

REPORT OF THE SELECT COMMITTEE ON WOMEN, YOUTH, CHILDREN AND PEOPLE WITH DISABILITIES ON OVERSIGHT VISITS HELD 13-14 AUGUST 2014(DEPARTMENT OF SOCIAL DEVELOPMENT)

1. INTRODUCTION

In terms of Standing Rules and Orders of the House, the Select Committee on Women, Youth, Children, and People with Disabilities (the Committee), is established by Rule 135 (h) and mandate to conduct oversight on transversal issues affecting designated groups. The Committee is composed of a multiparty representation and is empowered to develop mechanisms to conduct oversight over provincial departments and public institutions. The Committee conducted oversight visits to Victim Empowerment Centres (VEC) within the province.

2. PURPOSE OF THE OVERSIGHT VISITS

The purpose of the site visit was to verify the existence and assess operation of Centres in police stations and those funded by the Department of Social Development (the department).

The Committee further assessed the conditions of the Victim Empowerment Centers, funding, services and impact of the programme.

3. METHOD OF WORK

The Committee visited Kanyamazane Police Station, GRIP Nelspruit Center, Lowville Shelter Center and Badplass Shelter on the 13 August 2014. On 14 August 2014 the Committee then visited Lesedi Empowerment Center and Tirisano Empowerment Center.

The following stakeholders were in attendance of the oversight site visits and interacted with members in various ways: Kanyamazane SAPS, Nelspruit SAPS, Badplass SAPS, GRIP, Commission for Gender Equity and Department of Social Development.

4. SITE VISITS

4.1 Site Visit at Kanyamazane Police station

The Committee visited Kanyamazane Police station to assess the status of the VEP within the station and noted the following:

- The VEP was closed due to lack of funding for GRIP which ended in 2013,
- Victims were assisted in the Community Service Center and referred to Dantjie,
- The physical structure was available and in good condition but not funded,
- The police station reported that it wrote letters to the provincial office requesting funds for the VEP.

The Committee noted with concern that the SAPS did not make budget provision to fund Victim Empowerment Centers in their police stations.

4.1.1. RECOMMENDATIONS

The Committee recommended that;

- (a) They must commission a Research on the SAPS programme that is supposed to fund Victim Empowerment Center with a view to initiate an informed engagement with NCOP on the matter;
- (b) The Mpumalanga Provincial Commissioner must table a turnaround strategy on how the SAPS will operationalize the Victim Empowerment Centers in the police stations across the province.

4.2 SITE VISIT AT GRIP EMPOWERMENT CENTER (NELSPRUIT)

The Committee met and engaged with the Department of Social Development, GRIP, Commission for Gender Equality and SAPS Nelspruit at the GRIP Empowerment Centre.

4.2.1. BRIEFING BY SAPS NELSPRUIT

Brigadier Thabethe, of Nelspruit Police Station indicated that the police station has a functional Victim Empowerment Centre. He indicated that it operates 24hrs daily and is managed by SAPS officers during the day whereas GRIP volunteers manage it at night.

He further indicated that the Centre has furniture and is being renovated. It conducts monthly meetings with stakeholders for information sharing.

The following challenges were highlighted:

- GRIP volunteers are not 24hrs available;
- The structure is too small;
- There is no shower for the victims to bath after hospital examination;
- There is a large number of sex workers operating which raise the number of Rape cases reported;
- The station has no forensic expert to deal with Rape cases.

4.2.1.1. RECOMMENDATIONS

The Committee recommend the following;

- (a) The Department of Health, Department of Social Development and SAPS Nelspruit Police Station must meet and engage on the challenges of access, service and availability of staff at Rob Ferreira.
- (b) The SAPS Provincial Commissioner must develop a strategy on resuscitating, funding, collaboration and management of Victim Support Centres in police stations.

4.2.2. BRIEFING BY GRIP

The Committee considered a presentation by GRIP which indicated the following issues:

- SAPS members assisting VEC are rotated and that has an impact on the provision of services
- The SAPS must target recruiting GRIP Volunteers into the SAPS as Child Protection Officers
- Medical staff at hospitals were sometimes not available to assist rape victims at night
- Social workers working within our communities are overwhelmed with cases
- Educational Psychologists were not enough to service the province
- There was a need for a schools awareness programmes
- Lack of funding to support Civil Society Organisations
- Justice system looking after the needs of perpetrators instead of survivors
- The SAPS must have specially trained child protection officers
- There must be a Comprehensive post sexual offence forensic medical examination and treatment
- Comprehensive court preparation services
- There must be an advocacy for Prosecutor driven investigations to ensure success on Rape cases
- The Community must intensify Parent support groups and HIV/AIDS support groups

The Committee welcomed the presentation, and the work that GRIP has done for the province. It noted that GRIP has since employed 30 sex workers, 5 are team leaders and 25 are peer educators.

The Committee further noted that GRIP will be closing some of the VEP in Rob Ferreira and Piet Retief hospitals due to lack of funding.

4.2.2.1. RECOMMENDATIONS

The Committee recommended that;

- (a) The Department of Health, Department of Social Development and SAPS develop a strategy to ensure that the centres in Rob Ferreira and Piet Retief Hospitals are not closed.
- (b) Department of Social Development consider engaging GRIP with a view of accessing the database of the sex workers and incorporation into the departmental programmes for restoration and empowerment.

4.2.3. BRIEFING BY COMMISSION FOR GENDER EQUITY (CGE)

The Committee considered a presentation by CGE which indicated that its main role is to assess whether government is implementing and complying with the Service Charter for victims of crime in South Africa (Victims Charter). According to CGE the Victims

Charter is an instrument that promotes access to justice for victims of crime (especially crimes such as women abuse and sexual violence).

The Committee noted the role of various departments and state organs in the provision of services to victims of crime which includes the Department of Justice and Constitutional Development, Department of Social Development, Department of Health, Department of Correctional Services, SAPS and NPA.

The CGE raised the following issues;

- Policy is required to regulate and standardise the turnaround time for the disbursement of funds to the shelters.
- The DSD should ensure that the shelters have the necessary capacity in the form of trained personnel (i.e. fulltime social workers) to improve the capacity to handle intensive workloads, particularly for traumatised victims who need intensive and therapeutic care. The use of part time staff should be limited.
- Shelters rely heavily on NGOs for the provision of legal services and assistance to represent the victims in their court cases. The department should formalise relations with the NGOs. There is evidence to suggest that the work carried out by the NGOs is undermined by officials who fail to acknowledge the valuable services rendered by these NGOs to the victims of crime.
- In order to bridge the fragmentation in the funding model between those that own premises and those that rent; it is recommended that a funding policy be formulated to provide consistent guidelines and prescribe common norms and standards for funding of services provided to the victims.
- The DSD needs to ensure that adequate and relevant skills development and training is provided to shelter personnel across the nine provinces

4.2.3.1. RECOMMENDATION

The Committee recommended that;

- (a) The Department of Social Development must develop a funding model for Victim Empowerment Programme,
- (b) The Department of Social Development must train and capacitate those responsible for daily operations and victim skills development at the shelters,
- (c) The Department of Social Development must advocate with all relevant stakeholders the 'Integrated Approach' in provision of services to victims and assurance for successful case management.
- (d) The Department of Social Development must develop a strategy that will ensure availability of Social Workers on daily basis for 24hrs i.e. standby allowance.

4.2.4. BRIEFING BY SOCIAL DEVELOPMENT

The department indicated that hospitals are the competency of Department of Health which must also play a role in ensuring that hospitals sustain the centers. It highlighted that as police stations are a responsibility of SAPS; the Department of Social Development is not in a position to fund SAPS but can assist in managing the operations.

It was further highlighted that all departments must support and assist to fund programmes done by GRIP and NPO's must fundraised with organizations like the National Lottery.

The department informed the Committee that it has since intensified its work around the issue of human trafficking as it relates to girls. It has since changed the campaigns strategy by going directly to schools and during department imbizos.

The Committee noted that Social Workers are sometimes required to assist after working hours and weekends when there are incidents and that their moral was low due to their conditions of work.

4.2.4.1. RECOMMENDATIONS

The Committee recommended that;

- (a) The Department of Social Development must intensify Awareness campaigns on child trafficking and statutory rape in schools
- (b) The Department of Social Development must collaborate with all stakeholders to ensure continuity of services in hospitals and police stations.
- (c) The Department of Social Development must assess the conditions under which social workers are operating with relation to the Victim Empowerment Programme and general moral of all social workers.

4.3 SITE VISIT CONDUCTED AT LOWVILLE VICTIM EMPOWERMENT CENTER

The Committee visited the Lowville Victim Empowerment Center with the Department of Social Development and Commission for Gender Equality and noted the following issues;

- There was lack of clean water for consumption;
- The area had serious water supply challenges and sometimes spend weeks without water supply.
- The building structure is old and is difficult to renovate and not accessible to persons with disabilities.
- The Centre has no access to e-mails, Internet and fax services that on its own it affect service delivery to our communities and other stakeholders.
- The access Road to the Centre was not conducive
- The department intend to move the Centre to Barberton CBD
- VEP local forum has been established
- Outreach programme are conducted within the surrounding communities.
- The Department has provided the Centre with a backup Generator
- Care workers are working shifts and ensure availability 24hrs and during public holidays, over the weekends and at night.

The Committee noted that the building a belonging to Department of Public Works, Roads and Transport. It further enquired whether the center being moved from an area within Nkomazi Municipality to Umjindi municipality. It was confirmed that there was a good relationship between the center and the local clinic.

4.3.1. RECOMMENDATIONS

The committee recommended that;

- (a) The department of social development must ensure that the center is moved to a place with adequate infrastructure for shelter, empowerment activities, sports and accessible to schools
- (b) The department of social development must engage department of Public Works, Roads and Transport to maintain the current structure and the access roads.

4.4 SITE VISIT AT BADPLAAS SHELTER

The Committee, Department of Social Development and Commission for Gender Equity visited the Badplaas Shelter. The delegation interacted with Badplass police station, department of health and the Center management. The following challenges were related to the Committee:

- Center had a challenge of victims escaping the shelter
- The security company contract was terminated
- The shelter was a temporal structure

The Department indicated that it had engaged the Local Mayor who committed to provide land for the shelter. The Committee further noted that the survivors were not exposed to skills empowerment opportunities due to lack of individuals who can train them.

It was further noted that there was no shelter to accommodate male victims and such they were subjected to sleep at the police station. Minors were processed through Social Workers to a place of safety.

The Committee Center was in the process of being integrated into the department. The Board of the NPO was co-managing with the department.

4.4.1. RECOMMENDATIONS

The Committee recommended that;

- (a) The Department of Social Development must engage the Mayor of Albert Luthuli Municipality regarding the provision of land for the Badplaas shelter and report feed back to the Committee by 30 November 2014
- (b) The Department of Social Development must consider integrating the existing Board Members into the Center as part of the transition and in accordance with applicable policies
- (c) Department of Social Development must develop a programme to provide skills development and economic empowerment projects at its centers.

5.1 SITE VISIT LESEDING WOMEN EMPOWERMENT CENTER

The Committee, Department of Social Development and Commission for Gender Equity visited the Leseding Center in KwaMhlanga.

The shelter is government operated in a rented House. It was initially situated at Kwaggafontein, but has since moved to KwaMhlanga Section A. The move was necessitated by the fact that in terms of statistics of gender –based violence cases, the flash point for Thembisile sub-district is KwaMhlanga area where a permanent structure is also envisaged.

The Committee welcomes the idea of the department of taking the Center to KwaMhlanga as a flash point as that show that they take the service where it was needed the most. It noted that the average time spent in the shelter by a person is mostly three (3) months.

The Committee noted that the department had rented a House costing R55000.00 a month for a period of 2 years. The house has two floors, with bedrooms on the top floor and a toilet on the lower floor. On enquiry whether the house met the norms and standards, it was confirmed by the Department of Social Development that it did not but had no alternative as Department of Public Works, Roads and Transport reported that it was the only person who responded to the tender and consequently appointed the person.

The Committee noted that the lease will be terminated by 30 November 2014. It was a two year contract from 2012 to 2014. As the department they received a letter from the HOD of public works in May informing them that the rent will escalate to R60, 500, 00 a month.

5.1.1. RECOMMENDATIONS

The committee recommended that;

- (a) The Department of Social Development must find an alternative shelter and/or consider a temporal structure like Badplaas.
- (b) The Department of Public Works, Roads and Transport must not consider renewing the lease agreement for the Leseding Women Empowerment Center.
- (c) The Department of Social Development must ensure that all Victim Empowerment Shelters meet the norms and standards as required.

5.2 SITE VISIT TIRISANO VICTIM EMPOWERMENT CENTER

The Committee, Department of Social Development and Commission for Gender Equity visited the Center in Mamethlake village. The Center is presently registered as a Non-Profit Organisation (NPO) and funded by the Department of Social Development. The following issues were considered by the Committee;

- The Centre has not yet implemented a skills development program for victims due to lack of resources, e.g. facility.

- The organization has experience a decline in the intake of victims due to challenges with referrals relating to the jurisdiction of the Court.
- Victims were not attended to in Siyabuswa area since there was no social worker responsible for victim empowerment in the area.
- The Centre seldom received referrals from SAPS and the latest was in November 2013.
- Most families in the nearby communities still resolve their domestic issues by the help of tribal authorities, keeping matters within the families. Such cases do not reach government institutions unless the act of crime or abuse is intensified or repeated.
- Most victims who have suffered domestic violence do not open cases with SAPS.
- The building had structural defects on the walls and requires renovation
- The area has a satellite police station.

The department indicated that the Centre is funded and a social worker was allocated to provide monitoring and guidance. The Centre had provided audited financial statements for the previous year. Furthermore, they managed to purchase a car for the Centre through donations.

The Committee was informed that the social worker allocated for the Centre is responsible to ensure capacity building. It further reported that the Centre dismissed its administrator for financial mismanagement relating to theft of petty cash.

The Committee noted that the area Themba court which is in Gauteng instead of Mbibane courts which is nearer to Siyabuswa.

The Commission for Gender Equality (CGE) made a commitment to assisting with the issue of Court jurisdiction.

The Committee welcomed the commitment by CGE in assisting and ensuring that the Centre and the community have their court that will assist them near their area.

The Centre indicated that most families around the area resolve their domestic violence issues by the help of tribal authorities and keeping matters within their families. However some cases do not referred to the Centre unless the act of crime or abuse is intensified or repeated.

5.2.1. RECOMMENDATIONS

The Committee recommended that;

- (a) The CGE must engage the Department of Justice regarding the Court jurisdiction for the shelter and report to the Committee by 30 November 2014.
- (b) The Department of Social Development must consider constructing a proper structure with necessary geotech instead of renovating the House with foundation defects.
- (c) The Social Worker must rollout an awareness campaign in the area focusing on women abuse, Rape, Statutory rape and child trafficking.

6. CONCLUSION

The Chairperson thanked all the Honorable Members who took part in the site visits and further extended his words of gratitude to the support staff, Department of Social Development, Commission for Gender Equality, Department of Health and SAPS who participated during the deliberations and site inspection respectively.

On behalf of the Select Committee, we herewith table to the House the recommendations contained in this report to be adopted as Resolutions of the House.

HON. GC SHABALALA
CHAIRPERSON: SELECT COMMITTEE ON
WOMEN, YOUTH, CHILDREN & PEOPLE WITH DISABILITIES

DATE