



Communication and Marketing Department
Isebe loThungelwano neNtengiso
Kommunikasie en Bemerkingsdepartement

Private Bag X3, Rondebosch 7701, South Africa
Welgelegen House, Chapel Road Extension, Rosebank, Cape Town
Tel: +27 (0) 21 650 5427/5428/5674 Fax: +27 (0) 21 650 5628

www.uct.ac.za

6 July 2015

**Petition does not address real issues regarding SRC, says UCT
Please cite Patricia Lucas, Manager: Media Liaison & Communication, UCT**

The University of Cape Town needs to set the record straight on issues that are addressed by the online petition on behalf of Student Representative Council (SRC) officer Zizipho Pae.

Ms Pae has not been removed from her position on the SRC. (This was also clarified in a letter to the editor published in *Cape Times* on Friday, 3 July 2015.) Ms Pae was serving as the Acting SRC President (of the Vacation Committee) and has been removed only from this acting position; she has not been suspended from her elected position on the SRC. The SRC has communicated to the campus community the steps it is taking in response to Ms Pae's Facebook post of 28 June 2015. Updates are available on the UCT SRC Facebook page. As Acting Vice-Chancellor Professor Francis Petersen says in his letter to the campus (copied below): "UCT supports the SRC's need for the space and opportunity to investigate the matter and to deal with the situation." The SRC will resolve this issue with discussion and debate.

UCT urges Ms Pae to register a formal complaint with Campus Protection Services if she believes her rights have been violated. The university cannot act if such a complaint has not been registered.

UCT supports the right of each individual to exercise freedom of speech and to voice their own opinions in a responsible manner. This right, as well as the right to freedom of religion and the human rights of the lesbian, gay, bisexual, transgender, queer, intersex and asexual (LGBTQIA+) community, are constitutional rights. (It must be acknowledged as well that as a representative of the student body, Ms Pae also has responsibilities to her constituency.)

As Professor Petersen says below: "For many years, UCT has supported the rights of members of the lesbian, gay, bisexual, transgender, queer, intersex and asexual (LGBTQIA+) community. We are particularly mindful of students at UCT who come

from other African countries whose laws allow LGBTQIA+ people to be harassed, discriminated against, and even persecuted by being arrested and imprisoned for their sexual orientation. We are proud of the work of Rainbow UCT in celebrating diversity on campus, and in doing so, contributing to the transformation process at the university. It has been UCT's institutional position for many years, for example, to recognise the rights of gay people to marry and to enjoy the civil and social privileges that married people enjoy. For some two decades the UCT retirement fund has supported this position. Sixteen years ago the university gave its unqualified support to a staff member's legal challenge to enforce his right to immigrate to South Africa as part of a gay partnership before the Constitutional Court's 1999 landmark decision; and we allowed this colleague and his partner to register as domestic partners with UCT's Human Resources Department. Our conditions of service have for many years also provided for parental leave for staff in gay relationships."

We refer you to the letter sent to the UCT community on this matter by Acting Vice-Chancellor Professor Francis Petersen on 6 July 2015, copied below.

ENDS

From the DVC's desk



UNIVERSITY OF CAPE TOWN
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Dear colleagues and students

Following a controversial Facebook posting by one of the SRC members, there have been various media reports about the Student Representative Council (SRC) at the University of Cape Town. I am writing to provide some clarity on the matter.

On Sunday, 28 June 2015, Ms Zizipho Pae, the Acting SRC President (of the Vacation Committee), posted the following message on her personal Facebook page: "We are institutionalising and normalising sin! Sin. May God have mercy on us." She later confirmed in a letter to the SRC that this message related to the recent ruling by the United States' Supreme Court to legalise same-sex marriages. She has also opted to speak with the media confirming the posting and her views on the matter.

At the time of this posting the SRC President, Mr Ramabina Mahapa, was on leave. Since the posting, the SRC has removed Ms Pae from this acting position and the current acting SRC President is now Ms Oyama Botha. The SRC has announced that it is busy conducting an investigation into the Facebook post and SRC members are hoping to conclude this as soon as they are all back in office.

There are several points I need to make on behalf of UCT regarding this situation:

- The university supports the SRC's need for the space and opportunity to investigate the matter and to deal with the situation.
- For many years, UCT has supported the rights of members of the lesbian, gay, bisexual, transgender, queer, intersex and asexual (LGBTQIA+) community. We are particularly mindful of students at UCT who come from other African countries whose laws allow LGBTQIA+ people to be harassed, discriminated against, and even persecuted by being arrested and imprisoned for their sexual orientation. We are proud of the work of Rainbow UCT in celebrating diversity on campus, and in doing so, contributing to the transformation process at the university. It has been UCT's institutional position for many years, for example, to recognise the rights of gay people to marry and to enjoy the civil and social privileges that married people enjoy. For some two decades the UCT retirement fund has supported this position. Sixteen years ago the university gave its unqualified support to a staff member's legal challenge to enforce his right to immigrate to South Africa as part of a gay partnership before the Constitutional Court's 1999 landmark decision; and we allowed this colleague and his partner to register as domestic partners with UCT's Human Resources Department. Our conditions of service have for many years also provided for parental leave for staff in gay relationships.
- UCT upholds the right of each individual to exercise freedom of speech and to voice their own opinions in a responsible manner. This right, as well as the right to freedom of religion and the human rights of LGBTQI+ people, are constitutional rights.
- The challenge ahead is for the SRC to consider the controversial Facebook post and the extent to which the role of an elected SRC office bearer ought to balance the expression of personal beliefs with the constitutional rights of the students who are represented by the SRC.
- We recognise that UCT, like all other educational institutions in South Africa, is part of a society where people do still experience prejudice, harassment and abuse, whether because of sexual orientation, gender, race, nationality, economic status, etc. We want to encourage responsible discussion about these differences and how we relate to one another in the classroom, laboratory, office, residence or anywhere else. At a very personal and individual level as well as in more public platforms, such discussions must be encouraged as an integral part of respect for the rights of all and as part of transformation at UCT.
- UCT has structures in place for dealing with complaints of discrimination and harassment. These structures also serve to raise awareness on these matters. These include the independent UCT Ombud, the Discrimination & Harassment Office (DISCHO) and Campus Protection Services.

Yours sincerely

Professor Francis Petersen
Acting Vice-Chancellor

Issued by: UCT Communication and Marketing Department

Patricia Lucas

Tel: (021) 650 5428 Fax (021) 650 5628

Cell: **076 292 8047**

E-mail: pat.lucas@uct.ac.za

University of Cape Town

Rondebosch

Website: www.uct.ac.za

From: Carlo Petersen [<mailto:carlo.petersen@inl.co.za>]
Sent: 06 July 2015 03:52 PM
To: Pat Lucas; Gerda Kruger; Kylie Hatton; Riana Geldenhuys
Subject: Re: Zizipho Pae Peitition

Hi all,

Just wanted to check if we will receive a response.

Regards,

Carlo Petersen
Reporter (Cape Times)

Tel: 021 488 4760
Mobile: 074 199 5098
E-mail: carlo.petersen@inl.co.za
Website: www.independentmedia.co.za



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On 6 July 2015 at 12:21, Carlo Petersen <carlo.petersen@inl.co.za> wrote:
Good day,

I do hope this finds you all well.

The Cape Times is doing an article related to a petition for Zizipho Pae titled: "To protect the rights to freedom of speech and religious beliefs at UCT".

Here is the url link to the petition: https://www.change.org/p/uct-vice-chancellor-and-uct-src-president-to-protect-the-rights-to-freedom-of-speech-and-religious-beliefs-at-uct?recruiter=336817179&utm_source=share_petition&utm_medium=facebook&utm_campaign=share_facebook_responsive&utm_term=mob-xs-signature_receipt-no_msg#petition-letter

Could the Cape Time please have a response to the petition - which has been created by a former UCT student and SRC member - addressing the concerns raised in the three points stipulated.

Your assistance is much appreciated.

Please note the deadline for this article is 3.30pm.

Sincere regards,

Carlo Petersen

Reporter (Cape Times)

Tel: 021 488 4760

Mobile: 074 199 5098

E-mail: carlo.petersen@inl.co.za

Website: www.independentmedia.co.za



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