per grade.

Table 2: Learner exposure to sexual misconduct through the curriculum

Grade	Hours	Subject
4	1 hour	Bullying
5	1 hour	Sexual grooming, under child abuse
6	1 hour	Sexual grooming
7	0 hours	N/A
8	0 hours	N/A
9	0 hours	N/A
10	3 hours	Gender power and violence, rape prevention, support and taking action against abuse
11	0 hours	N/A
12	3 hours	

Peer education and campaigns on sexual abuse awareness

Peer education usually entails employing members of one group to influence other members of the same group.[41] The goal is to help them develop the knowledge, attitudes, beliefs, and skills necessary to take charge of and safeguard their situations. In this study, the researchers are looking at learners assisting each other to avoid being victims of sexual abuse. Learners are expected to be each other's keepers. If they can be trained, they will be able to do everything possible to protect each other. Learners will equip each other on how to report perpetrators. In youth-friendly corners even shy learners may be encouraged to be open about sexual assault they might have experienced. Adekola and Mavhandu-Mudzusi found that the learner-targeted interventions enhance school-based sexuality education programmes that focus on awareness through teacher in-service training and campaigns.[42] This can be done through workshops within the school, circuit, or district level. Experts can be hired to facilitate these workshops.

Recommendations for SACE

From the results discussed above it is recommended that Institutions of Higher Education should also vet student educators for fitness for purpose as educators regarding sexual misconduct and other offenses. SACE to ensure relating to the causes and effects of child abuse, sexual molestation, and corporal punishment are infused at all levels of the teacher education programmes before any education institution can employ any educator even if it is on the School Governing Board post. All adults working with children, and non-professional employees working in schools and learning centres must be regulated and vetted before assuming office. This study also encourages SACE to improve the case management system and data capturing tools for legal and ethics processes, which were found not to be tight enough to ensure successful investigations and enhancement of further research. It is also understood that a teacher has a legal right to be represented by a colleague, legal representative, or union, however, the children's rights as a vulnerable population need to be protected systemically at all levels. With regards to the collection

[41] Charles Deutsch and Sharlene Swarts, *Rutanang: Learning from One Another: Towards Standards of Practice for Peer Education in South Africa* (Department of Health, 2002).
[42] Adekola and Mavhandu-Mudzusi, "Addressing Learner-Centred Barriers to Sexuality Education in Rural Areas of South Africa: Learners' Perspectives on Promoting Sexual Health Outcomes."

of data from case intake, SACE should add questions that describe "school premises" as one of the most common places where sexual misconduct by teachers occurs - school premises (not stating classroom, office, staffroom, toilets, etc.) and outside of school premises (not stating e.g., at the teacher's home, etc) sounds vague (see figure 10); thus this does not help in understanding the modus operandi of a potential perpetrator. Linked to place, is the issue of times when this offense is performed, therefore there is a need to capture the times when these molestations happen i.e. during school hours, during lunchtime, after school, during sports activities, etc. Further, there is also a need to add the question of whether there is an accomplice (other teachers) and other children involved - so it is easy to determine if there is a syndicate of teachers involved in this within a school. Finally, data on who reported the case is also vital, in understanding where the agency rests and the power dynamics in communication flow, and how are victims identified and supported in communities. This will assist SACE and the relevant stakeholders in identifying gaps.

CONCLUSION

In conclusion, this study provides critical insights into the patterns and prevalence of sexual offenses committed by educators in South African schools. By analyzing 474 reported cases, it highlights key offender demographics, regional disparities, and potential gaps in reporting especially concerning male and female perpetrators. The findings underscore the urgent need for systemic reforms, including educator vetting, enhanced training, curriculum integration, and widespread awareness campaigns. These measures are essential to protect learners, uphold human rights, and foster a safer, more accountable education system.

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