

DBE to challenge aspects of rewrite judgment

The Basic Education Department says it will approach the courts to challenge aspects of the judgment handed down by Judge Norman Davis, which set aside the matric national rewrite.



Image source: Getty Images

On Friday, Judge Davis set aside the decision taken by the department to have the 2020 matriculants rewrite the Mathematics Paper 2 and the Physical Science Paper 2.

A fortnight ago, Basic Education Minister Angie Motshekga announced that matriculants would rewrite the two exams after quality assurance council Umalusi concluded that the integrity and credibility of the paper had been irrevocably compromised.

The SA Democratic Teachers Union (Sadtu), civil rights organisation AfriForum and other interested parties approached the court to have the decision to rewrite overturned.

“CEM has noted a number of aspects in the judgment that cannot be left unchallenged. After consulting broadly and extensively with lawyers, the courts will be approached to correct those identified aspects of the judgement,” said the Basic Education Department (DBE) in a statement on Saturday.

Noting the judgment, the Council of Education Ministers (CEM) said it will abide by the ruling and agreed that there will be no rewrite of the exams, which were scheduled for 15 and 17 December 2020, respectively.

“CEM agreed that the Class of 2020 has been confronted by many challenges brought about by the pandemic; and it would therefore be unfair to further subject the Class of 2020, their teachers and parents to further uncertainties and exacerbate the anxieties they currently face,” said the department.

While the DBE said it will abide by Friday’s ruling, it expressed concern that the court did not address the crux of the matter, namely the credibility, integrity and fairness of the 2020 National Senior Certificate (NSC) examination.

“Some of the findings of the court, are discordant with applicable basic education legislative provisions; and some findings were made against the Department on issues that were not even raised in the court papers. CEM was particularly concerned about the tone and language used by the Honourable Judge,” said the department.

Finally, the CEM directed the department to continue with a sense of urgency with its investigation into the leaks of the two examination papers, alongside the probe being conducted by the Hawks.

“The Class of 2020, their teachers and their parents should take solace in CEM’s decision that the Mathematics Paper 2 and Physical Science Paper 2 will not be rewritten on 15 and 17 December 2020. Enjoy your Christmas and New Year’s break; rest and recharge for 2021; but you must observe all COVID-19 health, safety and social distancing protocols at all times,” said Minister Motshekga.

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