

15 May 2018

RESPONSE TO INDEPENDENT PANEL ON THE CONDUCT OF PRIVATE SECURITY COMPANIES AND POLICE ON THE BLOEMFONTEIN AND QWAQWA CAMPUSES DURING OCTOBER 2017

We would firstly like to reinforce our confidence in the independence and credibility of the investigation and the panelists, Ashraf Mahomed and Nomfundo Walaza. We have no reservations as to the credibility of this investigation or its findings.

On the 21st of October 2017, at 6am, we met with University Management and expressed our grievances, outrage and disgust what had transpired in the past few days, under the leadership of the university and the hands of the Private security.

We requested many things, ranging from psychological support to medical support for the students that had suffered harm, but also we requested that justice be served, making the following demands:

1. Criminal charges be pressed against the PSC company, Mafoko if indeed they acted outside the mandate and the leadership of the University Management.

This was a simple demand, because one, the university had alleged that certain students had committed criminal acts on on or another, and therefore the university swiftly pressed criminal charges against those students, proceeding to suspend them with immediate effect.

In fact some of those students are still not registered as we speak awaiting disciplinary processes.

However when the students alleged that Mafoko and the Police assaulted and brutalized them, nothing was done, at least to the extreme that was done to the students by the university, the university management rebutting that “we as management are not sure that in fact Mafoko did what you claim them to

have done to you, therefore we can't as yet press charges, let us firstly investigate to see if in deed they had done what you say they did".

This was very bitter to us, also because we had an even bitter history with the released Shimla park report, however we licked our wounds, wiped our tears and subjected ourselves to the processes of this investigation.

Therefore now that the report has come back proving that which we alleged, we reiterate our call, and in fact now demand that criminal charges be pressed against Mafoko in no later than 7 days.

2. The other demand, was that all affected students receive compensation for the physical and psychological trauma they suffered.

Recommendations

Para 201.1 *Provide Assistance to Students and Staff who suffered Harm*

We accept and agree with the recommendations of providing assistance to the students that suffered harm being:

- Financial assistance, with regards to medical support.
- Academic support and assistance (understating the remnant of that period)
- Fundamentally that charges are brought against the PSC in no later than 7 days.

Para 201.2 to 20.16 *Arrange Dedicated Counselling Sessions*

We accept and agree with the recommendations with amendments.

The dedicated counselling session must take place if it hasn't already done so.

The conditions under which they must do so as stipulated in the report, which is

- Independent
- Must be reputable

We request that these conditions be formalized into the general operations of the institution on permanent basis.

This is pursuant to the reports and concerns we have received from students regarding the current counselling services at the university.

Students have long maintained that they are not happy with state of the CS.

These concerns have also been longed raised by students to the university management and to student affairs.

Addressing of Disparities between BFN and QQ campus

At the core of QQ campus' intentional/unintentional alienation and systematic isolation has been the inadequate academic support, this characterized by the lack of lecturing staff, inadequate academic support, the loss of assessment scripts etc.

This is crucial to the recommendation of addressing the disparities between the campuses, because after all the core business of and HHI is academics.

Therefore to this end, we reiterate our calls for an academic audit to be instituted as a matter of urgency and for the SRC to receive regular updates on the progress.

Para 214. *Approach External Bodies for Support and Assistance*

We accept and agree with this recommendation with further recommendations.

Pursuant to this report being submitted to these Section 9 institutions that is the SAHRC, the Commission for Gender and Equality, CRL Commission, IPID, PSiRA and the office of the Provincial Commissioner of Police in the Free State, that we receive a report from all these institutions.

The university must demonstrate its seriousness to not only the retribution of what happened but to ensure that this does not happened again by ensuring that this report is sent to these institutions and a report is brought back.

Towards a Progressive Protest Policy

We note the recommendations around the 'protest policy', however the requesting of an '*approval to protest*' we do not agree with or support as this would be used to suppress protests by the university.

In fact if such a policy was firmly in place across all 26 public HHI in South Africa, today there would be no Free Education.

Para 233.10.

"There may also be certain restrictions imposed on an intended protest or even an ongoing one, where unreasonable disruption may exist. Arguably, any restriction

should be the least intrusive possible. The above policy does contain a definition of what would amount to unreasonable conduct in the course of a protest. There is also guidance in other policies as well."

This would largely be problematic on many fronts.

1. It is never in the interest of the University have protests, therefore arming them with the right to pose restrictions could corrupt the already fragile power and trust relations further.
2. What is "unreasonable disruption" or "unreasonable conduct?"
The basic premise of any protest action is to gain the attention of power towards a particular end or demand.

And as history has dictated, in the country but also in our very own institution, power does not understand peace as a language.
Therefore unless the normal day to day business of the organization is disrupted then power remains deaf and inattentive.

Pursuant to the receiving of this report, we would like to request the following from University management:

1. Criminal charges must be pressed against Mafoko Private security in no later than 7 days.
2. All charges be dropped against our students with immediate effect
3. All disciplinary processes and suspensions be lifted with immediate effect



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