South Africa Country Report

Introduction

This report provides an overview of the most recent and available data on children in South Africa. There are significant data gaps, which have been indicated as part of this report in order to point out to the National Department of Social Development that there is a need to improve the methods of data collection.

In this report the term child refers to a person under the age of 18 years[1]. In many instances the data available are estimations or are based on research samples. In the provision of some statistical data, racial segregation is used to reflect and interpret the data. It is recognised that the apartheid policies and practices of the previous non-democratic dispensation had, and still have, an impact on the well-being of the children of the country and the province.

General condition of the child population in South Africa

Forty percent (16,333,349) of the South African population are children. If we divide this number into the four major population groups in the country, we can see that 81% (13, 271,450) are African, 9% (1,407,234) are Coloured, 8% (1,146,453) are White and 2% (346,953) are Indian Asian[2]. South Africa is geographically a predominantly rural country and as such 55% of its children live in rural areas (of which 62% are under the age of 10 years) and 45% in urban areas[3]. There are no data available on the inland migration tendencies, though it can be deduced that due to poverty and lack of infrastructure in the rural areas, older children and some families migrate to urban areas for purposes of school attendance (secondary schooling), employment opportunities or other factors. There are no data available on the number of South African children born in other countries. Table 1 in the Appendix gives an indication of the children's enrolment by level in South Africa in 2000.

Children at risk of needing care outside the Family

Where data is available, it will be mentioned, otherwise only tendencies will be noted.

South Africa is characterised by high levels of poverty ('poor' is defined as the poorest 40% of households[4]. In South Africa 7 of every 10 children live in poverty and children in rural areas (70%) are more likely to live in poverty than those in urban areas[5]. The HIV/AIDS pandemic has had a significant impact on family and community life in South Africa. The rate of infection has increased in prevalence from 22.4% in 1998 to 24.5% in 2000. The obvious result of the continued escalation of the HIV/AIDS pandemic is the negative impact that it has on children. It is projected that by year 2005 there will be

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[1] South African Constitution, 1996.
[2] Statistics South Africa, 1999.
[3] State of the Nation's Children Report: 2001.
[4] RDP: 1995 / Central Statistical Services: 1997.
[5] State of the Nation's Children Report: 2001.

one million orphans in South Africa and two million orphans by 2010[6]. These are conservative projections.

Street children are a special group of children at risk. There is a general lack of data on the number of street children in South Africa and sources reports can differ by thousands from one another. However, the number of children living on the streets is experienced as increasing gradually, mainly due to the impact poverty and HIV/AIDS has on family life. The reported cases of children who are victims of abuse, neglect and other forms of violence against children have increased from 23,664 in 1994 to 37,352 in 1998[7]. (Due to statistical reforms in the South African Police Services between 1999 and 2001, no further data are available). Other data on children who are victims of violent crimes are fragmented and unreliable. Children who are victims of commercial sexual exploitation increased over the past year in reporting rates. There are, however, no official national data available on the number of children who are victims of commercial sexual exploitation.

Approximately 2000 children in conflict with the law are another major group of children at risk, many of whom are currently waiting trial in prison and police cells, some in secure care facilities and places of safety, and others in community-based placements with families. Children who receive custodial sentences are sentenced to reform schools and imprisonment.

National policies and specific strategies targeting children at risk

Services to children at risk are primarily guided by the Child Care Act No. 74 of 1983, which has been amended several times in past years. The Act provides for broad mechanisms to address the problems of childhood, but has significant gaps and does not adequately address the needs of children in especially difficult circumstances. A Children's Bill is currently being presented before Parliament that will provide a more modern, comprehensive and integrated legislative framework for children in South Africa.

There are two main policies for dealing with children in conflict with the law: the Criminal Procedures Act of 1977 and the Correctional Services Act of 1959. No separate legislation exists to deal with child justice matters in an integrated way. A Child Justice Bill has been introduced to Parliament that will create a separate criminal justice system for children. Recently, amendments to the Probation Services Act of 1991 attempt to provide for better reception and assessment services for children in conflict with the law.

In 1995 the democratic government established an *Inter-Ministerial Committee on Young People at Risk* to particularly address the plight of young people at risk and to address the transformation of the South African Child and Youth Care System. This resulted in *Interim Policy Recommendations* published in 1996, which addresses such aspects as prevention, early intervention, statutory services and continuity of care services. As part of the transformation of the child and youth care system, *Draft Minimum Standards for the South African Child and Youth Care System* were published in 1998, with a particular emphasis on residential childcare.

Within departments, such as the Department of Justice, Department of Correctional Services, South African Police Services, Department of Social Development, etc., there are often directives to guide practitioners in terms of service delivery to children, e.g. directives from the Department of Justice on diversion for children in conflict with the law.

Preventative strategies for different groups of children at risk differ from area to area and project to project. There is no coherent national strategy being implemented for the

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[6] State of the Nation's Children Report: 2001.
[7] State of the Nation's Children Report: 2001.

prevention for children at risk. Early intervention services and data on the number of programmes and their location are not available.

Placing children in prison either to await trial or as part of their sentence is unsatisfactory harmful to children. In prison they are exposed to exploitation and abuse, as has been shown in recent media reports; there are no adequate care and support services; there is a general lack of developmental programmes and supervision is inadequate.

Children in residential care

There is a major data gap with respect to residential care programmes for children in South Africa and the following reflects the only official data available. Residential care in South Africa is defined in terms of current legislation as **children's homes**, **places of safety**, **secure care facilities** and **Schools of Industry** (Refer Child Care Act, 1983). In 1997/1998 there were 144 registered children's home in South Africa with 10 700 beds and 37 places of safety with 2 179 beds[8].

Children in conflict with the law are mainly accommodated in secure care facilities established under section 28A of the Child Care Act of 1983, as well as in places of safety, prisons and reform schools. In December 2000 1,976 children were awaiting trial in prisons in South Africa[9].

For the period October 1998 to September 1999 a total of 66 children under 14 years of age and 4,564 youths between 14 and 17 years of age were sentenced to terms of imprisonment. There is no indication that this tendency has changed over the past years.

Despite the fact that the national prevalence of moderate and severe disability is 5.9% of the total population, very few residential care facilities for children in need of care and protection make special provision for children with disabilities.

The Child Care Act of 1983 also provides for the establishment of shelters for children in especially difficult circumstances. The intention of these shelters is to provide for a self-referral system for children as part of a broader treatment and intervention process, e.g. with a street child programme. Though it is required that these shelters register with the Department of Social Development, very few are registered and they are mushrooming in an uncontrollable fashion throughout the country.

Basic statistics and statistics on a more detailed level

Basic Statistics on children in residential care are not available.

Residential care facilities generally provide services to all children under the age of 18 years (and where needed to children up to 21 years of age to enable them to complete their of secondary education). The number of children under 6 years of age is generally pro-rata less than in the other age categories as the placement in residential care centres of this age group is generally discouraged and alternatives such as adoption and foster care are more readily available for younger children.

The sizes of residential care facilities in South Africa vary from extremely large facilities (accommodating 700 in one case and in other instances ± 200 children) to small community-based facilities with 10-12 children. The policy directive in past years has been towards smaller facilities, though the movement in that regard is slow. In some instances it is resisted 'due to the cost-effectiveness' of larger facilities, in other instances it is flagrantly disregarded.

The governing authorities for residential care facilities are shared between the government (Department of Social Development and to a lesser extent the Department of

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[8] State of the Nation's Children Report: 2001.
[9] State of the Nation's Children Report: 2001.

Education) and the non-governmental sector, which includes religious or faith-based organisations. This is governed in terms of the provisions of sections 29 and 30 of the Child Care Act of 1983.

There are no national data available on the staffing of residential care facilities; however, the Inter-Ministerial Committee on Young People at Risk found that during 1995 to 1999 the staff of residential care facilities, especially government facilities, were poorly trained with respect to child and youth care. Since the late 1990s there has been an increase in the enrolment of residential care staff in training programmes that vary from basic qualifications to graduate qualifications in childcare.

Alternatives to residential care

Current legislation allows for legislated alternatives to residential care; i.e. section 15(1)(a) of the Child Care Act of 1983 allows for children to be placed in the care of their parents or guardian under the supervision of a social worker, and section 15(1)(b) of the same Act allows for the placement of children in foster care under the supervision of a social worker.

Adoption is also provided for in the Child Care Act of 1983, with many adoptive parents coming from the affluent middle class, as poor families are more reluctant to take in 'additional' children to their households. Hence, children are then rather placed in foster care with extended family members. The tendencies on international adoption are not known and South Africa is in the process of ratifying the Hague Convention on Inter-country Adoption.

Prevention measures in South Africa start within the broader socio-economic development plan of the country, which includes a national poverty alleviation strategy. There are also many community work programmes that support families and communities in the care and protection of their children and a relatively high emphasis from the government on early childhood development day care centres. (See also Good examples.)

Good examples

In recent years various projects that can be classified as good practice examples emerged in the service delivery arena. Many of these create examples of how existing and traditional programmes can be transformed in such manner that they serve the needs of children and families. Some of these exemplary programmes have their roots deep in the communities, whereas others are organisation-based, which thus creates a continuum towards the promotion of the well-being of children and families. The following are some examples to initiatives, and are by far not an exhaustive list.

Family preservation

This programme is based on a 'collaborative model' of family strengthening and family support services for the protection and development of children and young people up to the age of 18. It also aims to prevent the removal of young people from their families. The programme has four components: 1) intensive family support, 2) mentoring, 3) family re-unification, and 4) community conferencing. This project originated in Inanda and has been replicated in other places in South Africa as well.

Professional foster care

This programme is a community-based alternative to residential care for young people between the ages of 10-18 years with emotional and behavioural problems. Normally these children would not be fostered, as foster parents are not capable of dealing with the emotional and behavioural challenges of this age group. This programme offers training in

child and youth care and strengths-based intervention methods to foster parents who are supported to play a short-term remedial role in the lives of children.

Reception, assessment and referral

This programme aims to provide a comprehensive service to limit the number of children becoming more deeply involved in the criminal justice system. Daily after-hour services are provided by the social workers/probation officers. The children are assessed and their families are traced; then, together with the project staff, recommendations are made to the court. This project has been replicated in three centres.

Life Centre Programme

The programme offers three months of life skills training and six months of vocational training to young people aged 15-19 years. The target group is comprised of youth in conflict with the law, unmotivated for schooling and dropping out, and those with behavioural challenges. The core of the programme is an adolescent development programme that covers self-development, sexuality, spirituality, health and safety themes, and operates within an indigenous bias. The Life Centre Programme has been replicated in 7 areas in 7 different provinces.

Siyakula

This programme combines family preservation work and the Life Centre Programme within a residential programme for substance abusing young people. It is shortly to be replicated in all provinces.

Financing

Data could not be provided with respect to the financing of residential care and other alternatives forms of care.

The main source of funding for residential care such as children's homes in the non-governmental sector is the government (Department of Social Development) who pays through transfer payments a part of the expenditure. This contribution by the government varies from province to province and is far from adequate, which results in children's institutions having to raise funds to fill the gap between their actual costs and government funding.

Conclusion

It is evident from the information in this country report that there are major data gaps in the South African data collection and analysis systems. This will obviously impact on national planning and prioritisation, especially with respect to residential care and the transformation of service delivery in this regard. Whilst a solid foundation has been laid in the post-apartheid years for the transformation of the system on both policy and practice levels, there is a clear need to place residential care services for children on the national agenda so as to ensure the continued and committed transformation of this level of service delivery and the effective utilisation of resources.

Appendix

Table 1. Children's school enrolment by level in South Africa in year 2000 (not including crèches).

Enrolment level	Number	Percentage
Pre-primary[4]	282,936	2.4%
Primary	7 527,895	63.2%
Secondary	4 072,470	34.2%
Children with Special Education Needs	27,021	0.2%
Total	**11,912,892**	**100%**

Source: