

Mr McCollen Ntsikelelo Jack
MEC of Education, Northern Cape
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18 August 2020

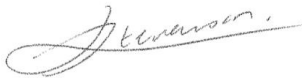
Dear MEC McCollen Jack

SECOND REPORT PROVIDED IN TERMS OF THE COURT ORDER IN *EQUAL EDUCATION & OTHERS v MINISTER OF BASIC EDUCATION & OTHERS (22588/2020)*

1. We acknowledge receipt of the consolidated report of the national and provincial departments of education, filed in terms of paragraphs 103.10 and 103.12 of the judgment in the case of *Equal Education & Others v Minister of Basic Education and Others (22588/2020)* and received in unsigned form on 7 August 2020 and in signed form on 11 August 2020.
2. In our letter of 6 August 2020, we laid out in some detail the ways in which the province's first report was deficient.
3. We welcome the improvements made in this second report, which responds to many of the concerns laid out in our 6 August 2020 letter.
4. We have reviewed the information provided in the consolidated report, which was filed in lieu of your second report, and consider that in order for your report to comply with the order made by the Court, a province-specific report must be provided and it must include the following information which was not contained in this report:
 - 4.1. Low uptake remains a problem and it is unclear what further steps the province will be taking to remedy this.
 - 4.2. No information is provided on whether transport will be made available to qualifying learners by the provincial department to access the NSNP meals.

- 4.3. We note that Annexure E purports to be provincial monitoring plans but, in fact, just appears to be provincial rosters reflecting annual school visits. They do not specifically report on monitoring during the period of school closures and the phased re-opening of schools and also do not distinguish between planned visits and visits that actually happened. These “monitoring plans” do not reflect what monitoring tools are being used or what data is being collected. The Consolidated Report refers to NSNP monitors being utilised in each province, however the questionnaires completed by monitors and the findings emanating from these visits, are not included in the Consolidated Report. It would be useful if your future monitoring reports could report on schools not implementing social distancing guidelines and measures taken to remedy this situation. In addition, it would be useful if these reports monitored reasons for low uptake and remedies put in place.
- 4.4. No contact details of school/district/provincial officials are provided in cases of non-compliance, complaints or where caregivers can access more information
5. We request that this information be provided in your next report.
6. Once we have received your next report, we shall consider whether it is necessary for us to approach the Court for further relief in terms of paragraph 103.13 of the Court Order.

Yours sincerely,



Sasha Stevenson
Attorney
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