

Presentation to National Financial & Fiscal Commission on the provision & funding of child welfare services in South Africa

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And representing CWSA National Office

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Source Documents

- ▶ UNCRC
- ▶ African Charter on the Rights of the Child
- ▶ SA Constitution
- ▶ Child Justice Act 75/2008
- ▶ The Childrens Act 38/2005 as amended
 - Repealed
 - Childrens Act 74/1983
 - Age of Majority Act 1972
 - Childrens Status Act 1987
 - Guardianship Act 1993
 - Natural fathers of Children Born out of Wedlock Act 1997
 - Section 4 Of Prevention of Family Violence Act 1993


Introduction

- ▶ This Commission of Inquiry into the provision and funding of child welfare services in South Africa is welcomed. These two concepts are inextricably linked as without funding service provision will cease.
- ▶ Since the bulk of the services to children are rendered by the NPO sector – particularly in relation to children U14yrs NPO funding is critical if we are to have our children's rights in terms of the Constitution and legislation realised

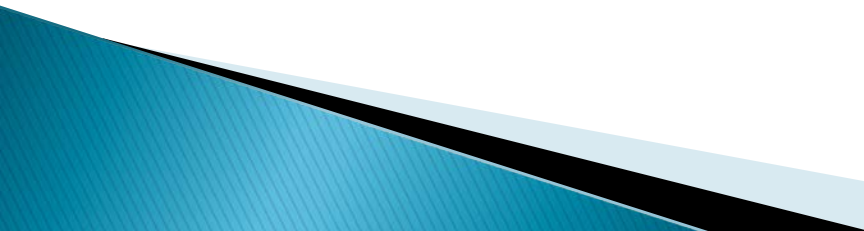
**BEST INTERESTS
OF THE CHILD
IS PARAMOUNT**

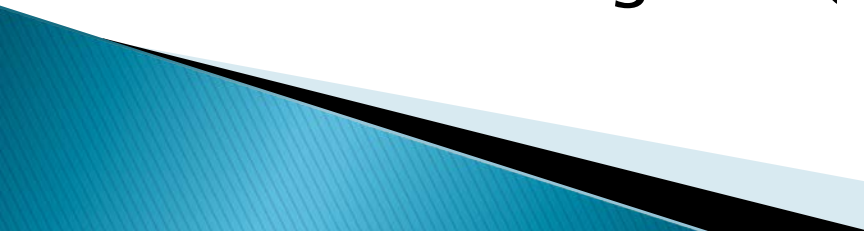


Context – Status of SA Children

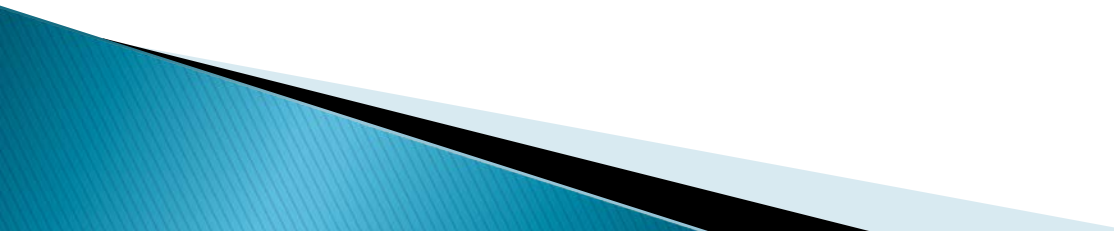
- ▶ 11.5m of the country's 19m children live in poverty
 - ▶ 1.4m children have no access to fresh water
 - ▶ 1.5m live in homes with no flushing toilets
 - ▶ 1.7m live in shacks
 - ▶ 10.3m children rely on the Govt child support grant – a further estimated 1m qualify for such grants but are not in receipt of them
 - ▶ More than 25% of our children are estimated to be hiv +
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Cont....

- ▶ There are an estimated 4m orphans (half of whom are deemed to be orphaned through Aids)
 - ▶ An estimated 25% of all new TB cases are children
 - ▶ Child hunger declined from 31% in 2002 to 15% 2007 BUT rose to 22% in 2009
 - ▶ U5yrs mortality rate has not changed since 1990 – 75 000 dying before their 5th birthday
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- ▶ Only 43% children U5yrs are exposed to ECD programme (disparities in provinces)
 - ▶ Only 1 in 3 children live with both biological parents
 - ▶ 1 in 5 children have lost one or both parents (disparities in provinces)
 - ▶ 2009/10 56 500 children reported to be victims of abuse (violent crime)SAPS 2010
 - ▶ 500 000 children in fostercare and benefit from foster grant (SASSA 2011)
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The need to prioritise funding and service delivery to children

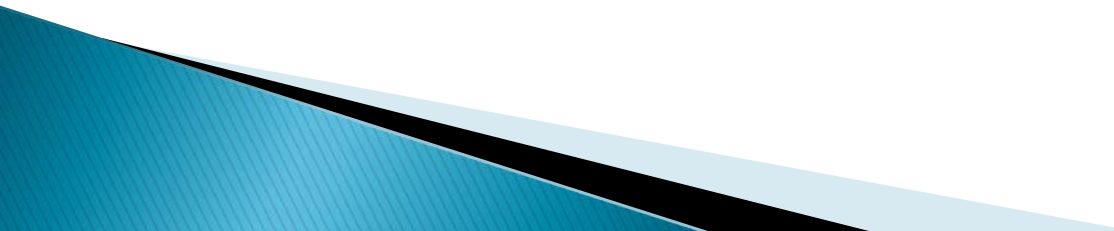
- ▶ Constitutional obligation
 - ▶ Legislative rights
 - ▶ International commitment following our ratification and signature to international child rights instruments/documents
 - ▶ Documented status of children in SA
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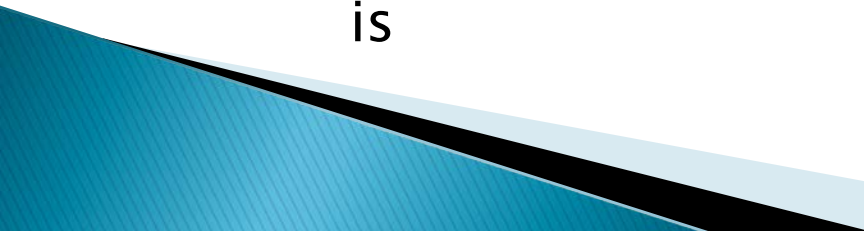
Key problem areas

1. Subsidy and transfer payments
 - Delays/late and Paid in arrears
 - Lack of uniformity across provinces
 - Programme vs post funding (vacant posts !)
2. Statutory services rendered by CWSA societies on behalf of Govt but not paid for by Govt!
3. No uniform data collection/ gaps in data collection
 - NFD being collected doesn't measure scope of services and reflects poorly on NPOs
 - Poorly developed output indicators that don't actually capture service delivery performance*

Problem areas cont...

4. Problems within Government re: management and ability to do the work
 - Inefficiencies are costing the NPO sector (eg lost files/documents ; lapsed orders -> new Inquiries; delays with clearance certificates into National Child Protection Register and impact this has had)
 - Who manages the provincial officials and how accountable are they ? And to whom?
5. Additional costs encountered for implementation of Childrens Act
 - Most provinces report no additional funds being made available (YET over 5yr period 2007-2012 R1.2b of funds unspent more than ½ of this 2010/2011 - bulk being in KZN)

6. Lack of resources – responsibility of Govt to provide same (Childrens Act 38/2005) particularly for children with disabilities .
State failing to take responsibility
 7. Lack of human resources
 8. General costs in court process that many NPOs are expected to bear – medicals, cost of late registration of births
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8. Poor or no established communication structures between Govt (DSD) and NPO sector – > little/no consultation –> input fed to National not reflecting realities on the ground
 9. Unspent monies by provincial offices whilst child welfare societies – most of whom render the full spectrum of children’s services struggle for survival and services are collapsing
 - Officials claim no funds but in reality it seems there is
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Despite promises for increased allocation of funds for child protection services (CPS) as prescribed in terms of section 105 of the Childrens Act 38/2005 which reads as follows
“Provision of designated child protection services

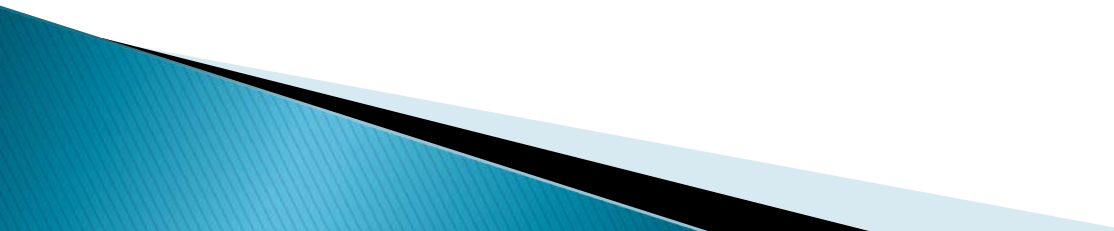
105. (1) The MEC for social development must, from money appropriated by the relevant provincial legislature, provide and fund designated child protection services for that province.”

none has been forthcoming and the burden of attempting to implement this Act has largely fallen on a crippling NPO sector.

Lack of funding and resources in all sectors rendering CPS is severely compromising prevention and management of child abuse. Many programmes run by child welfare societies – sometimes in partnership with state departments – are under threat of closure or have already closed or down sized service delivery due to funding constraints.

Local reality of children in KZN

- ▶ Population KZN (2010) 10.8m (21.4% of total SA population)
- ▶ Approx 4.5m of KZN population being children
- ▶ Children in KZN account for almost 25% of the national children's population figures
- ▶ More children born annually in KZN than in any other province
- ▶ 2nd highest provincial rate of children living in poverty
- ▶ 16% of CHH in KZN

- ▶ Hiv prevalence increasing among youth in KZN and Mpumalanga (15–24yrs)
 - ▶ Highest rate of orphans KZN and EC
 - ▶ Highest rate of “double orphans” in KZN (39%)
 - ▶ More than 25% of children in fostercare are in KZN (SASSA 2011)
 - ▶ 24% of school children experiencing corporal punishment by teachers (nat av 17%) – Stats SA 2010
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BUT

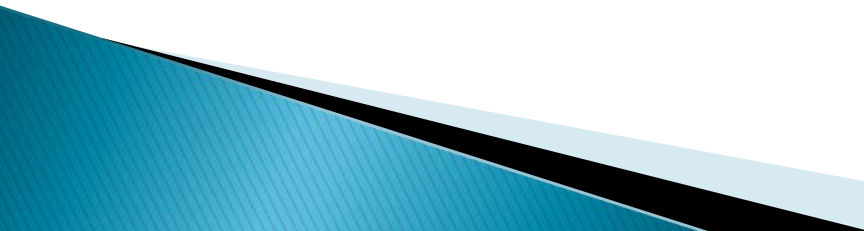
we have one of the poorest rates of service delivery , are severely under-resourced and have one of the worst records for under-spending on children's services

And yet we in the NPO sector in KZN rendering the bulk of children's services are under resourced whilst the Provincial Government under-spends AND fails to engage with NPOs in determining the sector's needs .Little to no planning is done with NPOs; SLAs for the most part are prescriptive and DSDs remain unaccountable but are known to hold NPOs to ransom on the compliancy thereto

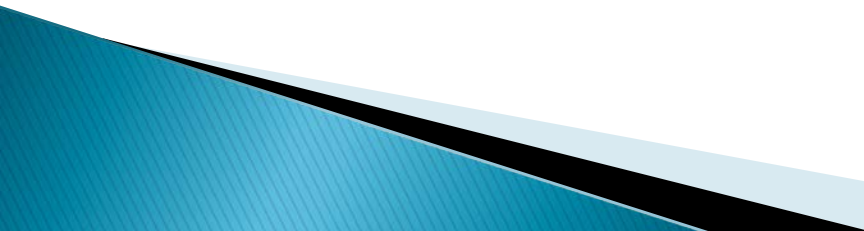
Issues affecting local service delivery at PMB CWSA– challenges

- ▶ Funding constraints
- ▶ Lack of placement facilities for children and in particular for special needs children
- ▶ Lack of /insufficient school feeding programmes
- ▶ Difficulties obtaining birth documents and its resultant impact (+ new court requirements)
- ▶ On average 50 allegedly abused children referred per month for investigation (DSD don't collate these and other CPS figures)

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- ▶ On average 35–40 cases of neglect referred per month (these stats not collated in NFD)
 - ▶ On average 80–100 cases of material relief present at the Society per month – no funding for social relief
 - ▶ medical costs – district surgeons not rendering services iro NPOs
 - ▶ Lack of human resources
 - ▶ ‘drying up” of international donor funding
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Short term recommendations as proposed

- ▶ **Recommendation 1** is welcomed and supported. There are however a large number of tools currently at the disposal of DSD. Standardisation and simplification is what is required. DSD are not properly utilising existing tools
 - ▶ **Recommendation 2** – this is supported . There is though need for more NPO consultation and input
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- ▶ **Recommendation 3** – NPOs particularly those rendering statutory services on behalf of Govt by no means receive significant funding.

We also believe there is maladministration on behalf of Provincial Governments and the reason thereto be probed and addressed BEFORE embarking upon a complete audit of all NPOs receiving funding. DSD has data and reports at its disposal that they currently seemingly fail to utilise ** the cost of this audit must though not be at the expense of service delivery

- ▶ **ADDITIONALLY** the **need to provide immediate funds for registered child protection societies who are rendering statutory services on behalf of Government as they are on the brink of collapse** and cannot wait for a lengthy audit and protracted investigations

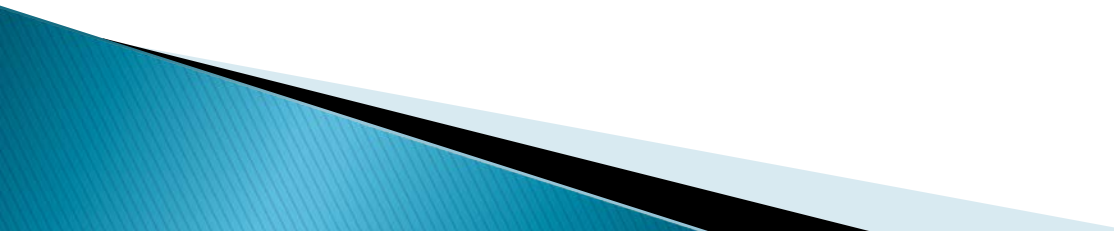
Medium term recommendations as proposed

- ▶ **Recommendation 4** is supported BUT we are of the opinion that such analyses need to be outside of government as the capacity within the Department to conduct same is questionable. Also this should be done in close consultation and partnership with the NPOs
- ▶ **Recommendation 5** – profiling of NPOs . This information should already be available both contained in programme submissions and in NPO registration. **

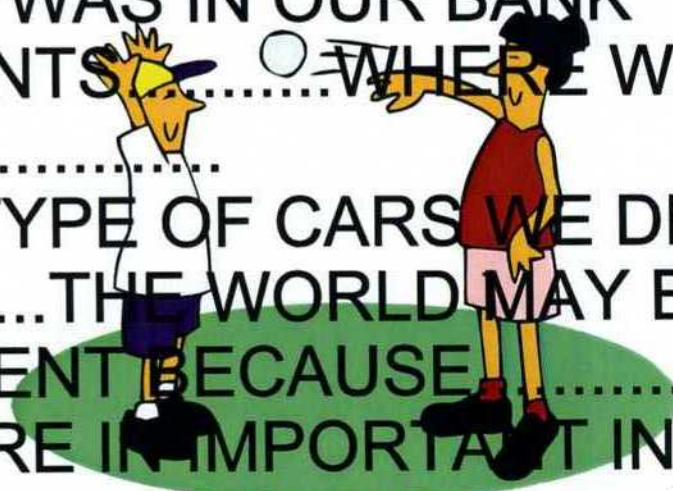
Long term recommendations as proposed

- ▶ **Recommendation 6** as relating to childrens rights. We believe that it is not a progressive realisation of rights when it comes to the rights of children as enshrined within the constitution but rights that they are entitled to NOW and the Childrens Act supports this stance
- ▶ *We support the recommendation that social grants targetting children and public expenditure on child welfare services provided by NPOs be prioritised*

References

- ▶ SASSA foster-care stats 2011
 - ▶ SA's Children: a review of equity and childrens rights - UNICEF and LHR report March 2011
 - ▶ SA Police Crime Statistics
 - ▶ Stats SA 2010
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A HUNDRED YEARS FROM NOW.....
IT WILL NOT MATTER HOW MUCH
MONEY WAS IN OUR BANK
ACCOUNTS.....WHERE WE
LIVED.....
WHAT TYPE OF CARS WE DROVE
BUTTHE WORLD MAY BE
DIFFERENT BECAUSE.....
WE WERE IMPORTANT IN
THE LIFE OF A CHILD



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