Developing a Policy on Street Homelessness for the City of Tshwane

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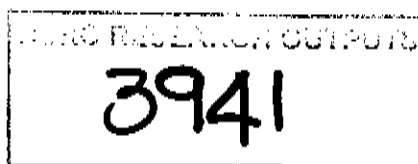
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GLOSSARY

Children's Home - Second stage residential facility for children referred from the shelters that are settled enough to return to formal schooling or training programmes (refer to Child Care Act 74/83 and Departmental requirements for definition) but not yet ready to return home due to adverse personal or home circumstances. CT

Community Based Home Schools - A home in the community or place on the street where trained community worker can, in an unconventional way, render educational, outcomes based services to street children. CT

Crises Overnight Facility - Caters for one or more children / youth / adults who are in need of immediate accommodation by means of official placement. CT

Drop in Centres / On Site Services – A non-residential facility which regularly provides basic services / programmes for homeless children / youth / adults. These could include access to food, clothes, ablution facilities, basic health care training, formal / non-formal educational and recreational opportunities. The emphasis will be on family re-unification. Where this is not possible, alternative strategies will be explored. CT

Exit Homes and Programmes - For sex-workers, especially females, who live on the streets and want to establish an alternative lifestyle and way of generating an income. CT

Family - Individuals who either by contract or agreement choose to live together intimately and function as a unit in a social and economic system. The family is the primary social unit, which ideally provides care, nurturing and socialisation for its members. It seeks to provide them with physical, economic, emotional, social, cultural and spiritual maturity. The various family structures are acknowledged in this document. CT

Family Counseling Services - A service to families for mediation and support with a view to family reunification and preservation. CT

Halfway House - A structured residential environment in which children, youth and adults who have started work can access support and life-skills on a limited time basis in order to equip them for independent living. CT

HIV/STD & TB Counseling - A specialised service providing preventative and therapeutic programmes for those who have contracted these diseases. CT

Homeless(ness) – 'Homeless(ness)' in this policy is regarded as all people living on the streets who fall outside a viable social network of assistance and who are not able to provide themselves with shelter at a given time and place.

Homeless adult - Any person who is 18 years and older who for any reason finds him/herself living on the streets. CT

Homeless child - A child under the age of 12 who for any reason leaves his/her family and community either temporarily or permanently to live on the streets. CT

Homeless youth - A person over the age of 12 years and under the age of 18 years who for any reason finds him/herself living on the streets. CT

Homeless or Community Worker - A person - usually trained in social work - who works with homeless people and children on the street. The worker forms part of a community process to provide solutions and services. CT

Job-seekers - These are unemployed people who come on to the streets during the day for the purpose of earning an income and/or finding some means of employment and go back to their communities at night. CT

Legal Aid Clinic - A recognised facility providing professional legal advice and support. CT

Life-Skills Training - Training in skills that enhance social, emotional, psychological and spiritual functioning, e.g. assertiveness training, stress management. CT

Non-formal Education Programmes - Provide alternative educational programmes for children not yet ready for formal schooling. Appropriate programmes would include academic assessment, emotional and social support as well as building motivation for continued education. Vocational training is provided for older children. Also adult basic education programmes will be run with youth and adults. CT

Outreach - The process of contacting, befriending and counseling to promote self-empowerment with the aim of giving access to appropriate facilities and resources to street people. To interface in an intelligent, empathetic and consultative manner. CT

Prevention Programmes - Developmental and preventative programmes identifying children, youth and adults at risk in order to provide services and skills-building opportunities at schools, to families and communities. CT

Registration - This is the process whereby a residential facility (Shelter and Children's Home) complies with legal requirements as stipulated in the Child Care Act, Section 30. CT

Secure Care - A residential facility which ensures the appropriate physical behaviour and emotional containment of young people who are charged with serious crimes and who are awaiting trial or are sentenced, while at the same time ensuring the protection of communities. CT

Service provider – A service provider is an organization or an individual that caters for the needs of street homeless people in a structured way in accordance with certain limited standards provided for by the law. CTMM

Examples of **services providers**: Government departments, e.g. Gauteng Provincial Government, CCP, religious organisations, non-government organisations, businesses, community and welfare organisations. CTMM

Typical services rendered by **service providers**: Shelter, information, counseling, training in life-skills, providing clothes, food, job creation, capacity building, education, health services and recreation.

Shelter - A residential facility providing temporary accommodation, care, social work services and opportunities for education and training to self-referred people living on the streets. Shelters primarily make provision for a process of social reintegration of people living on the street and their informal management outside the formal legal system. CT

Street Work - The work of providing contact, relationship building, monitoring and advocacy to people on the streets, including the important function of disseminating information on available programmes and resources as well as assessing and referring. CT

Subsidy - A process whereby a residential facility and/or a project is funded by the Department of Social Services on the basis of a written programme/project proposal. CT

Substance Abuse Counseling - A specialised service providing preventative and therapeutic programmes for addicts as well as the family affected. CT

SPECIAL NOTE: Recognition is taken of the fact that within categories special provision must be made for variations in care based on disability (both physical and mental), chronic illness and gender. CT

Why the City of Tshwane Metropolitan Municipality needs an explicit policy on street homelessness?

Homelessness is a very real problem experienced throughout South Africa and the problem is on the increase in Tshwane. This issue is of such a great concern for the Mayor of Tshwane that he instructed it to be investigated and solutions to be provided. It is envisaged that if the problem is not addressed soon it will result in more people being exposed to hunger, poverty, illness, crime, a lack of protection, no housing or shelter, and other related social issues.[1]

Early 2004, Tshwane was confronted with the challenge to deal with between 100 and 200 homeless people that slept nightly under the front colonnades of the HSRC building. Since there are no ablution facilities, this posed a health hazard, to the extent that the HSRC received a formal written instruction from the Tshwane division of the provincial Health authority to close off the HSRC premises and keep the area sanitary.

As an interim measure, the Tshwane decided to provide premises in the area of Marabastad. The Tshwane' Housing Division refurbished the buildings and ablutions, and provided the beds for a shelter for the homeless people. Tshwane realised that, apart from these interim interventions, it does not have a policy to deal with homelessness in the city.

Under the auspices of the General Manager of the ICD (MS Mgotsi) the Tshwane Homelessness Forum has developed a draft homelessness strategy. The Tshwane Draft Homelessness Strategy served before the Council on 26 August 2004 and received support. The HSRC was contracted to develop a policy on homelessness for Tshwane.

In January 2005, the City of Tshwane had to find a solution in the matter of around 40 refugees from the Democratic Republic of Congo who have been squatting outside the Pretoria Magistrate's Court.[2]

Local Metropolitan Government responses to homelessness abroad and in South Africa

Basic observations suggest that homelessness, as defined in terms of this policy, appears to be concentrated in large urban centres, especially inner cities. Ninety percent of homeless people in the United States (US) for example live in metropolitan areas, with 70% of those in inner cities. Inevitably, such concentration in specific spaces such as inner cities, causes the homeless to be more visible, which arguably contributes significantly to responses and interventions directed towards the homeless. The same would be true for South African metropolitan cities, whereas research suggests that homelessness is likely to increase in the foreseeable future due to housing backlogs, unemployment, widening poverty gaps, and immigration of poor people from other African countries (e.g., see McDonald, 1998).[3]

Homelessness is therefore, to a large extent, an inner city metropolitan phenomenon, as well as an urban spatial issue, i.e., homelessness exist because of people residing in certain

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[1] CTMM. 2004. *2nd Draft Strategy on Homelessness in the Tshwane.* July 2004.
[2] Hanti Otto. 2005. *Solution to DRC squatters at Magistrate's Court found.* Published on the web by Pretoria News on 6 January, 2005.
[3] McDonald, D. A. 1998, 'Hear no housing, see no housing: Immigration and homelessness in the new South Africa', *Cities*, vol. 15, no. 6, pp. 449-462.

spaces that were not intended for them nor are they suitable for residential purposes. In this regard, the way society interacts with space, i.e., socio-spatial dynamics, is particularly important to understand responses towards homelessness, especially at metropolitan level.

For example, under conditions of modernity and the post war boom of the 50s and 60s, governments responded to homelessness with a welfare approach and universal social commitment to house all of its poor citizens, including the homeless, by means of the construction of large-scale modernist public housing that was intended to solve the problem of urban blight and the 'poor'. The importance of this is the realisation that even poor or homeless people were regarded as having a rightful place in the city, albeit in public housing complexes that were often monotonous and inhuman. However, globalisation, neo-liberal market economies and the decline of the welfare and nation state have made it increasingly difficult for local governments to respond to homelessness by providing large-scale costly housing projects. Furthermore, popular culture and the post-modern critique of modernist public housing have also served to shift the focus away from such housing provision. The result has been an increase in the privatisation of social housing stock and increases in homelessness as many people from middle to lower income households lost jobs in agricultural and manufacturing sectors. In South Africa, this has been further exacerbated by the dysfunctional apartheid city form whereby many of the poor, largely constituting rural Africans located on the peripheries of metros, found themselves sleeping on inner city streets as economic refugees who cannot afford to commute on a daily basis to and from townships.

As it is argued that homelessness is a spatial issue, the homeless, because they reside in spaces that were not intended for them, have little control over such spaces, and in fact, are impacted on by certain spatial practices that also impact on their livelihood strategies in negative ways. This is referred to as a form of spatial governance, and includes a range of exclusionary spatial practices by local authorities and middle and high-income communities in the form of containment, displacement, and exclusion of 'undesirable' groups such as the homeless by measures such as fencing, enclosing, zoning, privatising space and promulgating anti-homeless bylaws. These are trends characteristic to many cities in neo-liberal market economies and the result of increasing poverty, unemployment, crime and what appear to be increasingly fragmented and disorderly cities. It is therefore particularly important that local government responses realise that the homeless, lacking a house, i.e., the security of privately controlled space, are left to certain negative exclusionary spatial practices that impact not only on their livelihoods, but also the location of homeless shelters.

International literature suggests that how metros define homelessness largely determines their responses to it. According to Hoch (2000), there are three basic normative stances toward homelessness, namely; social dependency, lack of low-cost housing, and moral failure.[4] The social dependency stance currently dominates local policy in the US, which means that most interventions focus on providing the homeless with social independence with a lesser focus being placed on the provision of adequate low-cost housing. However, numerous studies have found that many homeless people who become 'socially independent' often become homeless again or re-enter homeless shelters due to low-skilled, low-paid jobs, and a lack of affordable housing in the rental and private market. These studies argue that homelessness should be an issue of lack of low-cost housing. Other studies have found that, despite a lack of low-cost housing, that high rents and large numbers of single headed households are some of the most significant causes of homelessness in metropolitan areas. Yet, there are many possible causes of homelessness in metropolitan areas, including the labour market, mental health care, transience, and climate. Metro responses in Britain, the US, and Canada, however, are described as being

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[4] Hoch, C. 2000, 'Sheltering the homeless in the US: Social improvement and the continuum of care', *Housing Studies*, vol. 15, no. 6, pp. 865-876.

subject to neo-conservatism and a decline in affordable rental housing. A study of metro responses to homelessness in the US found that more than half of metropolitan cities in the US use a majority of possible programmes to address homelessness, but that there are many factors influencing their responses (the most important being economic factors), and that the role of the federal government is very important in terms of providing funding and supporting actions of lower governments. However, the study also found that many programmes are implemented under conditions of funding shortages, fragmentation, public apathy, and compassion fatigue.[5]

At the time of drafting this policy, the HSRC also embarked on a national study of homelessness that included an assessment of responses towards homelessness in four of the larger metros, namely, Johannesburg, eThekwini (Durban), Cape Town, and Tshwane (Pretoria).[6] Social development departments are mostly responsible for homelessness in metros with limited involvement by housing departments. This means that metros in South Africa define homelessness as a social dependency issue, or at least a social issue, similar to the US. There is a fair degree of difference in focus across metros, although most focus on coordinating civil society responses and empowerment programmes. Responses from metro police services were reported to be mostly reactionary – responding to public complaints and displacing homeless people. Almost all metros reported their general public to respond mostly in a NIMBY fashion, although varying in degree between metros. Although there is no authoritative source on the size of the homeless population, or at least in terms of how it is defined in this policy, at least one metro had an accurate source based on a survey, whereas two metros have conflicting and anecdotal sources and one metro had no source. Referring to various sources, it seems that an average number of homeless people across metros in South Africa could range between 3 000 and 6 000. Yet, with the number of shelters in metros ranging between 12 and 35, and assuming that each can only accommodate a few hundred, indications are therefore that metros are significantly under capacitated to provide shelter to their homeless populations.

In terms of a questionnaire that solicited metro's preparedness as well as the factors influencing their responses towards homelessness, it was found that metros in South Africa (across the board) use about 53% of a range of possible interventions to address homelessness. This is in a way comparable to the US where it was found that more than half of metros use a majority of possible interventions.[7] Metros are particularly well prepared considering planning, knowledge, and research interventions, but poorly prepared considering programmes. Therefore, metros in South Africa are currently well prepared at a planning and policy level, but a decline in preparedness on the levels of resources, funding, implementation, coordination, and partnerships possibly explains the lack of programmes in ultimately responding to homelessness on a street level.

Of a number of groups of factors influencing metro responses, ranging from higher governments, private initiatives, economic circumstances, policy and administration, and community circumstances, metros considered higher governments to be the most influential factor, as apposed to the US where it was found that economic circumstances were the most influential factor. Policy and administration were considered to be least influential. Within the groups of factors listed above, metros ranked provincial governments and increased use of emergency shelters as the most influential factors. Remarkably, despite what is being

[5] Berman, E. M. & West, J. P. 1997, 'Municipal responses to homelessness: A national survey of 'preparedness", *Journal of Urban Affairs*, vol. 19, no. 3, pp. 303-318.
[6] see Du Toit forthcoming
[7] The questionnaire used in the US study was adopted for the South African study with some adjustments to suit local circumstances and local terminology. However, statistics are aggregated and interpreted slightly differently due to a significant difference in sample size between the US and South Africa.

suggested by numerous studies abroad, scarcity of low-cost housing was not amongst the factors ranked as most important, although it was considered on a scale slightly above important.

One of the main conclusions of the study on metro responses was that it is at metropolitan level where responses should address the negative socio-spatial practices impacting on homelessness by providing a range of adequate low-cost housing types in parts of the city with social and economic opportunities for single persons and low-skilled workers. However, this means that metro officials, including planners, need to understand the socio-spatial dynamics of homelessness and how space is used to either empower or disempower marginalised groups such as the homeless.

The approach of the City of Tshwane Metropolitan Municipality (CTMM) to street homelessness

The CTMM recognises homelessness as a serious problem and has established a high priority initiative, supported by the Mayor, to deal with this. Central to this initiative is the development of a strategy for dealing with homelessness (2nd Draft Strategy on Homelessness in the City of Tshwane, July 2004). The purpose of the strategy is to develop effective arrangements that will address homelessness in Tshwane to ensure that homeless people, one of the most vulnerable groups in the city, are not only given temporary shelter but that they are reintegrated into society as far as possible and given the support they need.

Guiding principles of the policy

The Freedom Charter. Adopted at the Congress of the People, Kliptown, on 26 June 1955 (http://www.anc.org.za/ancdocs/history/charter.html).

There shall be Houses, Security and Comfort!

- All people shall have the right to live where they choose, be decently housed, and to bring up their families in comfort and security;
- Unused housing space to be made available to the people;
- Rent and prices shall be lowered, food plentiful and no-one shall go hungry;
- A preventive health scheme shall be run by the state;
- Free medical care and hospitalisation shall be provided for all, with special care for mothers and young children;
- Slums shall be demolished, and new suburbs built where all have transport, roads, lighting, playing fields, creches and social centres;
- The aged, the orphans, the disabled and the sick shall be cared for by the state;
- Rest, leisure and recreation shall be the right of all:
- Fenced locations and ghettoes shall be abolished, and laws which break up families shall be repealed.

CTMM:

- Social independence, empowerment, and enablement to acquire housing: An integrated approach that would include social and economic upliftment, as well as measures to provide a range of adequate low-cost housing types.

- Reintegration, not containment, displacement, or exclusion.

- In terms of the South African Constitution, homeless people have a right to have their dignity protected, to have access to a clean environment and local government that should provide adequate welfare housing within reasonable means.

- Partnerships between local metropolitan government and private and civil sectors

- Homeless service providers and facilities to be registered and subject to standards as set by local government

- Service providers that comply with the required standards have the right to subsidies

- Homeless issues should be integrated in all planning and development initiatives of local government

Redress colonial and apartheid spatial planning and development through the delivery of socially economically and spatially integrated housing delivery.

CT:

It is accepted by this policy as a guiding principle that the CTMM will commit itself to monitoring and evaluation of homelessness interventions and that the metro will implement reasonable measures and interventions within its capacity to address homelessness in Tshwane.

In addressing the challenges of homelessness, the CTMM should base its homeless interventions on the following principles:

- Services should be accessible, inter-sectoral, multi-faceted, and co-ordinated and delivered by a multi-disciplinary team wherever possible.

- Services should prioritise the need for homeless people to remain within their families or communities (as defined by the street person) by promoting intervention, prevention and developmental programmes.

- Street people, their families and communities should be encouraged to be involved in all the stages of the intervention process.

- The resourcefulness of street people and their families should be promoted by providing opportunities for legal entrepreneurial activities, options, choices, positive rewards, a sense of responsibility and an opportunity to turn talents into economically productive activities after an appropriate assessment.

- All citizens are subject to the laws of the land and the by-laws of the municipality. However, in applying these laws, this should be done in a manner that is consistent with upholding human rights and the Constitution of South Africa.

- Need to sensitize to Gender issues when dealing with street people.

The National Coalition for Homeless Veterans used the following principles in guiding its plan to prevent and end homelessness among veterans:

- Homelessness is the most extreme form of poverty. Homelessness may be diminished, but will not be eliminated, if the root causes of poverty are not addressed.

- Homelessness is a nationwide problem requiring a national solution. While the private, non-profit, and state and local government sectors have roles to play in preventing and ending homelessness, the solutions to and responsibility for ending this social condition ultimately rest with the National government.

- Public policies should be enacted that prevent and end homelessness among all those experiencing homelessness.

- Availability of an array of "mixed use" housing and services is critical to preventing and ending homelessness.

- Involvement of the non-profit and for-profit sectors is critical to preventing and ending homelessness. We favour public policy approaches that allow non-profit homeless service provider organisations to play leadership roles as grant applicants, project sponsors, project operators and services providers.

Defining homelessness in the City of Tshwane

Internationally, 'homeless' is regarded as 'a condition of detachment from society characterised by the absence or attenuation of the affiliative bonds that link settled persons to a network of interconnected social structures', which typically refers to detached homelessness.[8] However, this definition, although applicable, is too limited for the South African context given a range of 'homeless' people, e.g., homeless immigrants, and most importantly, informal settlement dwellers.

Scholars admit that homelessness is an amorphous category in the South African context. For the purpose of this policy, 'homeless', over and above 'detached' homeless people, should include people living on the streets or with no form of shelter. This would include people sleeping on the street, who are, as an example, not necessarily substance abusers or mentally ill (conditions typically associated with chronic homelessness), but in search of employment opportunities in inner cities, constituting 'temporary overnight sleepers' (e.g., see Du Toit forthcoming). This is mostly in response to temporary employment opportunities in the area, especially low skilled and construction work opportunities.

However, a distinguishing factor is that all these people fall outside a viable social network of assistance, e.g., employers, family or friends that could offer temporary shelter, and that they are not able to provide themselves with shelter at a given time and place. This would therefore exclude a large number of informal settlement dwellers where informal housing could still be regarded as a 'home' constituting a place of retreat that is usually located within a recognisable settlement pattern with social structures that are often arguably stronger than those in formal settlements (Du Toit forthcoming)

'Homeless(ness)' in this policy is therefore regarded as all people living on the streets who fall outside a viable social network of assistance and who are not able to provide themselves with shelter at a given time and place. The following are subgroups of homeless people:

- **Transitionally** homeless people are those who generally move quickly through the homeless assistance system. Their principal need is for housing and a source of income. Income support, including employment that pays a living wage is linked to the need to provide shelter for these individuals. It includes people that work in entry-level jobs as well as those living on a fixed income and people with disabilities. CTMM

- **Chronically** homeless persons often experience long-term homelessness, frequently rotating through various shelter facilities and streets. They typically have health and substance abuse problems in addition to extreme poverty. It is probable that this group will never be permanently housed and they therefore likely to be best served by short term shelter arrangements in conjunction with related social services such as nutrition, counseling, skills development and rehabilitation programs for substance abuse. Examples of different types of chronically homeless people include:

  - "zulas"- people who just roam the city aimlessly;

  - "soup kitchen hoppers"; and

  - People who are ill - mentally or otherwise.

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[8] Caplow et al 1968: 494

- People, who have fallen out of a social network, often due to personal or domestic circumstances, such as domestic violence, conflict, or people who have lost their families, spouses, or life partners who supported them.
- Other examples of homeless people – sex workers, people who lost employment, hawkers, 'vagrants', 'squatters', 'lap swaaiers'. CTMM

The extent of the problem

It is almost impossible to do a census of homeless people. During the day, large numbers of people who gather at street corners to make themselves available for piece jobs or to beg are quite visible. Many of these people have some form of residence in townships or informal settlements outside the city, but do not return there at night for various reasons thereby constituting temporary overnight sleepers. However, the overnight arrangements of many homeless people are very much dispersed and hidden that they are not easily visible. The only way to determine the extent of the problem is to visit groups of homeless people at gathering points at night.

Estimates made by Manstrat, updated by the Tshwane Homelessness Forum in 2004, indicate that there are over 2 000 people that are homeless in the City of Tshwane.[9] These people have been found in shelters and on the streets of Tshwane. A survey by the Pretoria Child and Family Association identified 110 street children in Sunnyside and 450 in the inner city of Pretoria. The profile of Sunnyside can also be applied to Arcadia and Berea.[10] A survey[11] among organisations that provide services[12] to the homeless in the City of Tshwane indicated that 1 964 homeless people were accommodated by the 23 responding organisations that provide food. Twenty-seven organisations provided a total of 1 108 homeless people with beds in the form of provide accommodation.

However, a brochure written and distributed in January 2005, by an organisation called Homeless Solutions, claims that there are over 4 000 people affected by homelessness in Tshwane. According to Homeless Solutions, the number of homeless people increases on a daily basis. Respondents to the Tshwane service providers' survey were asked whether they recently experienced an increase in homelessness and to provide an estimated percentage if so. Respondents reported an increase of 27% in homelessness per year over the past three years.

Participants to the Tshwane Homeless Forum were requested to provide information on 'spots' where homeless overnight as well as the number of people at each spot.[13] Based on this and estimates made by the Tshwane Homelessness Forum/Manstrat and the Pretoria

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[9] CTMM. 2004. *Draft Strategy on Homelessness in the City of Tshwane.* July, 2004.
[10] CTMM. 2003. *Annual Health Report 2002/2003.*
[11] Conducted January/February 2005 among service providers on the register of the Tshwane Homeless Forum: 34 registered service providers, 29 organisations have been interviewed (response rate = 85.3%).
[12] These services include: reception and referral, accommodation, meals / "soup kitchen", skills development, rehabilitation, job placement / labour market intermediation and housing intermediation.
[13] On pavements, sidewalks or roadside kerbs, in the empty veld / under clumps of trees / densely forested areas / green belt areas, large drains / storm water pipes, under bridges, empty stand / unoccupied land, garbage dump.

Child and Family Association, it is estimated that there are possibly over 6 000 people that are homeless in the City of Tshwane.[14]

The figure is deceiving, though. Less than a third of the perceived homeless population in Tshwane can be considered to be chronically homeless, the rest falls in the transitionally homeless category or the broader scope of homeless people as defined in this policy.

The profile of the homeless community in Pretoria East indicates that the majority are living there to find employment. Few appear to be chronically homeless due to mental problems or substance abuse. Another consideration is that many who suffer from HIV / Aids or tuberculoses, have lost their strength and vigour and find it difficult if not impossible to continue working in jobs entailing manual labour. Since they are not qualified to do anything else they are often forced from their homes as they are not able to contribute financially. These are left to drift the streets living at the mercy of mostly the other homeless people themselves.

The majority of the people in Pretoria East are there with the hope of getting work on one of the many building contract sites. It is expected that people will migrate to the next area of construction in a few years time when the building, expansion and ongoing development in the East peter out. The long-term problem is that people become unaccustomed to normal social norms and accustomed to a very 'rough' way of living. It such a lifestyle pursues, many become chronically homeless. There are also elementary workers who are employed at a very low wage to do gardening and other odd jobs but cannot afford transport costs to traditional places of residence outside the city.

Most homeless groups in Pretoria East are men under the age of 35. There is an ebb and flow of people from one group to another as friendships are formed or alliances made. However, the formation of ethic groups appears to be prevalent. For example, one group will represent mainly people from other parts of Africa (e.g. Lesotho, Mozambique and Zimbabwe), while in another group; there will be mostly South Africans from other parts of the country. The South Africans will live more openly, while the foreigners tend to conceal themselves in the bushes.

The elderly and women try to find groups where their safety is ensured. In some groups up to a third of the population will be women, while in most groups women constitute less than a tenth of the group. There are very few (pre-school) children living with their mothers. The elderly constitute people that do not yet qualify for old age pension, although they can no longer find employment. Most of the men in these groups are either out working or looking for work during the day. The women survive mostly by the sale of liquor (home brewed and other) and prostitution. Homeless woman that do not quickly become 'someone's property' is a target for unwanted attention from any or all other males. So women through such necessity choose a man to live with as a means of survival. There is quite a lot of abuse against woman, which appears to be tolerated by women themselves.

Centurion profile:

The people that come to Lyttelton stay under the bridge near the station, at the station and most of them are from Thembisa where they live in hostels. Only 50 out of the 620 homeless people are women.

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[14] Between 615 and 2,000 homeless people are living in the East of Pretoria, around 620 homeless people in Centurion and 2,000 in the Inner City (excluding an estimated 760 street children).

Information obtained from interviews with 80 homeless people in the Inner City and with 20 homeless in Centurion reveals a similar profile. [Will be completed as soon as all interviews are captured and analysed – first week in April].

The causes of homelessness in Tshwane

Traditionally, there have more or less been two schools of thought regarding the causes of homelessness, at least as it appears in the US. It can be said that the one school of thought is rather more conservative and ascribe homelessness to social factors such as psychological deviance and a breakdown of moral and ethical fabric in society. The other school of though would be more liberal and ascribe it to structural factors such as the economy and governance. Either way, it is generally regarded that the causes of homelessness are deeply embedded in the national, as well as local social, economic, and institutional fabric in society. Research identified several structural causes of homelessness in metropolitan areas in America, such as economic conditions, the housing market, demographic composition, and the safety net. Lee, et al. (2003) add two causes, namely climate and the transience of a population. [15] The same causes can be given for homelessness in Tshwane. These causes are briefly summarised as follows:

- **Economic conditions:** Although many developing countries are experiencing economic growth and are becoming increasingly competitive with the advent of globalisation and neo-liberal market economic restructuring, unemployment, declining real wages, and job-insecurity however, are on the increase in many of these countries. These trends are ascribed to the shift from labour-intensive production to capital-intensive processes as economies evolve from being factor-driven to becoming investment-, innovation- or wealth-driven. In tandem with the stage of competitive development of a country there is a shift in emphasis from primary and secondary industries to tertiary and service sectors. This, in turn, prompts individual sectors to move away from unskilled and semiskilled occupations to those requiring higher levels of skill.

- **The housing market:** Numerous complex factors serve to create housing markets that do not accommodate the needs of poor or low-income households. Some of these factors include significant price inflations, urban renewal and gentrification, and a decline in the construction of new low-cost housing.

- **Demographic composition:** Single-person households, Blacks, certain immigrant groups and young people from the baby boom generation are considered at-risk groups in America. Compared to Whites, Blacks are more likely to encounter housing discrimination and to suffer skill shortages and poor placement in the labour market. Because of their rapidly growing numbers, single-person households could also influence the level of homelessness by increasing competition for affordable single room housing units. The maturation of the baby boom generation is believed to have intensified pressures on all segments of the housing market.

- **The safety net:** Many experts view the decline of the safety net and changes in eligibility criteria as one of the key causes of homelessness since 1990 and especially during the Reagan era.

- **Climate:** It has been found in the US that climate seems to increase incidences of homelessness in certain metropolitan areas with more moderate climates, meaning that many homeless people migrate to areas with more moderate climates, especially during winter. Yet, climate could not be regarded as a primary cause of homelessness per se.

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[15] Lee, B.A., Price-Spratlen, T. and Kanan, J.W. 2003. Determinants of homelessness in metropolitan areas. *Journal of Urban Affairs*, Volume 25, Number 3, pages 335-355.

- **Transience:** This refers to the extent to which the permanence and stability of local populations are in flux due to various factors, such as prosperous local economic conditions, new housing construction activity, net migration, intra-urban movement, and the popularity as a destination for immigrants. A sudden influx of low-income households with no social ties or family structures in an area increases incidences of homelessness.

Economic conditions

Tshwane is located in the Gauteng province, which has the largest economy in South Africa, which in turn, has the strongest economy in Africa. South Africa is perceived as the regional powerhouse of Southern Africa,[16] with a gross domestic product (GDP) four times that of its Southern African neighbours, comprising 25% of the entire GDP of Africa.[17] Gauteng is not only perceived as the financial hub of South Africa, but also as the economic engine of the Southern Africa.[18] Gauteng contributes more than 38% of South Africa's GDP, 60% of fiscal revenue, and 9 % Africa's GDP. The implication of such economic dominance is that poor and unemployed people form Africa and elsewhere in South Africa will migrate towards large urban centres in Gauteng and contribute to incidences of homelessness.

According to the South African Cities Network (SACN),[19] cities with growth in employment opportunities are, however, also experiencing growth in unemployment migrants. For example, with an unemployment rate of 31.9%, migrants constituted 12.9% of the Tshwane population in 2001, as opposed to 5.7% of the population in the Nelson Mandela metropole, where unemployment stood at 46.4%. Between 1996 and 2001, Tshwane received 256,239 new migrants from all over South Africa, but mainly from Limpopo, North West, Mpumalanga and from other parts of Gauteng (Johannesburg and Ekurhuleni). Tshwane lost 99,880 people to the rest of the country (ratio of out-migration to in-migration = 28:72).

This was confirmed by the responses of 100 homeless people interviewed during March 2005 in the inner city of Pretoria and in Centurion. Most came to Tshwane in search of employment, but have yet to find employment and are stranded due to insufficient income to return to their places of origin.

Foreigners constitute a significant component of migrants in the city. For example, refugees, who have been squatting outside the Pretoria Magistrate's Court in January 2005, claimed that they had come to South Africa believing there was "easy gold" to be found here.[20] Although trends are difficult to track, much has been made of the increasing number of foreign migrants in South African cities. According to the SACN, there was a sudden increase in the number of foreign migrants in the country illegally in search of work opportunities in the early 1990s. The available evidence suggests that the numbers of people entering the country legally on holiday or business visas, and then staying on illegally, have

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[16] Apps, P. 2005. *South Africa, powerhouse of the region leads by example.* Published on the web by Pretoria News on 24 March, 2005.
[17] South Africa: economic overview
(http://www.southafrica.info/doing_business/economy/econoverview.htm).
[18] Investing in Gauteng
(http://www.safrica.info/doing_business/investment/oppurtunities/gauteng.htm).
[19] South African Cities Network. 2004. *State of the Cities Report.*
[20] Hanti Otto. 2005. *Solution to DRC squatters at Magistrate's Court found.* Published on the web by Pretoria News on 6 January, 2005.

stabilised. The number of asylum seekers/refugees is on the increase, though. The SACN report that 2 728 people applied for asylum in the year 2000, and 4 786 in 2001. This further increased tremendously to 20 842 in 2002.

As with the national economy, Tshwane's economy is characterised by high unemployment and an unequal distribution of income and opportunities. According the expanded definition of unemployment, just over one million people were economically active in Tshwane in 2001, leaving 378,395 people unemployed - a rate of 36.7%, although the official unemployment rate (31,9%) is lower that that of Gauteng (36,4%), and significantly lower than the national rate (41.6%). According to population census results, Centurion, Pretoria and Wonderboom recorded unemployment rates of less than 15% in 2001. Atteridgeville, Garankuwa, Mabopane, Mamelodi, Soshanguwe, Temba and Winterveldt all had an unemployment rate of above 44%, with Winterveldt recording the highest unemployment rate at 56%. This corroborates the fact that low educational levels impacts negatively on the employability of the labour force: almost half (41.9%) of the people between the ages 20–64 years in Winterveldt had not completed their primary school education and can therefore be considered functionally illiterate. However, high unemployment rates can also be ascribed to the fact that people cannot find jobs where they live (because of a lack of economic activity in the area) or lack money for transport to look for work elsewhere.

The analysis of the economic conditions and unemployment situation in the Tshwane reveals that those with lower levels of skills and the youth are the ones most affected by negative economic conditions. Ironically, both positive and negative economic conditions appear to be important causes of homelessness in Tshwane. Positive economic conditions, in comparison to the rest of South Africa, appear to attract more migrants to the city many of whom are at risk of being homeless. Negative economic conditions, such as high unemployment rates, and income and poverty gaps within the city, also appear to cause homelessness.

Housing market

The country as a whole faces a major housing backlog. In Tshwane, the backlog is currently estimated at 130 000 units. According to the 1996 census, 21% of all households (88 376 households) in Tshwane were deprived of a 'decent' housing.[21] In 2001, 25% of households (139,405 households) were living in informal, traditional and other dwellings. The main driving force behind the increasing number of households in informal settlements is urbanisation, and this trend is likely to continue into the future. This, coupled with the negative economic conditions discussed above, has a negative impact on the ability of the urban poor to afford housing-related services and rates, which in turn affects the financial capacity of the affected local government to provide basic services.[22]

An aerial survey in 2001 was used to count the number of informal dwelling units within the city.[23] These numbers were updated by the RPT during 2003 with aerial photography taken in April/May 2003. The 2001 figure of 128 023 informal dwelling units are somewhat lower than the 2001 census figure of 139 405 households. The results of the count based on aerial photography taken in April/May 2003 indicate a total of 148 541 informal dwelling units. The average growth rate per annum was 7.9%.

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[21] Households deprived of a decent housing are households living in a traditional dwelling/hut/structure made of traditional materials; informal dwelling/shack in backyard; informal dwelling/shack not in backyard e.g. in an informal/squatter settlement; or caravan or tent. UNDP. 2003. *South African Human Development Report 2003.*
[22] CTMM. 2004. *Housing Strategy for the City of Tshwane Metropolitan Municipality.* Draft of July, 2004.
[23] CTMM. 2004. *Housing Strategy for the City of Tshwane Metropolitan Municipality.* Draft of July, 2004.

The CTMM receives approximately 20 000 housing subsidies annually from the Northwest and Gauteng Provincial Governments.[24] This means that only 20 000 families per year are likely to be moved from informal to formal housing. With the backlog around 130 000 units, it will take approximately seven years for the CTMM to fully provide all inhabitants with properly planned townships and houses. Furthermore, the seven years estimate is based on the assumption that no further land invasion will take place, which is unlikely.

Certain aspects of national housing policy may also serve to impact negatively on local housing markets, notably the subsidy system and an over-emphasis on ownership rather than on renting. National housing policy has responded to continuing housing backlogs by ensuring the provision of mass housing built to certain national minimum standards. This has resulted in patterns of hectares of small houses, each on its own plot, and located in peripheral locations where land is most affordable. This approach to housing and urban development is severely compromising the sustainability of large cities and does not contribute to the restructuring of the inherited dysfunctional apartheid city form.

Demographic composition

Blacks – unemployment, low skills, migrants

Whites – chronics, social network problems, affirmative action

Youth / young adults – Tshwane hosts a relatively young population half the unemployed are younger than 30

In general, South Africa had an age profile typical of a developing country, with a third of the population being children under the age of 15 years in 2001. Gauteng and the City of Tshwane, on the other hand, had an age profile of an industrialised country, with a quarter of the population under the age of 15 years in 2001.

The relatively older age structure of the population in Gauteng – and in the City of Tshwane – implies that a larger share of the population is available for work (the supply of labour). Almost two-thirds (63%) of the South African population was of working age (15–65) in 2001, as opposed to nearly three-quarters of the population in the City of Tshwane and in Gauteng.

Temba and Winterveldt have an age profile similar to that of South Africa (i.e. higher percentages of children under the age of 15 years), while Centurion and Pretoria have significantly fewer children under the age of 15. Pretoria, Wonderboom and Garankuwa reported the largest percentage of people 65 years and older.

The demographic profile of the potential labour force in the City of Tshwane reveals a relatively young population. Almost half (43.9%) of the potential labour force was younger than 30 years in 2001, as opposed to 31.3% in Gauteng and 29.5% in South Africa. This figure range from 35.4% in Centurion to as high as 47.8% in Soshanguwe.

Young people find it difficult to obtain employment and often become unemployed straight after leaving school. This is confirmed by the fact that two-thirds (65.4%) of the officially unemployed in the City of Tshwane were younger than 35 years of age during the 2001 census – an estimated 200,034 out of 305,811 unemployed people. Youth unemployment is a problem of epic proportions as the official unemployment rate for economically active people younger than 35 years of age was 40,9% in 2001 as opposed to 26,2% among those 35 years and older (Table 2.16).

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[24] CTMM. 2003. *CTMM Informal Settlement Management Plan.*

It is especially among the economically active youth (15-29 years) that unemployment was exceptionally high in 2001. This age group (15-29 years) accounted for half (49.8%) of all the unemployed in the City of Tshwane (at total of 152,176 people). Among the economically active youth in the age group 15-19 official unemployment was as high as 64.9%; among the 20-24 year economically active youth the official unemployment rate was 53.2%, and among those aged 25-29 the official unemployment rate of 39.5% was higher than the City of Tshwane average official unemployment rate of 31.9% (Table 2.16). Any successful employment intervention must therefore be geared to meeting the requirements of these young work seekers.

Safety net

Social grants – child and old age grants, poverty and food relief (mainly for families with children)

Housing subsidies – only eligible if married, employed.

Young men that are forced economically to live in this manner have no better prospects for the future. They do not qualify for housing as they are single and do not have any prospects of ever being able to get a better education, get married or raise a family.

It has become apparent that to some homeless people the option of becoming injured or permanently disabled – thereby qualifying for a third party payout or disability grant – has become a viable means of survival.

Climate

More homeless people in Durban during the South African winter season

Transience

Growth in Tshwane – vitality of the economy, new housing construction activity, currently and construction projects East and South

Migration

Intra urban movement

Note: Places with high rates of mobility tend to be competitive, thus increasing the vulnerability of less successful people.

According to the South African Cities Network, three quarters of Tshwane residents were living in the same suburb in 2001 as the one that they were living in 1996. A further 10.02% moved house within the city. The relatively high level of intra-city movement in Tshwane may reflect a very different dynamic, such as the movement of peri-urban populations in the Winterveld into more conveniently located housing developments and the inner city.

Of the nine provinces in South Africa, Gauteng has the highest proportion of people of working age who obtained a Standard 10/ Grade 12 or higher educational qualification (40.6% as opposed to 28.8% in South Africa). Almost half (48.8%) of the Tshwane residents in this age group had obtained Grade 12 or a higher qualification. Almost a fifth (17.3%) of the people between the ages 20–64 years in the City of Tshwane had obtained a post matriculation qualification.

In 2001, a fifth of all the workers in the City of Tshwane were employed in highly skilled occupations such as legislators, senior officials and managers and professionals – as

opposed to 16.5% in Gauteng and 12.4% in South Africa. The availability of a large group of highly-skilled workers in the City of Tshwane can be ascribed to the large number of educational and research institutions, national administrative departments and financial and other community and commercial services that are situated in the City. Almost half (48.6%) of the workers in the City of Tshwane were working as skilled workers in occupations such as technicians and associated professionals; clerks; service/sales workers; skilled agricultural and fishery workers and craft and trades workers.

Number of persons in Tshwane with non-South African citizenship, 1996- 2001: 16 049 (1996) and 23 679 (2001).

Developed around a traditionally strong central core, the city has over the last two decades become multi-nodal, with a ring of satellite nodes at 10-12 km from the centre, mostly within high income neighbourhoods adjacent to highways. The residential pattern is characterised by separation of income groups and races with buffer strips, roads, railway lines and industrial areas forming barriers between the various race groups. The most favourably located black residential areas are 10-12km from the traditionally strong central area, in the opposite direction from high-income residential areas, but many are located as far as 25-40km away. The distance and inaccessible locality of poor neighbourhoods highlights their dislocation and marginalisation since they have the lowest provision of social facilities, the longest travelling times and the highest population density. These are also the areas that are growing at the fastest rate. In addition, the present situation can only be maintained with high government subsidies for public transport and is therefore unsustainable.

Extensive low-density sprawl, which is based on an anti-urban ethic of the free-standing house on a plot, is evidenced by:

• High and middle-income suburbanisation in, predominantly in the south-eastern sector of the city;

• Exclusive residential estates, clusters and security villages;

• State-sponsored low-cost housing projects on the periphery, in the opposite direction of high income sprawl (to the north and west where the value of land is low and little public opposition can be expected);

Most households live in single storey and detached houses, which is wasteful of urban land and forces large numbers of people to live too far from established economic opportunities and facilities.

Separation of land uses generates considerable movement. Almost all new development is private transport oriented with the result that city living has become over dependant on this mode of transport. ... (In turn), Public transport is inefficient mostly due to too low densities.

(Tshwane 2020 IDP, Chapter 2)

Services to the homeless in the City of Tshwane

The extent of services to homeless people in the City of Tshwane is difficult to ascertain. According to the Gauteng Department of Social Development there are currently six children's homes in Tshwane as well as six shelters for homeless children registered with,

and receiving funds from the department.[25] The Gauteng Department of Social Development tried to verify a list of 20 shelters for homeless children obtained from the Gauteng Alliance for Street Children but could find three that can be accepted as shelters, the rest can be classified as homes where foster care is provided to up to three children.

Several church organisations provide food to "soup kitchens" or directly to the homeless. In its effort to develop a strategy to deal with homeless adults in Tshwane, the Tshwane Homeless Forum[26] invited organisations that provide services to the homeless to register with the Forum. By January 2005, 34 organisations registered with the Forum in order to participate in a pilot project towards the integration and coordination of services to homeless people in Tshwane.

Twenty-nine of the 34 service providers on the register of the Tshwane Homeless Forum participated in a survey conducted in January/February 2005 (response rate = 85.3%). The main findings of the survey were as follows:

- Although the majority (82.1% or 23) of the respondent organisations were in operation for five years and longer, less than half (40.6% or 13) received government support (local, provincial or national).

- An array of services are provided by the respondent organisations, including: reception and referral (27/93.1%), accommodation (24/82.8%), meals "soup kitchen" (23/79.3%), skills development (21/72.4%), rehabilitation (15/51.7%), job placement/labour market intermediation (15/51.7%) and housing intermediation (7/24.1%). The organisations also assisted homeless people to get treatment for TB, to register for identification documents and grants and to place eligible elderly people in old age homes.

- Collectively the 23 organisations that provided food to homeless people catered for up to 1,964 people at the time of the survey.

- The 27 organisations that provided accommodation used 65.1% of their bed capacity during the time of the survey. Collectively these organisations can provide overnight shelter to 1,701 people.

- Almost two-thirds (60.9%) of the people accommodated in these shelters during the survey could be classified as transitionally homeless, however, half of the shelters (53.8%) acknowledged that the people accommodated by them were permanent residents and a quarter allowed people to stay for longer than a year.

- Unemployment and other economic related factors (e.g. affirmative action, low-wage jobs, foreigners that increase the competition for jobs, and construction sites) were the most frequently cited reason for the average annual increase of 27% in homelessness over the past few years. Only a third of the reasons cited as causes of homelessness included factors such as subsistence abuse, family disorganisation, more elderly people becoming homeless and the impact of HIV/AIDS.

- More than a third (39.3%) of the organisations that responded acknowledged that they did not have the necessary capacity to provide services to the homeless. Funding was the most frequently mentioned obstacle, followed by training needed by staff (e.g. placement knowledge), the assistance of mobile clinics and transport problems.

- The respondents mostly expected support in the form of subsidised services (electricity, water, facilities, medical treatment for homeless people, etc.) from local government.

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[25] In terms of the Child Care Act, No. 74 of 1983, a registered place of care for children can claim for subsidy on a monthly basis.
[26] Under the auspices of Mrs. N.Mogotsi, Manager of the Integrated Community Development Division in the City of Tshwane Metropolitan Council.

- Financial support was the most frequently cited need from provincial and national government.

According to the Manstrat[27] report, there is a general lack of facilities for the homeless, especially in the inner city. Shelters are located on the outskirts of the inner city, as a result homeless people needing to be near job opportunities end up sleeping on the streets of the City. Also, shelters are often full and cannot accommodate more people needing accommodation.

The main findings of the Manstrat study on the issue of service provision to the homeless commissioned by the CTMM were as follows:

- Most of the current shelters mainly provide for whites.

- There is a serious lack of laws and by-laws, policies, procedures, criteria, and standards for the execution, management, and monitoring/evaluation of the homelessness issue.

- Although various service providers, NGO's and other organisations might in some or other way be involved in homelessness, it was found to be an uncoordinated approach.

- Although service providers indicated that rehabilitation programmes are in existence, it is evident that such programmes are not fully implemented or followed through to their logical conclusion. Very little evidence is available to substantiate the fact that these designed programmes are benefiting the homeless people and eventually putting them back into normal society, which is or should be the ultimate aim. There seems to be no integration amongst service providers and policy makers.

- Service providers experience considerable problems with potential candidates during the very first phase of the rehabilitation process. As a result many are excluded from the rehabilitation process and placed back amongst the homeless on the streets.

- Although a few service providers are funded by Government it was evident that others have been unable to obtain such funds. A serious lack of capacity exists amongst service providers in terms of understanding government requirements to obtain such funding as well as how to re-align their organisation to become eligible for government support. Funds are available for job creation projects from the Authorities, but are not applied for by some of the service providers.

- Homeless people as well as service providers often do not have any understanding of basic human rights and this situation often leaves the way open for abuse to occur. Service providers are not held accountable for complying with minimum basic human rights.

- No specific knowledge or skills are required in starting and operating a shelter. Service providers confirmed that there is a lack of knowledge and skills and have requested that these shortcomings be addressed.

- Since no controlling body exists in this industry, any person can enter this service industry without much resistance. Registering as a non-profit organisation (NPO) is basically the only requirement in order for operators to start receiving goods and financial contributions. This situation resulted in a fragmented approach and should be rectified.

- Some shelters are not registered as non-profit organisations (NPO's).

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[27] CTMM. 2004. *Draft Strategy on Homelessness in the City of Tshwane*. July, 2004.

Vision of the policy

"Tshwane recognises the fundamental rights of all its inhabitants as enshrined in the Constitution of South Africa, including the right to have their dignity protected, a clean environment, and access to adequate housing. In the light of this, Tshwane will be a city where homeless people and people prone to homelessness will be socially and economically empowered and enabled to access housing within their means that is appropriate for their basic needs and protection of their fundamental rights so that they may lead productive and self-fulfilling lives in the city."

CTMM Mission:

The mission is to drastically limit the social disintegration of homeless communities, families and individuals and turn the process around by:

To provide shelter for and reintegrate homeless people into mainstream society by:

- Compiling, adopting and implementing a policy for the homeless

- Establishing and maintaining need-driven, well resourced help centres and transitional centres

- Providing access to an additional housing option / providing access to a range of low-cost housing programme options

- Developing and utilising a scientifically proven homeless assessment instrument

- Developing, maintaining and expanding a homeless management information system

- Providing access to education, training and capacitating opportunities

CT:

The City of Cape Town will seek to significantly reduce and manage adequately the number of adults and children on the streets with special emphasis on ensuring that, over the long term, no children are living on the street.

Goal of the policy

The goal of the policy is to limit the social disintegration of homeless communities, families and individuals and turn the process around.

CT:

The principle aim of this policy document is to develop an integrated and holistic policy approach to effectively deal with the question of Street people in the Unicity. Many attempts at dealing with the street people challenges had limited successes. Previous strategies and policies were fragmented therefore; this policy proposes a number of goals, which are aimed specifically at the street people population, at institutions such as local government, and at the community and society at large.

Street people:

- To empower and create an enabling environment for street people to take responsibility for themselves and their own development;
- To raise awareness of street people on the needs of a community as well as training street people with regard to life skills;
- To address street people who exhibit habitually anti-social behavior, particularly at municipal police level through the municipal police force and other law enforcement services.

Institutions:

- To reduce poverty through facilitate job creation (as part of the CMC and MLC economic development strategies);
- To develop partnerships between NGOs, the private sector and the public sector and Local Government;
- To actively support and facilitate training and education of all relevant officials;
- To facilitate the development of a coherent, effective funding programme;
- To promote effective policing, particularly at local government level.

The Community and Society:

- To raise awareness and promote education in the communities about the issues affecting street people;

Major concerns regarding a response to the problem of street homelessness

The outline of the street homeless situation in the City of Tshwane presented in Part Two provides the basis for identifying major concerns that could constitute obstacles to responding effectively to the problem of street homelessness. These are:

- Broader structural socio-economic conditions outside Tshwane contributing to factors that lead to homelessness, such as the housing backlog, increasing unemployment, economic decline in certain sectors, widening poverty gaps, collapse of family and community structures, rural-urban migration, immigration of poor people from other African countries.
- Lack of information on the homeless population, the difficulty in measuring the extent and profile of homelessness, and the transience of the homeless population.
- Exclusionary spatial practices, such as containing, displacing, excluding pockets of homeless people, fencing and privatisation of spaces, zoning, anti homeless bylaws, NIMBYism, and actions of displacement by law enforcement agencies, including the metro police and private security companies.
- Lack of funding, capacity and perhaps political will and private sector commitment to address homelessness.
- The high number of people converging to Tshwane in search of a better life, and in search of employment opportunities will continue to be a challenge and housing delivery strategies will have to be geared towards meeting such challenges. One of the critical and most urgent challenges is to accelerate the programme of ensuring that the homeless and those who live in squalor have decent houses built on well located land and access to basic services such as water, sanitation and electricity.

- Either provincial government or the city itself in terms of financial commitment do not pursue the need for alternative housing typologies in appropriate locations.

Objectives of the policy

The objectives of the policy are to respond effectively to the problem of street homelessness through:

- The systematic integration of homelessness into all policies, plans, programmes and strategies at all levels and within all sectors and institutions of government
- Developing and implementing a coordinated, multi-sectoral, interdisciplinary and integrated approach in designing and executing programmes and intentions regarding homelessness
- Conducting research and making available reliable and up-to-date information on homelessness in the City of Tshwane in order to inform policy making and programme design, implementation, monitoring and evaluation.

Major strategies of the policy

The strategies listed below are those that should be implemented to achieve the objectives of the policy.

CTMM:

Provide access to low-cost housing

- Create linkages to housing strategies at national, provincial and local level
- Create an environment in which the private sector can provide low-cost housing
- Utilize unused available facilities for transitional facilities and housing options
- Support existing transitional facilities and housing initiatives
- Facilitate the establishment of a low-cost housing management system
- Promote facilities that are sensitive to the needs of women, children, the elderly and the disabled

Enhance and stabilise the income generation potential of homeless people

- Create linkages to national strategy
- Provide access to income-generating opportunities
- Enhance access to skills development opportunities
- Support existing employment and skills development initiatives

Improve cohesion and support

- To identify existing social support systems
- Promote support mechanisms for building cohesion and support
- Integrating homeless issues in the social component of statutory plans
- Strengthening the positive role model impact of public figures

- Promote the rights of the homeless
- Encourage alcohol and drug free lifestyles
- Promote special attention to the needs of women, children, disabled and the elderly

Promote access to physical and mental health care

- Create linkages to national, provincial and local health care strategies
- Promote health initiatives
- Integrate homeless issues in health strategies on national, provincial and local level
- Promote the management of transitional facilities with the aim to reintegrate deinstitutionalised homeless people into society
- Providing access to alcohol and drug treatment centers

Ensure responsible and accountable management for the homeless

- Allocate the responsibility for homeless people to a specific Department of the CTMM
- Ensure a responsible and accountable governing body on which homeless people and service providers are represented
- Develop and maintain an appropriate and effective communication and information system
- Ensure effective case management
- Promote continued research on Homelessness
- Set standards and norms
- Create and maintain a database of all service providers and stakeholders

Suggestions made by service providers

- Provide very low cost housing in close proximity to the suburbs.
- Legislate that employers provide on site accommodation for gardeners and handy men.
- Legislate that employers to pay a traveling allowance in accordance to the distance their chosen worker must travel.
- Legislate that contract workers to be provided with adequate housing on site.

Suggestions made in the Tshwane homeless strategy:

- In order for the interventions to function successfully a strategy which links social welfare to housing, health and employment creation is needed.
- As homeless people range from the employed people with low income to unemployed people seeking jobs to socially alienated or excluded people without a home so will the facilities and interventions differ for the different types of homeless people.
- An additional housing option which would cater for the needs of the homeless people in the City of Tshwane.

CT:

Create and develop partnerships between NGOs, the private sector and the public sector

Local government does not have the resources, either financial or human to adequately deal with the problem of street people. It has therefore been suggested that only through building partnerships with NGOs and businesses can the street people problem be effectively addressed. The following recommendations are made:

- Supporting NGOs and other service providers already doing work with street people (or those who wants to work with street people) to improve and expand their services.

- Partnerships that are engaged in must be real, contractual, measurable, cost effective and sustainable.

- Council should endeavour to have a representative present on all existing networks that deal with street people issues.

- Funding partnerships must be established to ensure the continued provision of services to street people.

- Registration of service providers received in terms of partnership funding from Council.

Develop an integrated, holistic response

To achieve this goal, Council must:

- Establish a clear, consistent strategy that is integrated into the Integrated Development Planning process.

- Involve all stakeholders (street people, civil society, business and government) with the view to create sustainable partnerships.

- Funding should be reoriented towards accredited organisations which will stop fly-by-night and exploitative strategies, in accordance with which, NGO's and other organisations should only receive funding from Council for managing projects that accord with the vision and programme of action determined by Council and that have been put out to tender by Council.

- Developing and coordinating an accessible database, which includes a register of street people, services provided as well as relevant research and information.

- Have an integrated set of strategies which includes:

  - Prevention services and programmes such as early childhood development, after-school centres, youth and community development programmes, life-skills and leadership training, education and training, economic empowerment, etc.

  - Early intervention services and programmes such as Drop-in centres, street work, diversion programmes, family support services, school-based services, after-school care, youth development, etc.

  - Statutory services which refer to assessment, referral, trial and sentencing, diversion programmes, etc.

  - Post statutory/alternative services such as residential care, alternative care, quality services through a range of programmes, parental skills training, etc.

Enabling street people to take responsibility for themselves and own their development

- Due to street peoples life experiences they often have a poor self image and there is a need for them to be affirmed and a sense of self-worth developed. This involves building street people's capacity to help and develop themselves. Recommendations:

- Street people to be consulted about issues that affect their lives.

- Those street people who have been successfully rehabilitated must be mobilised to actively participate in these consultative processes.

- Hold street people accountable for both their positive and negative influences through sector forums.

- Promote a hand-up approach to dealing with street people because it instills confidence, a sense of purpose and a feeling of ownership.

Training street people with regard to basic skills

It is virtually impossible for street people to get off the street if they do not have gainful employment. This means that effective training programmes need to be developed.

- Training should be related to what the market needs with certificates of competency issued to candidates who have successfully completed courses.

- Incentives must be offered to complete the training and in this way reduce the drop-out rate.

- The street people who participate in the training must be held accountable through an evaluation process throughout the courses.

- Obtaining community involvement in the training programme may help to develop a sense of ownership and adds value to the process.

- After the provision of basic skills training there should be a follow-up process which provides street people who have completed the programme with the opportunity to use their newly acquired skills.

- Educating street people on HIV/ AIDS and its impact on those living on the streets

Creating and maximising current job opportunities for street people

Street people are valuable contributors to the City of Cape Town economy (for instance, half of the survival means of street adults are derived from legitimate employment). These legitimate employment activities are e.g.:

- recycling;
- car parking;
- crime prevention;
- casual labour; and
- domestic labour.

- Formalising the employment activities that street people engaged in could release funds, which could be ploughed back into the development of street people.

- Street people need to be included from the outset in job creation and development programmes to ensure a sense of responsibility and ownership.

Actively support and facilitate the training of officials

- In various degrees, officials lack the necessary skills to deal sensitively and empathetically with street people.

- A formal training programme should be developed for all officials interacting with street people with special emphasis on the impact of HIV/AIDS on those living on the street.

- This should be done at all the appropriate levels of the organisation.

- This will allow officials to gain a clear understanding of their roles, responsibility and functions.

- A procedure be developed in consultation with representatives of street people and /or organisations working with street people, which will effectively deal with any complaint or mistreatment or human rights abuse by a City official.

Develop a coherent effective funding programme

As the City provides service to street people, it relies heavily on the support of organizations to deliver services to street people.

- Process:
  - Advertisements in all major and community newspapers
  - Submission of applications
  - Site visits and follow-ups of applications
  - Short-listing of candidates
  - Appointment of service providers
- Drafting and signing of Service Level Agreements and Memorandum of Understanding
  - Allocation of Grant-In-Aid monies
  - Monitoring through the assessment of quarterly and monthly reports
  - Final report Submission
  - Evaluation
- Council should prioritise funding for developmental projects associated with street people.
- Criteria for allocation of funding to organisations must be equitable and serve the City objectives.

Promoting effective policing, prosecuting and sentencing

Homelessness in not a crime, the human rights of all people need to be protected, especially those who are the most vulnerable in society, such as street people. The security of street people are often severely compromised, namely because they are seen to exist on the periphery of our society. Street People are often unwitting accomplices to criminal activity such as drug trafficking, sexual exploitation and prostitution. In addition to this public aggression and at times police harassment affects the security of street people.

- Recognising that this problem of harassing the street people population exists.

- Developing adequate protection mechanisms and putting them in place.

- Effective policing means uncovering crime syndicates, the real perpetrators on the street and those hiding amongst street people to escape the police as well as the criminal element within the street people community.

- Commercial and other vested interests that encourage deviant behavior from street people needs to be identified and dealt with effectively.

Raising awareness and educating communities about the issues affecting street people

While there is a growing awareness of street people, their needs and how they live, a lack of education and information often creates negative attitudes towards them. It is important that the public and others understand the reality of life on the street. Only through understanding can support and participation be expected from the public and others.

Borrowed from the National Coalition for Homeless Veterans:

Homelessness Prevention

Guiding Principle: South Africans have a right to be protected from being homeless.

- Increase funding for the array of housing, workforce development, cash assistance, health insurance and health services programmes available to low-income persons. Programmes such as ... grants help low-income persons, directly or indirectly, to obtain and maintain housing, thus averting homelessness.

- Ensure that correctional, residential health care, and other custodial facilities receiving federal funds (including Medicare and Medicaid reimbursement), develop and implement policies and procedures to ensure the discharge of persons from such facilities into stable transitional or permanent housing and appropriate supportive services. Discharge planning protocols should include assisting persons in applying for income security and health security benefits (such as ...) prior to release.

- Prohibit correctional and residential health care facilities receiving federal funds from discharging persons without first ensuring their transition to stable transitional or permanent housing upon release, unless the person requests discharge without a housing arrangement.

- Increase the authorization level of and appropriations for the Emergency Food and Shelter Program (EFSP). EFSP provides funds to community-based, faith-based and public organizations to enable them to offer food, lodging, and mortgage, rental or utility assistance to persons who are homeless or at risk of homelessness.

- Authorize and appropriate funds for an emergency rent relief fund whereby the Department of Housing would make grants to non-profit and public organisations to make funds available to landlords on behalf of tenants facing eviction.

- Increase appropriations for homeless assistance programs, such as an Emergency Shelter Grants programme. States and communities may use up to 30 percent of their ESG allocations for homelessness prevention activities including short-term financial assistance (such as for rental or utility payments), tenant-landlord mediation, and legal services to prevent eviction.

Housing Security

Guiding Principle: All South Africans deserve the opportunity to secure permanent, safe, high-quality and affordable housing.

- Authorize and appropriate funds to produce, rehabilitate and preserve of permanent affordable housing. Homelessness is the direct result of the absence of housing at prices that are affordable for low-income people. Development of affordable housing stock is the most obvious remedy to homelessness.

- Ensure no net loss of affordable housing by requiring a one-for-one replacement of affordable units lost to public housing demolition.

- Funding for the existing array of affordable housing programs should be sustained.

- Ensure homeless access to and utilization of mainstream affordable housing assistance programs by: planning for homeless people's participation in the programs; involving homeless people in program design and monitoring; designating homeless people priority populations for services; targeting outreach to homeless people to welcome them to the programs; tracking homeless people's progress through the programs; eliminating administrative and regulatory roadblocks to the participation of homeless people in the programs; ensuring that the programs offer services needed by and appropriate for homeless people; planning participant discharge from the programs to stable housing; and using improved housing status as a program performance indicator.

- Authorize permanent housing as an eligible use of surplus, excess, underutilized and unutilized public property.

- Make available surplus, excess, underutilized and unutilized public properties to non-profit, profit, and public organizations for development of permanent and transitional housing units for people experiencing homelessness.

- Require applicants for homeless assistance funds to develop specific plans for housing and services to the homeless. Homeless assistance providers across the board must do a better job of referring homeless people in their communities to programmes and services for which they may be eligible.

- Require collaboration between service providers competing for homeless assistance funds for the purpose of identifying and addressing unique needs of homeless people in their catchment areas.

- Authorize the establishment of a National Homelessness to Housing Mutual Mortgage Association to provide housing and homeownership opportunities, in a cooperative housing association, for homeless individuals and families by sponsoring single room occupancy and family-oriented mutual housing cooperatives and providing continuing management and support services to its self-governed member buildings.

- Increase the authorization level of and appropriations for service providers in the form of competitive grants to community-based, faith-based and public organizations to offer transitional housing or service centers for the homeless.

- Increase appropriations for the therapeutic residence component of service provision to the homeless.

Income Security

Guiding Principle: All South Africans deserve the opportunity to secure income at a level sufficient for obtaining and maintaining permanent housing, food, health care and other basic human needs.

- Require private and public employers to pay livable wages indexed to the cost of housing. A universal living wage would ensure that anyone working a 40 hour week would be able to afford housing based on the wage earned.

- Raise the minimum wage. An individual or family making minimum wage income cannot afford housing at fair market rent in their community.

- Ensure that temporary workers enjoy protections of law in parity with permanent workers.

- Authorize and appropriate funds for a learnership in residential construction skills for persons who are homeless or at high risk of homelessness.

- Assure homeless persons' access to and utilization of mainstream workforce development, disability and temporary cash assistance programs by: planning for homeless people's participation in the programs; involving homeless people in program design and monitoring; designating homeless people priority populations for services; targeting outreach to homeless people to welcome them to the programs; tracking homeless people's progress through the programs; eliminating administrative and regulatory roadblocks to the participation of homeless people in the programs; ensuring that the programs offer services needed by and appropriate for homeless people; planning participant discharge from the programs to stable housing; and using improved housing status as a program performance indicator.

- Provide disability benefits for people experiencing homelessness who present an attestation from an authorized health care professional that they meet the standard of disability.

- Improve disability benefit determination processes, including providing funding to homeless service providers to enable them to assist their program participants in navigating both processes.

- Provide competitive grants to service providers geared toward training and employment opportunities for the homeless with significant barriers to employment.

- Establish a Homeless Work Opportunity Tax Credit Program. The program would incentivize the hiring of homeless people by providing employers a tax credit equal to a percentage of the wage paid to the homeless.

- Provide competitive grants to community-based, faith-based, and public organizations to offer outreach, job placement and supportive services to homeless.

Health Security

Guiding Principle: All South Africans deserve the opportunity to secure health care that is comprehensive, high quality and affordable.

- Guarantee all citizens access to comprehensive and affordable health care of high quality through universal health insurance coverage.

- Ensure homeless people's access to and utilization of mainstream health insurance and health services programs by: planning for homeless people's participation in the programs; involving homeless people in program design and monitoring; designating homeless people priority populations for services; targeting outreach to homeless people to welcome them to the programs; tracking homeless people's progress through the programs; eliminating administrative and regulatory roadblocks to the participation of homeless people in the programs; ensuring that the programs offer services needed by and appropriate for homeless people; planning participant discharge from the programs to stable housing; and using improved housing status as a program performance indicator.

- Expand medical aid eligibility to persons with incomes below 200 percent of the minimum living level.

- Ensure that homeless basic health care; strengthen the capacity of the CTMM health programme to serve more homeless people; enable mental health and addiction services capacity; and enable the provision of dental care services to homeless.

- Establish essential health services supports to homeless persons.

- Provide competitive grants to community-based, faith-based, and public organizations to provide health and supportive services to homeless people placed in permanent housing.

- Develop new sources of funding for the services needed to complement existing permanent housing and new permanent housing being developed for people experiencing long-term homelessness.

Implementation of the policy

CT:

Local government's role is broadly defined as one of facilitating and co-ordinating programmes and services catering to street people as an integral part of the implementation of its core business. It does this through:

- Facilitating job creation;
- Facilitating access to basic needs;
- Ensuring that all by-laws are consistent with the Constitution and the realisation of socio-economic and human rights;
- Developing, implementing and monitoring local street people policies and strategies;
- Creating awareness of the issue;
- Reducing the negative socio-economic influence which the presence (of large numbers) of street people have on all communities in the City;
- Supporting and building links and working relationships with local service providers and other spheres of government;
- Facilitating access to finance and other resources for programme implementation.

The following strategic goals must be met in order to fulfil the roles defined above:

Internal coordination

- Establishment of an inter-departmental and portfolio task team;
- Development of an internal communications strategy by engaging all relevant departments;
- Engage with other departments regarding availability of resources and the Unicity's responsibility in this regard (eg. HIV/ AIDS, family planning, vacant land, etc.)
- Education of all relevant officials and councillors on adopted policy;
- Constant evaluation and identification of service gaps.

External Co-ordination

Provincial Government

- Development of a Memorandum of Understanding
- Agreement of responsibility of Province regarding street children (especially concerns regarding AIDS orphans)
- Establishment of a jointly agreed funding process and plan
- Encourage inter-portfolio and inter-departmental co-operation
- A formal agreement be drawn up between the City of Cape Town and the Provincial Government –Memorandum of Agreement

Service Providers

- Facilitating the development of service provider networking structures (on area basis).

Street people

- Facilitate consultation with street people through the sector forums

Faith Based Organisations

- Acknowledging the role that Faith Based Organisations play in the rehabilitation of street people.

National Agencies

- Develop co-operative strategies to address the challenges of street people.

Business

- Encourage business to assist in development strategies;◻stablish funding partnerships around strategic interventions.

Media

- Encourage assistance in education and awareness strategies of communities;
- Facilitate the promotion of initiatives, strategies and interventions for street people.

Mayoral Committee

Social Development Department of the CTMM

Sectoral Departments in the CTMM

Civil Society

Based on Policy Position on Faith-Based Organizations by the National Coalition for Homeless Veterans (NCHV):

The City of Tshwane believes that the public, profit-seeking, and non-profit sectors each have roles to play in organising and delivering health and human services to people experiencing homelessness. It is recognised that these organisations are founded by religious institutions and/or guided by faith principles and are mission-bound and motivated to provide charitable works and advocate for social justice.

Faith-based organisations are permitted to maintain their faith identities in the course of delivering publicly-funded programs and services are supported. However, the use of public funds for inherently religious practices such as religious instruction or worship is unacceptable. Furthermore, organisations, including faith-based organisations, may not deny publicly-funded resources or services to an individual based on that person's religion.

The CTMM support efforts that ensure that both faith-based organisations and community-based organisations are invited to and are made eligible to seek public funds to support their delivery of health and human services. Outreach and resource and program development technical assistance should be provided to community-based organisations and faith-based organisations in equal intensity and manner.

Public funds should be awarded to community-based and faith-based organisations on the basis of merit, as determined by a thorough and unbiased review of the qualifications, skills, and experiences of applicant organisations. The faith-based nature of an applicant should not be a factor in the determination.

All organisations receiving public funds for health and human services delivery should be held to the same standards of care, professional and facility licensure requirements, outcome expectations, and fiscal accountability requirements, regardless of their sector or faith nature.

Equal treatment between experienced and nascent organisations and faith-based and community-based organisations in their acquisition of public funds is best accomplished by increasing resource levels to expand health and human services delivery generally and enlarging the service provider mix overall, rather than by shifting resources among organisations.

Advisory Body

National and Provincial Policy and Legislative Framework

Although it seems that the functional competence for services to homeless people has been delegated to provinces and non-government organisations (NGOs) (CTMM 2004i), a cursory overview suggests that there are several pieces of legislation that influence metro responses to homelessness; the most important being the Constitution, Housing, Welfare, and Local Government acts. JdT

The Bill of Human Rights CTMM and the Constitution of the Republic of South Africa CT

Other legislation and policy documents that relate to homeless people are the following:

- White Paper for Social Welfare (Notice 1108 of 1997) CTMM & CT

- The Child Care Act (Act No 74 of 1983) CTMM and CT

- Non-profit Organisation Act (Act No 71 of 1997) CTMM

- Prevention of the Illegal Eviction from and Unlawful Occupation of Land Act (Act 19 of 1998) CTMM

- Amendment Bill (August 2003) on the Prevention of the Illegal Eviction from and Unlawful Occupation of Land Act (Act 19 of 1998)

- Aged Act (Act No 81 of 1967) CTMM

- Subsidy Housing Implementation Manual CTMM

- The Draft White Paper on Refugees of 1998 CTMM

- Housing Act (Act No. 107 of 1997) JdT

- Local Government: Municipal Systems Act, 2000 (Act 32 of 2000) JdT

- Child Care Act 74/83 CT

- Criminal Procedures Act and the justice system CT

- Reconstructive and Development Programme (RDP) CT

- The United Nations Convention on the Rights of the Child (1989) CT

Social Assistance Act, No. 59 of 1992

In terms of section 2, The Minister shall, subject to the provisions of this Act and with the concurrence of the Minister of Finance, out of moneys appropriated by the Provincial Legislature concerned for that purpose, make:

(a) social grants to aged and disabled persons and to war veterans;

(b) in addition to a social grant, a grant-in-aid to or on behalf of any person referred to in paragraph (a) who is in such a physical or mental condition that he requires regular attendance by any person;

(c) in addition to social grants and grants-in-aid, supplementary grants to war veterans;

(d) a child-support grant to a primary care-giver of a child who is under the age of seven years or such higher age as the Minister may determine by notice in the Gazette;

(e) a foster child grant to a foster parent;

(f) to prescribed institutions, including places of safety, capitation grants for the care of persons admitted to such an institution or place of safety in terms of an order of court or with the approval of the Director-General;

(g) a care-dependency grant to a parent or foster parent in respect of a care-dependent child.

Housing assistance

(http://www.services.gov.za/Service/service.asp?cons_id=Personal&profile_id=9&Life_event_id=2&serv_id=266644083&ProfTitle=Money%20and%20social%20benefits

Condition

The following are the national programmes:

-Housing Subsidy Scheme

-Discount Benefit Scheme

-Public Sector Hostels Redevelopment

The following are Housing Subsidy Schemes implemented by the department.

-Project-linked subsidies

-Individual subsidies

-Consolidation subsidies

-Rural subsidies: Informal land rights

-People's housing process.

CONDITTIONS FOR APPLYING

Six main criteria need to be fulfilled in order for a person to be eligible to apply for the subsidy. A person only qualifies for a housing subsidy if:

- Married or financial dependents: he or she is married (in term of the civil law or in terms of a customary union) or habitually cohabits with any person, or he or she has proven financial dependents.

- Resident: he or she is lawfully resident in South Africa (i.e. citizen of the Republic of South Africa or in possession of a permanent resident permit)

- Competent to contract: he or she is legally competent to contract (i.e. over 21 years age or married or divorced and of sound mind)

- Monthly household income: the gross monthly household income of his or her household does not exceed R3500.00. A prospective beneficiary will be required to submit adequate prove of income, and, in case of income received through self employment, must sign an affidavit stating the amount earned.

- Not yet benefited from government funding: neither that person nor his or her spouse has previously derived benefits from the housing subsidy scheme, or any other state funded or assisted housing subsidy scheme which conferred benefits of ownership, leasehold or deed of grant or the right to convert the title obtained to either ownership, leasehold or deed of grant, with the exception of consolidation subsidy, and relocation grant.

A person who received only a vacant serviced site under the previous dispensation on the basis of ownership, leasehold or deed of grant, however qualifies for a consolidation subsidy. This criterion is also not applicable to person who qualifies for relocation assistance. In event of a divorce, the terms of the divorce order will determine a beneficiary's eligibility.

First time property owner: he or she is acquiring property for the first time, except in the case of consolidation and relocation assistance. This criterion does not apply to disabled persons.

Process to be followed

The housing subsidy applicant must complete the housing subsidy application form.

The following documents must be attached and or signed by the housing subsidy applicant.

- Certified copies of the identity document of both the applicant and the spouse

- Certified copy of marriage certificate.

- Certified copy of prove of income/salary advice

- Certified copy of death certificate if widow or widower

- Certifies copies of birth certificates and or identity document (if over 18 years of age) of dependents.

- Certified copy of decree of divorce.

- Affidavit and or declaration signed by the applicant of the housing subsidy.(available in the application form)

- Affidavit and or declaration signed by the wife or the husband of the applicant.(available in the application form)

- Affidavit and or declaration signed by the partner in cohabitation.(available in the application form)

- Affidavit and or declaration signed by the applicant/wife/partner in cohabitation stating he/she is not working.

Legal Instrument

No legal instrument information provided.

Service Standard

No service standard information provided.

Social Services

Appoint a person to receive the grant on behalf of the beneficiary and to apply for it

Integrated nutrition programme

Register provisional association

Pay subsidies to the managers of registered homes for the aged, clubs and service centres for aged persons and registered welfare organizations providing welfare services to aged and debilitated persons

Make financial awards to welfare organizations and persons

Economic empowerment programmes

Child support grant

Care dependency grant

Foster care grant

Disability grant (Permanent/Temporary)

Old Age Grant

Grant in aid

War veterans grant

Social relief of distress

Emergency Medical Services

Social assistance

Emergency social welfare assistance

Link the most vulnerable to group community production centers for sustainability or with other social security net

Provision of food parcels to the most vulnerable people

Provision of food parcels to the most vulnerable people

Condition

The continuation of the roll out of Phase II, which is to supply food parcels according to (official) scooping to vulnerable affected households.

Process to be followed

1. Selection of Beneficiaries by provincial offices of expenditure level below R200 (Band A), people with disabilities, orphaned children, child headed household, female headed household and HIV/AIDS and TB affected and infected.

2. Identification, Contracting, procurement and management of service providers.

3. Food parcels are distributed to the beneficiaries for six consecutive months.

Legal Instrument

Food Relief Adjustment Appropriation Act, of 2003

Service Standard

No service standard information provided.

The national Department of Social Development currently administers the following laws or part thereof:

- Aged Persons Act, 1967 (Act No. 81 of 1967);
- Fund-raising Act, 1978 (Act No. 107 of 1978);
- Social Service Professions Act, 1978 (Act No. 110 of 1978);
- Child Care Act, 1983 (Act No. 74 of 1983);
- Probation Services Act, 1991 (Act No. 116 of 1991);
- Prevention and Treatment of Drug Dependency Act, 1992 (Act No. 20 of 1992);
- Social Assistance Act, 1992 (Act No. 59 of 1992)
- Nonprofit Organisations Act, 1997
- Welfare Laws Amendment Act, 1997
- Advisory Board on Social Development Act, 2001

These laws can be regarded as constituting the legal framework for social development in South Africa. All the abovementioned laws, excluding the Welfare Laws Amendment Act, 1997 and the Advisory Board on Social Development Act, 2001 have been amended a number of times since April 1994.

In addition to these laws, the work of the Department is also informed by the Constitution. Section 27 (1) (c) of the Constitution provides for the right of access to appropriate social assistance to those unable to support themselves and their dependants. Section 28 (1)

enshrines the rights of children with regard to appropriate care; basic nutrition; shelter; health care and social services; and detention.

Aged Persons Act, 1967

This Act provides for the protection and welfare of certain aged and debilitated persons, for the care of their interests, for the establishment and registration of certain institutions and for the accommodation and care of such persons in such institutions. The Act was amended a number of times before April 1994. Further amendments were made in November 1994 in order to, amongst others, repeal certain discriminatory provisions and in November 1998 in order to provide for the establishment of management committees for homes for the aged, to require reporting on the abuse of aged persons and to regulate the prevention of the abuse of aged persons. The Department is currently drafting a Bill on the status of older persons.

Fund-raising Act, 1978

The Fund-raising Act, 1978 that provided for control of the collection of contributions from the public and for the establishment of various relief funds was, except for the relief fund chapter thereof, repealed in 1997 by the Nonprofit Organisations Act, 1997. The Department is in the process of amending the remaining part of the Act.

Social Service Professions Act, 1978

This Act, formerly known as the Social Work Act, provides for the establishment of the South Africa Council for Social Work and defines its powers and functions. The Act was amended on a number of occasions – in 1995 it provided for the establishment of the South African Interim Council for Social Work and for the rationalisation of certain laws relating to social workers that remained in force in the various areas of the national territory of the Republic. The Act was also amended in 1996 in order to make the South African Interim Council for Social Work more representative of the people of the country. The 1998 amendment established the South African Council for Social Service Professions and professional boards for social service professions.

Child Care Act, 1983

The Child Care Act, 1983 which provides for the establishment of children's courts and the appointment of commissioners of child welfare, for the protection and welfare of certain children, for the adoption of children and for the establishment of certain institutions for the reception of children and for the treatment of children after such reception, was amended in 1996 to provide for legal representation for children and for the registration of shelters. The 1998 amendment provided for the rights of certain natural fathers where the adoption of their children born out of wedlock has been proposed and for certain notice to be given. The 1999 amendment provided for the establishment of secure care facilities and for the prohibition against the commercial sexual exploitation of children. The Department and the South African Law Commission is currently preparing new comprehensive children's legislation.

Probation Service Act, 1991

This Act provides for the establishment and implementation of programmes aimed at the combating of crime and for the rendering of assistance to and treatment of certain persons involved in crime. A new amendment Bill has been prepared, which will be introduced in Parliament during April 2002.

Prevention and Treatment of Drug Dependency Act, 1992

This Act provides for the establishment of a Central Drug Authority, the establishment of programmes for the prevention and treatment of drug dependency, the establishment of treatment centres and hostels, the registration of institutions as treatment centres and hostels and the committal of certain persons to and their detention, treatment and training in such treatment centres or registered treatment centres. The Act was amended in 1996 to extend the application of the Act to the whole of the national territory of the Republic and in 1999 to establish the Central Drug Authority.

Social Assistance Act, 1992 and Welfare Laws Amendment Act, 1997

The Social Assistance Act, 1992 provides for the rendering of social assistance to persons, national councils and welfare organisations. The Act was amended in 1994 to further regulate the making of grants and financial awards to certain persons and bodies. In 1997 the Welfare Laws Amendment Act, 1997 amended the Social Assistance Act, 1992 in order to provide for uniformity of, equality of access to, and effective regulation, of social assistance throughout the Republic, to introduce the child-support grant, to do away with capitation grants, to abolish maintenance grants subject to the phasing out of existing maintenance grants over a period not exceeding three years, to provide for the delegation of certain powers, and to extend the application of the provisions of the Act to all areas in the Republic.

Non-profit Organisations Act, 1997

This Act repealed the Fund-raising Act, 1997, excluding the chapter, which deals with the relief funds, and provided for an environment in which nonprofit organisations can flourish. The Act also established an administrative and regulatory framework within which nonprofit organisations can conduct their affairs. The Act was amended in 2000 to effect certain textual alterations.

Advisory Board on Social Development Act, 2001

The Act provides for a national advisory structure in the social development sector with the aim of building and consolidating partnership between government and civil society and for that purpose, to establish a body to be known as the Advisory Board on Social Development.

White Paper for Social Welfare (1997)

The White Paper sets out the principles, guidelines, proposed policies and programmes for developmental social welfare in South Africa. As the primary policy document, the White Paper serves as the foundation for social welfare in the post 1994 era.

White Paper Population Policy for South Africa (1998)

The White Paper aims to promote the integration of population issues in development planning with the view to achieving sustainable human development. The Department of Social Development is responsible for monitoring population trends and for supporting national, provincial and local spheres of government through capacity building, research and information dissemination on population issues.

Conclusion