

SA foster care crisis

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supervision. Pic



Durban - The foster-care system is failing South Africa's children and the failure is taking place on many levels.

By the end of this year, a number of foster care orders - as many as 200000, according to one estimate - are expected to lapse.

Unless the national Department of Social Development, contrary to expectations, meets an urgent court deadline to, after many years, present a "comprehensive legal solution" to sort out to what is routinely described as South Africa's long-festering "foster care crisis".

And a crisis it is.

Those orders are essential pieces of paper, as those caring for children put into foster care cannot apply for the Foster Care Grant (FCG) without it.

Tens of thousands of children (and their caregivers) are denied what is often a financial lifeline.

(Although most agree that it is unlikely that the department and Sassa, responsible for payment of the FCG and other grants, will cease payments.)

It's a situation whose genesis can be traced back to the early 2000s.

Back then, the child protection system dealt with and, apparently, coped with the around 50000 children in need of foster care.

But then followed the explosion of the Aids pandemic and by 2004 the number of maternal orphans (children who had lost their mothers) had jumped to over a million.

Many of those children were taken in by relatives (it's estimated that as many of 80% of children in foster care are in kinship foster care), who could then apply for a Child Support Grant (CSG).

Worth R380 as from April 1, the CSG is legally seen as a poverty alleviation tool.

But another option for these families was to formalise the care arrangement and apply for the FCG.

In contrast to the CSG, the FCG is worth the much larger R920 as from April 1.

It is considered a child protection mechanism.

Not too surprisingly, given the growing demand for the FCG, the child protection system, and the social workers responsible for keeping it ticking over, were overrun.

It's partly a question of personnel.

According to the Children's Institute at the University of Cape Town, only around half of the country's 18000 registered social workers are employed by government and not-for-profit organisations and only a proportion of these work with children and families.

In part, it's because the foster care system is of necessity cumbersome and bureaucratic.

To qualify for an FCG, an orphaned child has to be placed in the child protection system.

This requires not only orders from a Children's Court but must be backed up by a blanket of administrative services, including ongoing monitoring and treatment.

As a result of the current crisis, children are not only under threat of losing their grants, but social workers are also unable to offer the necessary support to children in need of protection from abuse and neglect, the primary concern of the foster care system.

Many children have fallen through the cracks and foster care orders have lapsed as social workers are overburdened with high case loads and cannot always provide the adequate amount of monitoring or supervision

In social work, all work related to children is centred on the best interest of the child.

This serves as a benchmark for all decisions made about children.

It's a principle recognised in one form or the other in everything from South Africa's Childrens Act to international agreements like the UN Convention on the Rights of the Child (UNCRC) and the African Charter on the Rights and Welfare of the Child (ACRWC).

But if so many of our children have fallen through the cracks in the current crisis, can we say we have acted in the best interests of those children?

If child protection agencies have failed to provide an effective foster care system, as the copious number of lapsed orders suggest, then there has also been a failure in ensuring the best interests of those children in foster care.

In addition, the foster care system is failing children in two regards - the constitutional rights to family care and shelter.

In the foster care system children are removed from families - because of suspicions of abuse and neglect - but with the hope of reintegrating the child back into his or her family.

That requires, among other things, that social workers investigate the home circumstances of the child.

But overburdened social workers rarely have the time to do that.

Similarly, they are constrained for time and resources when it comes to identifying suitable placement for the children - preferably in close proximity to their families.

Many children then end up in over-crowded group homes or with relatives with neither the space nor other means to provide for them.

A number of options are currently considered for alleviating the pressure on the foster care system.

One proposal is the introduction of a Kinship Care Grant, which would be made to children who are orphaned and living with relatives.

It is suggested that such a grant - which would probably be worth more than the CSG - would require only an initial assessment of the child's situation, but none of the intensive supervision required with foster care placement.

With the introduction of a Kinship Care Grant, less monitoring would need to occur and less court intervention required.

This would lessen the burden placed on social workers, but more ideally it would ensure that the best interests of the children are considered paramount in all decisions made.

There are questions hanging over whether the department would meet its December deadline. Failure to do so, would sadly be another failure of South Africa's children.

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