



**South Africa's second Country Report to the
African Committee of Experts on the Rights
and Welfare of the Child on the African Charter
on the Rights and Welfare of the Child**

(Reporting period: May 2013 to May 2016)

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REPUBLIC OF SOUTH AFRICA

MINISTER'S FOREWORD

The Government of the Republic of South Africa is pleased to present the Second State Party Report to the African Union's Committee of Experts on the Rights and Welfare of the Child since the presentation of the Initial Country Report in May 2013.

The Second State Part Report provides information and data on the implementation of policies and legislation on the protection and promotion of children's rights in line with the Children's Charter. While we acknowledge that challenges relating to the violation of children's rights still prevails, the State has taken additional measures to protect the rights and welfare of children and improve their wellbeing through an overarching legal, policy and administrative framework aimed at enhancing the children's survival and development and realising their right to education, protection and participation. Of greater significance in this reporting period, the State has also ratified and recognised the economic, social and cultural rights of children.

As a country, we acknowledge that education is an important instrument in equalising the individuals' life chances. The National Development Plan prioritises Early Childhood Development (ECD), which forms the bedrock of the education system. In this regard, various interventions continue to be strengthened, also budgetary allocations increased to ensure that children in rural areas as well as children with disabilities access the services.

South Africa continues with its commitment to improve on the implementation of the African Charter on the Rights and Welfare of the Child and other International and Regional treaty obligations intended to realise the children's rights.

South Africa is proud to present this Report in memory of our late former State President, Mr Nelson Mandela who said:

“There can be no keener revelation of a nation's soul than the way it treats its children.”

Lastly, as a country, we endeavour to continue to work hard to make South African a better place for all of our children.



MS BATHABILE DLAMINI

MINISTER OF THE DEPARTMENT OF SOCIAL DEVELOPMENT

EXECUTIVE SUMMARY

This is the State's Second Country Report on measures taken to give effect to the provisions of the African Charter on the Rights and Welfare of the Child (Children's Charter) between 2013 and 2016.

GENERAL MEASURES OF IMPLEMENTATION

The State continues to strengthen legislative and policy framework to ensure that children's rights are protected and realised in line with the Children's Charter.

The legal developments include the ratification of the International Convention on Economic, Social, and Cultural Rights; the passing of the Prevention and Combating of Trafficking in Persons Act; the Prevention and Combating of Torture of Persons Act; and the Protection from Harassment Act. These laws give effect to some of the most fundamental human rights contained in the Constitution of the Republic of South Africa Act, 1996, and the Children's Charter.

Numerous developments were made to address and reduce maternal and child mortality. The provision of comprehensive social security, including income support and a safety net for the poor, remains a cornerstone of the fight against poverty and inequality, especially among children.

DEFINITION OF THE CHILD

The State has taken measures to address issues relating to the definition of the child. While different policies and legislation have different age limits, which permit children to engage in certain activities, some of the sections in various Acts were amended in order to strengthen efforts towards the realisation of children's rights. These include amendment of sections of the Sexual Offences Act and the Basic Conditions of Employment Amendment Act. However, more work is in progress to ensure that policies aimed at the protection and promotion of children's rights are developed.

GENERAL PRINCIPLES

Several developments have been made in implementing policies and programmes to ensure that children's rights to survival, protection, development, non-discrimination and participation are realized. While violence against children remains a challenge, the State has provided protective measures in related legislation to promote the best interest of the child and also respect the views of the child.

The National Development Plan and Outcome Priorities for children are also aligned to the obligations of the Children's Charter and implementation is done by different Departments across all sectors.

CIVIL RIGHTS AND FREEDOMS

The rights of children to name and nationality, freedom of expression, thought, religion association and peaceful assembly are encapsulated in the the Bill of Rights in the Constitution of South Africa. The children born in South Africa are required to be registered within 30 days and the State issues to foreign nationals, acknowledgement of birth, which is a certificate that confirms that the child is born in South Africa

The State provide documentation to refugee children, migrant children and unaccompanied minors in line with the provisions of the legislation and policies in South Africa. Asylum seeking and refugees children are assisted to apply for their status and unaccompanied, foreign trafficked children are assisted to be repatriated to their country of origin.

ECONOMIC SOCIAL AND CULTURAL RIGHTS

The State has made progress in implementing measures aimed at improving the right to education which includes incorporation of home language training, construction of schools and basic infrastructure in the rural areas and promotion of leisure, recreation and cultural activities in schools. Developments have been made in improving efforts to strengthen the rights of children with disabilities. The *White Paper on the Rights of Persons with Disabilities* provides policy direction for inclusion of persons with disabilities in critical services.

The provision of accessible health services have been improved and through National Health Insurance (NHI) the State provide essential healthcare to all South Africans regardless of their ability to make direct monetary contributions. The percentage of households with access to piped water also increased. While commendable progress has been made on the treatment aspect of HIV and AIDS, challenges in relation to prevention, age-appropriate reproductive health education, as well as condom use remain prevalent.

FAMILY ENVIRONMENT AND ALTERNATIVE CARE

The State recognises the family as the fundamental unit of society and through the *White Paper on Families*, measures to strengthen the families have been taken to address social ills, such as teenage pregnancy, absent fathers, substance and drug abuse, violence against women and children, and HIV and AIDS.

Progress have been made in Early Childhood Development (ECD) Policy, which recognises ECD as a public good and in this regard budget has been increased. The

maintenance of children continue to be enforced and the State has put in place effective and efficient measures for the management of maintenance matters.

Implementation of the Children's Act has also improved services for orphans and vulnerable children by providing various responses, which include placements in foster care, child and youth, care centres, Child headed households and adoption to ensure protection for all children.

PROTECTION OF CHILDREN IN MOST VULNERABLE SITUATIONS

The State has made taken measures to protect children in most vulnerable situations such as children with disabilities, children in situations of economic exploitation, sexual exploitation, trafficking and abduction, drug abuse, and street situations. While the State has put in place the Plan of Action for Anti-Substance Abuse, challenges relating to substance abuse still prevails. The National Drug Master Plan 2013 – 2017 (NDMP) has been developed and implemented to address this problem.

In addition, progress has been made through the establishment of the Gender-Based Violence Command Centre, Child Labour PoA, Code of Conduct for the Protection of Children from Sexual Exploitation (The Code) and the National Action Plan to Combat Racism, Racial Discrimination, Xenophobia, and Related Intolerance.

HARMFUL PRACTICES

The State has made progress in discouraging harmful social and cultural practices against children. The practice of Ukuthwala received significant attention, the South African Law Reform Commission also published a Discussion Paper on Ukuthwala in 2014, and public hearings were conducted nationally

While the death and mutilation of boys because of botched circumcision remains, a challenge it is being addressed through the development of a draft framework on prevention and early intervention programmes. The practice of mutilating children for purposes of muthi is also addressed. Through SAPS as well as the traditional healers, traditional leaders, communities mobilisation is done and negative social impact of that particular practice are indicated. The protection of children with albinism continues and the State convened the first national conference of persons with Albinism in 2014.

CHILD JUSTICE

While significant progress has been made in the implementation of the Child Justice Act, its success depends largely on the support for and acceptance of children who are in conflict with the law by their parents and their communities. The Child Justice Act has been in operation for five years and the need has been identified to commission research into the impact of the Act since its implementation It is imperative to inform the public and the media about the Act and its benefits since public education serves as the critical tool of crime prevention.

The Prevention and Combating of Torture of Persons Act and the Criminal Law (Sexual Offences and Related Matters) Amendment Act are have also strengthened efforts to protection of children's rights.

RESPONSIBILITIES OF THE CHILD

The State has made progress in empowering children about their rights and responsibilities. The issues relating to bullying, cyber bullying, substance use and drug abuse, dangerous weapons, sexual offenses, xenophobia, occult-related crimes, gangsterism, and the necessity to report all forms of child abuse are discussed to instil responsible behaviour patterns among children.

A publication of the Slimline Constitution entitled Basic Provisions of the Constitution Made Easy for Learners was developed and launched in order to bring contents of the Constitution to children. The children are also afforded an opportunity to participate in the Children's Parliament where they discuss issues affecting on their rights.

TABLE OF CONTENTS

MINISTER'S FOREWORD	2
EXECUTIVE SUMMARY	4
TABLES AND FIGURES	10
ABBREVIATIONS AND ACRONYMS	12
PART 1: GENERAL INFORMATION.....	15
PART 2. GENERAL MEASURES OF IMPLEMENTATION	15
2.1 CONSTITUTIONAL, LEGISLATIVE AND POLICY FRAMEWORK.....	15
2.2 INSTITUTIONAL FRAMEWORK FOR THE PROMOTION AND PROTECTION OF THE RIGHTS AND WELFARE OF THE CHILD.....	17
2.3 BUDGETARY ALLOCATION AND ACTUAL EXPENDITURE	18
2.4 COOPERATION WITH NON-STATE ACTORS.....	18
2.6 DISSEMINATION OF THE CHARTER AND PREVIOUS CONCLUDING OBSERVATIONS	20
2.7 ALLOCATION OF RESOURCES	21
2.8 TRAINING OF PROFESSIONALS WORKING WITH AND FOR CHILDREN.....	21
2.9 STEPS TO MAKE THE PROVISIONS OF THE CHILDREN'S CHARTER WIDELY KNOWN	28
PART 3: DEFINITION OF THE CHILD	29
3.1 THE AGE OF MAJORITY	29
3.2 AGE OF MARRIAGE	29
3.3 AGE OF CONTRACTING AND LITIGATING.....	29
3.4 AGE OF SEXUAL CONSENT	29
3.5 AMENDMENT OF SECTION 15 AND 16 OF THE SEXUAL OFFENCE ACT.....	30
3.6 AGE OF IMPACTING ON CUSTOMARY LAW	30
3.7 AGE OF ALCOHOL AND GAMBLING	30
3.8 MINIMUM AGE OF CHILD LABOUR	31
3.9 MINIMUM AGE FOR RECRUITMENT INTO THE DEFENCE FORCE	31
3.10 MINIMUM AGE FOR CONSENTING TO MEDICAL TREATMENT AND HEALTHCARE	31
3.11 AGE OF CRIMINAL CAPACITY AND SENTENCING	31
3.12 MINIMUM AGE OF CRIMINAL RESPONSIBILITY	32
3.13 NUMBER AND PROPORTION OF CHILDREN IN SOUTH AFRICA.....	33
PART 4: GENERAL PRINCIPLES	33
4.1 NON-DISCRIMINATION.....	33
4.2 BEST INTEREST OF THE CHILD	36
4.3 THE RIGHT TO LIFE, SURVIVAL AND DEVELOPMENT.....	36
4.4 RESPECT FOR THE VIEWS OF THE CHILD	38
PART 5: CIVIL RIGHTS AND FREEDOMS.....	39
5.1 NAME AND NATIONALITY	39
5.2 THE RIGHT AND FREEDOM OF THE CHILD	39
5.3 FREEDOM OF THOUGHT, CONSCIENCE AND RELIGION.....	43
5.4 FREEDOM OF ASSOCIATION AND OF PEACEFUL ASSEMBLY	43
5.5 PROTECTION OF PRIVACY.....	43
5.6 PROTECTION AGAINST CHILD ABUSE AND TORTURE	43

PART 6. ECONOMIC SOCIAL AND CULTURAL RIGHTS	45
6.1 RIGHT TO EDUCATION.....	45
6.2 LEISURE, RECREATION AND CULTURAL ACTIVITIES.....	51
6.3 HEALTH AND WELFARE.....	52
PART 7: FAMILY ENVIRONMENT AND ALTERNATIVE CARE	58
7.1 PROTECTION OF THE FAMILY	58
7.2 PARENTAL CARE AND PROTECTION	59
7.3 PARENTAL RESPONSIBILITIES	62
PART 8: PROTECTION OF CHILDREN IN MOST VULNERABLE SITUATIONS.....	66
8.1 CHILDREN WITH DISABILITIES	66
8.2 CHILDREN IN SITUATIONS OF ECONOMIC EXPLOITATION AND ABUSE	69
8.4 CHILDREN IN ARMED CONFLICT	72
8.5 CHILDREN OF IMPRISONED MOTHERS.....	72
8.6 CHILDREN IN SITUATIONS OF SEXUAL EXPLOITATION	73
8.7 CHILDREN IN SITUATIONS OF DRUG ABUSE.....	75
8.8 CHILDREN IN SITUATIONS OF SALE, TRAFFICKING AND ABDUCTION	79
8.9 CHILDREN IN STREET SITUATIONS.....	80
PART 9 HARMFUL PRACTICES	80
PART 10 CHILD JUSTICE	83
10.1 MEASURES TAKEN TO ENSURE THAT CHILDREN DEPRIVED OF THEIR LIBERTY ARE NOT SUBJECTED TO TORTURE.....	83
10.2 REPORTED DROP IN CHILDREN THAT ARE DIVERTED	83
10.3 MEASURES TAKEN TO ENSURE THAT CHILDREN ARE SEPARATED FROM ADULTS IN THEIR PLACE OF DETENTION	84
10.4 LEGAL ASSISTANCE AND FAIR TRIAL GUARANTEES	85
PART 11: RESPONSIBILITIES OF THE CHILD	87
11.1 MEASURES TAKEN TO ENSURE RESPONSIBILITIES OF THE CHILD	87
PART: 12 ANNEXURE 1: ADDITIONAL STATISTICAL INFORMATION	88
GENERAL MEASURE OF IMPLEMENTATION	88
DEFINITION OF THE CHILD.....	92
GENERAL PRINCIPLES	93
CIVIL RIGHTS AND FREEDOM.....	94
ECONOMIC, SOCIAL AND CULTURAL RIGHTS.....	96
FAMILY ENVIRONMENT AND ALTERNATIVE CARE.....	110
PROTECTION OF CHILDREN IN MOST VULNEARABLE SITUATIONS.....	112
CHILD JUSTICE.....	120

PART 13: ANNEXURE 2 – SUPPLEMENTARY INFORMATION	126
THE MAINTENANCE ENFORCEMENT STRATEGY	128
HUMAN TRAFFICKING CASE STUDIES	129
SPORT AND RECREATION	131
THE VIEWS AND VOICES OF CHILDREN	134

TABLES AND FIGURES

- Table 1: Number of children reached during Child Protection Week
- Table 2: Fraud and corruption cases 2015/16 financial year
- Table 3: Suspensions, dismissals and convictions
- Table 4: Children-related programmes allocation
- Table 5: Children-related programmes allocation: provinces
- Table 6: Budget 2015/16 – 2016/17 (Health)
- Table 7: Number of children receiving child grant and budget for all grants
- Table 8: Number of trainings and capacity building on Child Justice Act
- Table 9: Children aged 0 – 18 years in South Africa per province and calendar year
- Table 10: Breakdown of children's age groups
- Table 11: Number of shelters for children working and/or living in the streets
- Table 12: Number of child witnesses assisted
- Table 13: Number of cases reported at Thuthuzela care centres
- Table 14: Refugee beneficiaries receiving child support grant per province
- Table 15: Enrolment in primary schools (grades 1 – 7)
- Table 16: Enrolment in secondary schools (grades 8 – 12)
- Table 17: Children out of school
- Table 18: Enrolment in special needs schools
- Table 19: Percentage of 15 to 24-year-olds who completed Grade 7 and above, 2004-2014 (primary completion)
- Table 20: The teacher-pupil ratio
- Table 21: The number and percentage of repetitions
- Table 22: Rates of infant and child mortality
- Table 23: Percentage of children who died whose deaths were associated with HIV infection and with severe malnutrition, child PIP data, 2010 – 2013
- Table 24: Percentages of one-year-olds fully immunised
- Table 25: The proportion of pregnant women provided with HIV Prevention-of-Mother-to-Child-Transmission (PMCT) services and the percentage of children born with HIV
- Table 26: The proportion of pregnant women who have access to, and benefit from, prenatal and post-natal healthcare
- Table 27: Number of maternal deaths: South Africa
- Tables 28: Comparison of underlying causes of maternal death, as well as per age
- Table 29: Causes of maternal deaths per age
- Table 30: Post-exposure prophylaxis is for child rape survivors April 2014 – March 2015 and April 2015 – March 2016
- Table 31: Weekly target for mobile marketing campaign is 500 registrations per week
- Table 32: Number of drop-in centres per province
- Table 33: Integrated school health services
- Table 34: Reducing HIV and AIDS infection
- Table 35: Adolescent and youth-friendly services
- Table 36: Mean weight and height among male participants aged 0 – 14 years, by age, locality, province, and race, South Africa 2013 (SANHNE)
- Table 37: Mean weight and height among female participants age 0 – 14 years by age, locality, province and race, South Africa 2013 (SANHNE)
- Table 38: Access to sanitation by province
- Table 39: Access to water by province

- Table 40: Children living in child-headed households
- Table 41: Number of children in need of care and protection placed in funded child and youth care centres
- Table 42: Children placed with foster families
- Table 43: Types of children's institutions and total number as per category
- Table 44: Average number of sentenced children in correctional facilities
- Table 45: Breakdown of the maintenance statistics 2011 to 2016
- Table 46: Number of adoptions registered per adoption type
- Table 47: Disabled children by province
- Table 48: Children with disability aged 5 – 18 with seeing difficulty
- Table 49: Children with disability aged 5 – 18 with hearing difficulty
- Table 50: Children with disability aged 5 – 18 with walking difficulty
- Table 51: Children with disability aged 5 – 18 with remembering difficulty
- Table 52: Children with disability aged 5 – 18 with self-care difficulty
- Table 53: Children with disability aged 5 – 18 with communication difficulty
- Table 54: Disabled children attended school by province
- Table 55: The number of asylum-seeker and refugee children registered under sections 22 and 24, which apply to asylum seekers and refugees.
- Table 56: Refugee beneficiaries receiving Foster Child Grant per province
- Table 57: Statistics of babies in DCS from January 2012 to August 2016
- Table 58: Consolidated information of trafficking in persons for 2014/15
- Table 59: Number of children legally represented by Legal Aid South Africa during preliminary inquires
- Table 60: Reported cases of children charged by the South African Police Service
- Table 61: Number of children in secure care centers
- Table 62: Provincial breakdown of numbers of children in secure care centres
- Table 63: Preliminary inquiries
- Table 64: Bail and placement of children alleged to have committed offences
- Table 65: Number of crimes against children reported to the police
- Table 66: Outcome of trials in the child justice courts
- Table 67: Types of sentences
- Table 68: Average number of sentenced children in correctional facilities
- Table 69: Children: Top crimes as the only charge
- Table 70: The top four crime charges for all the remand detainee children including all their cases for the three snap shots
- Table 71: No of children legally represented
- Table 72: Summary of the training interventions in South African Police Services
- FIGURES**
- Figure 1: Number of children aged 0 – 18 years in South Africa per calendar year
- Figure 2: Number of children by age group
- Figure 3: Number of registrations between 0 – 30 days
- Figure 4: Number of registrations between 31 days to 14 years
- Figure 5: Number of late registration of births 15 years and above
- Figure 6: Overall birth registration per year 2010 – 2016
- Figure 7: Weekly target for mobile marketing campaigns
- Figure 8: Accumulative users
- Figure 9: Weekly registrations
- Figure 10: Reported cases of children charged by the South African Police Service (SAPS) per province

ABBREVIATIONS AND ACRONYMS

ACERWC	African Committee of Experts on the Rights and Welfare of the child
AIDS	Acquired Immunodeficiency Syndrome.
ART	Antiretroviral treatment
ASIDI	Accelerated Schools Infrastructure Delivery Initiative
ASSA	Albinism Society of South Africa
AU	African Union
CARMA	Commission on Accelerated Reduction of Maternal, Newborn and Child Mortality in South Africa
CAT	Convention against Torture
CCTV	Closed Circuit Television
CEMD	Confidential Enquiries into Maternal Deaths
CHH	Child-headed Household
CoGTA	Cooperative Governance and Traditional Affairs
CoMMIC	Committee on Morbidity and Mortality in Children
CPR	Child Protection Register
CRC	Convention on the Rights of the Child
CRPD	Convention on the Rights of Persons with Disabilities
CSEC	Commercial Sexual Exploitation of Children
CSG	Child Support Grant
CSO	Civil Society Organisation
CWP	Community Works Programme
CYCC	Child and Youth Care Centre
DAC	Department of Arts and Culture
DBE	Department of Basic Education
DCS	Department of Correctional Services
DEA	Department of Environmental Affairs
DG ISCCI	Directors-General Intersectoral Committee
DHA	Department of Home Affairs
DHI	District Health Information
DIC	Drop-in centre
DIRCO	Department of International Relations and Cooperation
DoH	Department of Health
DoJ&CD	Department of Justice and Constitutional Development
DoL	Department of Labour
DoT	Department of Transport
DPIC	Directorate of Priority Crime Investigations
DPME	Department of Performance, Monitoring and Evaluation
DQA	Development Quality Assurance
DSR	Department of Sport and Recreation
DSD	Department of Social Development
DTA	Department of Traditional Affairs
ECD	Early Childhood Development
EFT	Electronic Funds Transfer
EPWP	Expanded Public Works Programme
FCG	Foster Child Grant
FCS	Family Violence, Child Protection, and Sexual Offences
FDC	Fixed Dose Combination
FET	Further Education and Training
FHI	Family Health International

GBEM	Girls and Boys Education Movement
GBV	Gender-based Violence
GCBS	Government Capacity Building Support
HIV	Human Immunodeficiency Virus
IC	Ideal Clinic
ICERD	International Convention on the Elimination of all forms of Racial Discrimination
ICSM	integrated clinic services management
ID	Identity Document
IDF	International Day for Families
IIAL	Incremental Introduction of African Languages
IJS	Integrated Justice System
ILO	International Labour Organization
IMCI	Integrated Management of Childhood Illness
IMC-VAWC	Inter-Ministerial Committee on Violence against Women and Children
IMD	International Men's Day
iMMR	Institutional Maternal Mortality Ratio
ISCCJ	Intersectoral Committee for Child Justice
ISHP	Integrated School Health Programme
ISS	International Social Services
KZN	KwaZulu-Natal
LiEP	Language in Education Policy
LRB	Late registration of births
MBFI	Mother-Baby Friendly Initiative
MDG	Millennium Development Goal
M&E	Monitoring and Evaluation
MUAC	mid-upper arm circumference
NACCW	National Association of Child and Youth Care Workers
NACH	National Anti-Corruption Hotline
NAPTOSA	National Professional Teachers' Organisation of South Africa
NCCEMD	National Committee for Confidential Enquiry into Maternal Deaths
NDP	National Development Plan
NDMP	National Drug Master Plan
NGO	Non-Governmental Organisation
NHI	National Health Insurance
NICRO	National Institute for Crime Prevention and the Reintegration of Offenders
NPA	National Prosecuting Authority
NPO	Non-Profit Organisation
NPR	National Population Register
NPRI	non-pregnancy related infections
NRSO	National Register for Sex Offenders
NSNP	National School Nutrition Programme
NSSF	National School Safety Framework
OHCHRH	Office of the High Commissioner for Human Rights
OHSC	Office of Health Standards Compliance
OPAC	Optional Protocol on the Involvement of Children in Armed Conflict
OPSC	Optional Protocol on the sale of children, child prostitution, and pornography
PCR	Polymerase chain reaction
PHC	Primary Healthcare
PEIP	Prevention and early intervention programmes

PFMA	Public Finance Management Act
PMTCT	Prevention of mother-to-child transmission
PoA	Programme of Action
RACAP	Register on Adoptable Children and Prospective Adoptive Parents
SADC	Southern African Development Community
SAHRC	South African Human Rights Commission
SIAS	screening, identification, and assessment and support
SALRC	South African Law Reform Commission
SANAC	South African National AIDS Council
SANParks	South African National Parks
SASSA	South African Social Security Agency
SASCE	South African Schools Eisteddfod
SASL	South African Sign Language
SAPS	South African Police Service
SGB	School Governing Body
TB	Tuberculosis
TCC	Thuthuzela Care Centre
TIP	Trafficking in Persons
UNICEF	United Nations Children's Fund
UNISA	University of South Africa
USAID	United States Foreign Aid Spending
WBOTS	Word-based outreach teams
WHO	World Health Organization
YOLO	You Only Live Once Programme

PART 1: GENERAL INFORMATION

1. The Government of the Republic of South Africa is pleased to present to the African Union (AU) Committee of Experts on the Rights and Welfare of the Child (the committee) the report under the African Charter on the Rights and Welfare of the Child (Children's Charter), which South Africa ratified in 2000.
2. The purpose of the report is to indicate the steps South Africa took between May 2013 and May 2016 to ensure the fulfilment of its obligations to children as articulated in the Children's Charter.
3. The report outlines progress that was made on the implementation of policies and legislation on the promotion, protection, and realisation of children's rights. The report also recognises that achieving this purpose is premised on the continuous and progressive efforts to strengthen implementation of programmes and projects that are aimed at promoting the rights of children.
4. The Articles of the Children's Charter and the concluding recommendations of the Committee of Experts on the Rights and Welfare of the Child (concluding recommendations) inform the content and structure of the report.
5. The Government of South Africa acknowledges the concluding recommendations, which were received in January 2015 subsequent to presentation of South Africa's Initial report in October 2014.
6. The report incorporates the concerns, which were alluded to by the committee in the concluding recommendations and indicate measures taken to make progress in order to give effect to the Articles in the Children's Charter.

PART 2. GENERAL MEASURES OF IMPLEMENTATION

2.1 Constitutional, legislative and policy framework

7. South Africa's legal and policy framework is more harmonised with the provisions of the Children's Charter. During the reporting period, the Bills and laws that were promulgated to enhance the protection and promotion of children's rights are as follows:
 - a) Basic Conditions of Employment Amendment Act, 2013 (Act 20 of 2013). The Act makes provision for the prohibition and regulation of child labour, which have been extended to cover all work by children and not only work by children as employees, to achieve full compliance with South Africa's obligations under the relevant international labour

standards; create consistency with the Constitution and other legislations protecting the rights of children.

- b) Prevention and Combating of Trafficking in Persons Act, 2013 (Act 7 of 2013). The Act gives effect to the obligations concerning the trafficking of persons in terms of international agreements and to provide for other offences associated with trafficking in persons.
 - c) Prevention and Combating of Torture of Persons Act, 2013 (Act 13 of 2013) (the Torture Act). The Torture Act acknowledges that torture is not limited to physical acts of violence that cause pain or suffering, but that torture can also be a mental anguish that may not include any form of physical pain. For torture to be prosecuted the intention of the torture must have been for extracting information or a confession, as a punishment, as a means of intimidation or coercion, or as an act based on discrimination. The Act also ensures that there are no exclusions or defences for the act of torture.
 - d) The Traditional and Khoi-San Leadership Bill of 2015, which makes provision for the transformation of traditional leadership to be in line with the principles contained in the Bill of Rights.
 - e) The President signed the Maintenance Amendment Act, 2015 (Act 9 of 2015) into law on 7 September 2015. The aim of the Amendment Act is to amend the Maintenance Act to improve the maintenance system in South Africa.
 - f) The International Convention on Economic, Social, and Cultural Rights was ratified in January 2015. The Government of South Africa, through the Department of Traditional Affairs (DTA), has since developed the Traditional and Khoi-San Leadership Bill in 2015.
 - g) The Protection from Harassment Act, 2011 (Act 17 of 2011) came into operation on 27 April 2013. The Act is designed to give effect to some of the most fundamental human rights contained in the Constitution of the Republic of South Africa, such as the right to privacy or the right to human dignity, amongst others. The purpose of this Act is to provide for the issuing of protection orders against harassment and to afford victims of harassment with an effective remedy against such conduct and introduces processes, which will enable the relevant organs of state to give full effect to the provisions of this Act. The Act applies to every single individual in the country.
8. The Government of South Africa has also introduced several policies, programmes and action plans relating to the fulfilment of children's rights, which include:
- a) The *White Paper on the Rights of Persons with Disabilities*, which was approved by Cabinet in 2015. This provides policy direction for government in ensuring inclusion of persons with disabilities in critical services. Children with disabilities have been identified as a compounded vulnerable group.

- b) A government-wide early childhood development (ECD) policy was developed in consultation with a range of stakeholders and has been approved by Cabinet in 2015. The main objectives of the policy are to ensure that comprehensive, quality ECD services are in close proximity and equitably accessible to all children and their caregivers, and to enable parents to lead and participate in the development of their young children with these services.
- c) The National Drug Master Plan (NDMP) 2013 – 2017 of South Africa was formulated by the Central Drug Authority in terms of the Prevention and Treatment of Drug Dependency Act, 1992 (Act 20 of 1992), as amended, as well as the Prevention of and Treatment for Substance Abuse Act, 2008 (Act 70 of 2008), as amended, and approved by Parliament to meet the requirements of the international bodies concerned and at the same time the specific needs of South African communities.
- d) The National Environmental Health Policy of 2013 serves as a broad guideline and provides the framework for the effective implementation of environmental health in South Africa. In addition, the professional board for child and youth-care work has been inaugurated in March 2013, to regulate the child and youth care workers (CYCW).
- e) Government is in the process of developing a Child Protection Policy, which shall be preceded by the review of the Children's Act. The DSD is working towards finalising the policy, which will lead to the amendment
- f) of the Children's Act.

2.2 Institutional framework for the promotion and protection of the rights and welfare of the child

- 9. Government has located the coordination functions in the DSD. The department facilitates coordination on the protection and promotion of children's rights in different departments and across all sectors. The DSD is also responsible for coordination, compliance, monitoring and reporting to the UN and the AU on progress made on the realisation of children's rights, as well as the rights, which include children with disabilities.
- 10. Coordination is also done at different levels and one critical structure is the National Child Care and Protection Forum, which coordinates relevant government departments and NGOs to ensure the implementation of the Children's Act and other related legislation. The National Child Care and Protection Forum was established in terms of sections 4 and 5 of the Children's Act. The forum facilitates intersectoral collaboration, manages the implementation and challenges of the Children's Act, and focuses on capacity building and coordination.
- 11. The National Children's Rights Intersectoral Coordination Committee coordinates and monitors compliance with policies and legislation aimed at the realisation of children's rights across all sectors. The committee holds meetings quarterly and different departments share, deliberate on

achievements, challenges on implementation of policies and legislation on the realisation of children's rights, and further ensures that periodic treaty obligation reports are compiled.

12. The South African Human Rights Commission (SAHRC) is the national institution established to support constitutional democracy. It is committed to promote respect for, observance of and protection of human rights for everyone without fear or favour. Complaints on the human rights violation are lodged with the SAHRC.

2.3 Budgetary allocation and actual expenditure

13. The budget process for provision of services is according to the Public Finance Management (PFMA) Act, 1999 (Act 1 of 1999), which promotes good financial management through coherent, efficient, effective, and transparent utilisation of limited resources to maximise service delivery.

14. The National Budget Plan 2015 indicates that over the next three years government will spend an additional 7,9% per year, increasing expenditure from R1,24 trillion in 2014/15, to R1,56 trillion in 2017/18. In this regard, 60% is spent on non-interest expenditure and improvement of social services and poverty alleviation; R647 billion is allocated for basic education, including R36,7 billion on school infrastructure; R502 billion on health with R46,6 billion on HIV and AIDS conditional grant; R489 billion on social protection; R634 billion on local development and social infrastructure, including R145,5 billion on municipal infrastructure; R197 billion on post-school education; and R18 billion on providing free meals to over nine million learners.

15. Government also provides budgets for social grants. The provision of free healthcare services is also protected in the National Health Act, 2003 (Act 61 of 2003), which secures the rights of all children, as well as vulnerable groups (e.g. women, older persons and people with disabilities), to basic nutrition and healthcare services.

2.4 Cooperation with non-state actors

16. The Government of South Africa continues to work in cooperation with non-state actors including with Civil Society Organisations (CSO) and non-governmental organisations (NGOs) across all sectors. CSOs are involved in the implementation of the Children's Act, the Child Justice Act and the Prevention and Combating of Trafficking in Persons Act, and are obliged to implement according to their respective mandates. This involvement is strengthened by service-level agreements that CSOs sign with government entities.

17. In **Concluding Recommendation 13**, the committee recommends that the State Party devise a more inclusive and participatory process to involve CSOs in the development and implementation of policies, laws, budgets and programmes, that affect the realisation of children's rights.

Inclusive and participatory process to involve CSOs

18. Government, through forums, has established the National Child Care and Protection Forum, the National Operational Intersectoral Committee, Operational Intersectoral Committee on sexual offences, the National Children's Rights Intersectoral Coordination Committee, as well as the Directors-General (DGs) Intersectoral Committee on the Management of sexual offences matters, which work in partnership with civil society organisations. These are coordination structures that consist of relevant government departments and NGOs such as, Child Welfare, ChildLine, the National Association of Child and Youth Care Workers; Chubby Chums; Centre for Child Law; and the University of Cape Town's Children's Institute, to ensure the implementation of the Children's Act and other related legislation. This forum meets on a quarterly basis.
19. The NGOs that are working in the child justice sector are involved in the Directors-General Intersectoral Committee for Child Justice (DGs ISCCJ) to provide technical assistance, support, and advice in all matters relating to the execution of the responsibilities, functions, and duties of the DGs ISCCJ, as stipulated in Section 96 of the Child Justice Act, 2008 (Act 75 of 2008). Chapter 9 institutions; NGOs such as the Child Justice Alliance (as an umbrella body for civil society organisations (CSOs) and NGOs); ChildLine; Centre for Child Law; Khulisa Social solutions; and the National Institute for Crime Prevention and the Reintegration of Offenders (NICRO). Some of these NGOs are also represented.
20. Both national operational intersectoral committees are primarily responsible for the national planning and monitoring of all interventions and the development of departmental annual reports. The active participation of civil society organisations in these governance structures therefore keeps government abreast of challenges experienced at community level and ensures the collective response to and prevention of the violation of the rights of children in South Africa. Implementing departments and NGOs engage in awareness raising campaigns and capacity building of stakeholders within the children's sector on the promotion of children's rights in line with the Children's Charter.
21. UN agencies such as UNICEF, United States Foreign Aid Spending (USAID), and Save the Children provide technical support on the promotion of children's rights. UNICEF is involved in the development of the National Integrated ECD Policy and the National ECD Comprehensive Programme as well as programmes on prevention of violence against women and children, abuse, neglect and exploitation of children in general. USAID through their subsidiary, Family Health International (FHI) 360, seconded a technical advisor for ECD for two years effective from July 2001, supported Component 5 of Government Capacity Building Support (GCBS). Through the support of USAID, the Child Protection System is currently being reviewed, and an improvement plan is being developed and costed for resourcing. Technical support has been received in kind from

Save the Children on the management of unaccompanied and migrant children in South Africa.

2.5 Implementation of relevant programmes, action plans and policies of the African Union (AU)

22. In terms of implementation of the Campaign on Accelerated Reduction of Maternal, Newborn and Child Mortality in Africa (CARMMA), significant progress has been made in the reduction of maternal and child mortality between 2009 and 2015. The institutional Maternal Mortality Ratio has declined from 190/100 000 live births to 130/100 000 live births in 2015 and under mortality has declined from 56/1000 live births in 2009 to 39/1000 live births in 2014.
23. In 2014, about one-quarter of deaths (23.4%) were reported to be due to neonatal causes, while gastro-enteritis (14%) and acute respiratory infections (mostly pneumonia) (9%) were the next most important. Non-natural causes (7.3%), malnutrition (4.7%); congenital abnormalities (4.9%) and tuberculosis (1.4%) were other major contributors. Most non-natural deaths were ascribed to drowning, burns, and electrocution. With regard to infants that tested Polymerase chain reaction (PCR) positive for the first time around six weeks after birth as a proportion of all infants, the national target of 1, 5% or less was achieved during 2015/16.
24. The Call for Accelerated Action on the implementation of the Plan of Action towards Africa Fit for Children is implemented through legislation and policies on the protection and promotion of children's rights. The focus is on improving the wellbeing of children through overall legal, policy and administrative framework; enhancing life chance; overcoming AIDS; realising the right to education; realising the right to protection; and participation of children and in this regard progress is outlined in the report.
25. Government continues to implement the Abuja Call for Accelerated Action towards Universal Access to HIV and AIDS, tuberculosis and malaria services in Africa. Full Immunisation coverage for infants less than one year of age was 89, 2% in 2015/16. In terms of GF; maternal death, which is death occurring during pregnancy, childbirth, and puerperium or within 42 days of termination of pregnancy irrespective of the cause of death (obstetric and non-obstetric) as a proportion of live births, the national target has been achieved as noted above. There are three major reasons for maternal mortality: HIV associated deaths; hypertension; and obstetric haemorrhage. There has been a reduction of HIV associated deaths from 50% (HIV contribution to overall deaths) to less than 30%. Plans are in place to deal with hypertension (introduction of 4 additional visits in the last trimester) and haemorrhage (programme to ensure safe caesarean deliveries).

2.6 Dissemination of the Charter and previous concluding observations

26. State reports are printed and disseminated to national and provincial departments. In addition, reports are disseminated at various forums that are aimed at the promotion of children's rights across all sectors. The charter and the concluding recommendations were also disseminated to stakeholders in government and civil society organisations subsequent to Cabinet approval. Dissemination was done at different forums such as the National Children's Rights Intersectoral Coordination Committee, the Child Care, and Protection Forum as well as the Social Welfare Forum. In addition, workshops on the concluding recommendations were conducted in all provinces between September 2015 and February 2016, and recommendations were disseminated to make the concerns raised in relation to the implementation of the Children's Charter, publicly known.

2.7 Allocation of resources

27. As indicated in the National Budget Plan 2015, over the next three years government will spend an additional 7,9% per year, increasing expenditure from R1,24 trillion in 2014/15, to R1,56 trillion in 2017/18. In this regard, 60% for spending on non-interest expenditure and improvement of social services and poverty alleviation.

- a) basic education was allocated R647 billion, including R36,7 billion on school infrastructure
- b) health was allocated R502 billion, with R46,6 billion on HIV and AIDS conditional grant
- c) social protection was allocated R489 billion; R634 billion on local development and social infrastructure, including R145,5 billion on municipal infrastructure
- d) post-school education was allocated R197 billion and R18 billion on providing free meals to over nine million learners.

2.8 Training of professionals working with and for children

28. In terms of training, a safety and risk assessment tool was completed in 2013 to comply with the provisions of the Children's Act 38 of 2005 in conducting a comprehensive broad risk assessment. Training targeted at departments and NGOs were rolled out in all nine provinces reaching a total number of 452 social workers. Child protection being a specialised field that requires skilled and competent staff; an in-service training manual was developed to enhance the knowledge of newly appointed social workers in the field of childcare. Capacity building was also conducted, targeting adoption service providers on adoptions and international social services reaching 2 000 stakeholders in 2013, 2 000 in 2014 and alternative care was provided to 1 362 social workers across all nine provinces in 2016.

29. The Government of South Africa, stakeholders, and civil society are encouraged by the Committee to prioritise the awareness-raising and communication initiatives to reach out to all communities, especially the most affected. In this regard, the DSD has accessed money from National Treasury

for the training of 10 000 child and youth-care workers over five years, through the Isibindi Programme, with the National Association of Child and Youth Care Workers (NACCW) as a partner. A total of 1 404 child and youth care workers (CYCWs) completed training and received certificates, while 933 CYCWs completed training but are waiting for certificates and 4 564 CYCW learners are still in training.

30. The implementation of the Child Justice Act 75 of 2008 requires specialised skills and knowledge that can be built through specialised skills training intervention. As compared to 2013/14, the number of trained personnel in the DoJ&CD increased from 594 to 913 in 2014/15. This is an increase by 319 personnel, which is due to the training of some of the 113 newly appointed court clerks.
31. The DSD also conducted capacity-development sessions for municipalities on the issues of child friendly municipalities. In 2013, a total of 360 children's focal points were reached nationally. The number increased from 540 in 2014 to 630 in 2015. In 2016, 80 focal points were reached in North West and 60 in Mpumalanga.
32. In addition, the DSD conducted capacity building on parenting and caregiver programmes in 2014, whereby 180 stakeholders were reached in three provinces. Training on the Children's Act norms and standards was conducted in 2013/14 and 660 stakeholders were reached. The training also included Partial Care Strategy, Consultations on guidelines for partial care and ECD as well as comprehensive funding models. The training was also done in provinces in 2015 and benefited 232 participants while the outcomes of the ECD Audit benefited 510 participants. In 2014, consultations on the development of the policy were done in provinces in partnership with the disability sector whereby 432 participants were reached. In addition, the Integrated PoA for ECD, Integrated ECD Policy, and Comprehensive ECD Programme were consulted in 2016 and has reached 591 participants.
33. Training manuals for prosecutors on child justice and sexual offences were developed, and between 2013 and 2016 a total of 236 prosecutors attended training sessions conducted on the Child Justice Act In line with the Criminal Law (Sexual Offences and Related Matters) Amendment Act, 2007 (Act 32 of 2007). The training conducted between 2013 and 2016 benefited a total of 453 prosecutors. Training was also undertaken on issues of child trafficking, child labour, child pornography and commercial sexual exploitation of children, with social workers, social service practitioners, the South African Police Services (SAPS), departments of home affairs (DHA), labour (DoL), health (DoH), correctional services (DCS), officials from the Premiers' offices, and tertiary institutions. In addition, the NPA's Sexual Offences and Community Affairs Unit also developed with relevant departments an integrated training manual for stakeholders involved at the TCCs.
34. South Africa Police Services conducted training on the Child Justice Act, 2008 (Act No 75 of 2008) by July 2016, the total number of members who participated was 51 445. The training provide members with the social context

and insight into the situation of children in conflict with the law, Child Justice Act, 2008, the National Instruction and related implications.

35. In addition, training sessions were held and attended by 1 778 delegates from different stakeholders including prosecutors and training on the Children's Act has been conducted to social workers in all nine provinces including social service practitioners and other government departments such as DoH and DBE. Awareness raising on the promotion and protection of the rights of children has been done through information sessions and community dialogues with the public. The focus was on the discipline of children, as well as protection of children from harmful social, cultural, and religious practices. Information sharing and ongoing awareness raising.

36. In **Concluding Recommendation 7**, the committee urges the State Party to undertake all legislative administrative and other necessary measures to expedite its efforts to address awareness raising of the general public and capacity building of those who work for and with children about its laws and policies, by allocating the necessary budget for the promotion and protection of children's rights and ensuring its effective and efficient use, and by holding officials accountable that are involved in corruption.

Address awareness raising of the public and capacity building

37. Government is conducting ongoing awareness to the public and through various campaigns aimed at the protection of children. Child Protection Week events are held annually from the end of May until June and include activities in the form of community engagements wherein children, parents, and community dialogues are conducted. The events target 3 500 children per national event and 1 000 adults. The target group includes children with disabilities, chronic illnesses, and child-headed households.

38. Child Protection Week is also promoted and marketed on other media platforms such as TV, radio and Facebook, so that more children are reached through the media. Subsequent to community dialogues, different State departments develop community-based activities to respond to the issues raised from the dialogues.

39. Awareness raising is also done during the National Child Care and Protection Forum, which is held on a quarterly basis reaching a total number of 150 stakeholders. These include various national and provincial departments, as well as CSOs that work with children. The forum is a platform for knowledge-base sharing, research findings and current trends in the childcare and protection field.

Holding accountable officials that are involved in corruption

40. Government has developed an anti-corruption and fraud policy, which it is committed to the investigation of suspected cases of fraud and corruption. Where proper corruption evidence is found the Anti-Corruption Hotline is contacted and government ensures that appropriate action is taken. In this regard, the informer or complainant may choose to remain anonymous and

such anonymity will be respected, although the identity of the complainant is preferable and would assist the investigation.

41. A total of 6 347 fraud and corruption cases had been received for the 2013/14 to 2016/17 financial years. Of these, as at 31 May 2016, 3 939 cases were closed and 2 053 investigations finalised and 502 cases remained outstanding. The monetary value of the finalised investigations amount to R233 473 795 with an amount of R937 309 recovered by the respective regions. The reasons for higher total of closed or finalised cases versus received cases are the backlog cases from previous financial years.
42. In **Concluding Recommendation 8**, the committee recommends that the State Party must expedite efforts to ratify the International Convention on Economic, Social, and Cultural Rights.
43. The International Convention on Economic, Social, and Cultural Rights was ratified in January 2015. Government, through the DTA, has since developed the Traditional and Khoi-San Leadership Bill in 2015. The Bill provides for the transformation of traditional leadership to be in line with the principles contained in the Bill of Rights and prevents unfair discrimination; promotion of equality; and advancement of gender representation in the succession to traditional leadership positions.
44. In **Concluding Recommendation 6**, the committee is still concerned that the historical, cultural, social, and economic context of South Africa, particularly the prevalence of violence, corruption, poverty, and inequality, and lack of adequate training for persons who work for and with children are affecting the full realisation of these laws and policies for the benefit of children.

Prevalence of violence

45. Cabinet instituted an Inter-Ministerial Committee on Violence against Women and Children (IMC-VAWC) in May 2012, in response to the scourge of violence against women and children. This committee comprised the DSD (as lead department) in partnership with SAPS, DoH, DoE, DoJ&CD, Communications, DHA, and the Department Women, Children and People with Disabilities. An Integrated Plan of Action (PoA) on violence against women and children was developed with an overall objective of elimination of all forms of violence against women and children. The PoA is based on the three pillars namely prevention and protection, response, care and support.
46. Different departments deal with the prevalence of violence and conduct awareness campaigns. The Government of South Africa is engaging with prevention programmes dealing with public awareness, targeting schools, communities and radio stations to enhance knowledge regarding gender-based violence (GBV) in the communities. This is also a delivery responsibility for all Thuthuzela Care centres (TCCs) in their respective areas of operation.
47. The National Child Protection Register (CPR) Part A provided for in the Children's Act 38 of 2005 makes provision for recording of reported cases of child abuse. In 2013, there were 3 874 reported cases and 42 convictions. In Part B of the Register there were 532 findings of unsuitability to work with

children. A total of 73 230 persons were screened against Part B of the CPR. In 2014, the Part A CPR had a total number of 6 494 reported cases, while Part B CPR had a total of 32 101 inquiries that were successfully processed. To intensify the provision of quality prevention and early intervention programmes and to support stakeholders in the development of these programmes an assessment tool was developed in 2013.

Addressing corruption

48. The Government of South Africa through the South African Social Security Agency (SASSA) is conducting fraud, theft and corruption awareness programmes targeting employees and members of the public and over 4 000 employees and 10 000 members of the public have been reached. In addition, presentations are done on a continuous basis on the prevention, detection, investigation, and resolution processes in partnership with Human Capital Management Department during induction sessions. SASSA has joined the Office of the Public Service Commission's National Anti-Corruption Hotline (NACH) to allow members of the public as well as SASSA employees to report known and suspected fraudulent and corrupt activities anonymously and confidentially.
49. The Fraud Case Management System was successfully implemented and is used on a continuous basis to provide valuable statistics and information to SASSA executive management to enable them to manage reported fraud and corruption cases. The system is upgraded from time to time to provide for increased in-depth reporting and information.
50. By 30 May 2016, 477 SASSA officials were subjected to investigation; 313 have been suspended; 61 dismissed; and 20 officials terminated employment either before or during the disciplinary process; 16 officials have been convicted and sentenced.

Poverty and inequality

51. The provision of comprehensive social security, including income support and a safety net for the poor, remains a cornerstone of the fight against poverty and inequality, especially among children and older persons. In the light of this, the Government of South Africa, through SASSA expanded the safety net to almost 17 million South Africans during the period under review. Of these, almost 12 million children benefitted from child support grants (CSGs) while 3,2 million older persons received old-age grants.
52. The Child Support Grant (which is R350 per month per child), the Care Dependency Grant (R1 500 a month), and the Foster Child Grant (R890) are interventions offered to address income poverty and vulnerability of children. Plans to review the Social Assistance Act with the intent to introduce an extended child support grant for families caring for orphans, are underway, and investigations and consultations have been conducted. However, the process is still not finalised.
53. Government continued to formulate policy and legislative proposals for contributory income support aimed at protecting households against life cycle

risks such as unemployment, ill health, retirement, disability, and the death of a breadwinner. In pursuit of this goal, a *Position Paper on Social Security Reform* was presented to Cabinet in June 2012. It contained proposals for extensive reforms, including the introduction of mandatory pension contributions for formal sector workers, the introduction of survivor and disability benefits, and related institutional reforms aimed at enhancing the quality of benefits received by contributors.

54. The provision of food was included into the mix to reach people affected by hunger and destitution especially the individuals on the chronic medication including HIV and AIDS, to address the problem of food insecurity thus contributing to treatment adherence. Together with Food Bank South Africa, government provided food to more than 500 000 households throughout the country. This ensured a significant contribution to the realisation of Outcome 7: Vibrant, equitable, and sustainable rural communities contributing to food security for all, as well as the social development specific goal of improving access to diverse and affordable food.
55. In **Concluding Recommendation 9**, the committee recommends that the State Party address the income inequality that exists between races, as well as between urban and rural communities, in particular through a more effective pro-poor policies and child rights sensitive budgeting and expenditure.
56. Multiple policies and programmes have been introduced to bolster food security, production, and nutritional well-being, especially of children. These include:
- support for subsistence farming and small-scale agricultural programmes to boost food production:
 - a) Vitamin A supplementation programme
 - b) food fortification programmes targeting key micronutrients
 - c) breastfeeding promotion
 - d) the National School Nutrition Programme
 - e) the National Nutrition Security Development Programme
 - f) Food Security Policy for South Africa.
57. Government also doubled the social security budget between 2006/7 and 2014/15 from R57 million to R120 million and it was projected to rise to over R138 million by 2016/17. The social security service-delivery footprint was massively expanded to reach into previously under-serviced areas, notably rural areas with limited road and administrative infrastructure.
58. The coverage of social grants has increased over time however, the share of the poorest quintiles in national consumption, which is defined as the income versus consumption that accrues to the poorest fifth of the population, has decreased from 2,9% in 2000 to 2,7% in 2011, which is still below the Millennium Development Goal (MDG) target of 5,8%. The employment-to-population ratio, which measures the economy's ability to create sufficient jobs for those willing to work, has reached 42,8% in 2014, thus falling far short of the 50% – 70% target. The unemployment rate remained high, in 2013; it stood at 24,7% according to the official definition.
59. The provision of free basic services to indigent households through the National Framework for Municipal Indigent Policies and the Municipal Systems Act has

been the cornerstone of this social protection package, which recognises the multi-dimensional nature of poverty. Through this framework, free and subsidised basic services such as water, sanitation, refuse removal, and electricity (as well as alternative energy sources for those not linked to the grid) has been provided to indigent households.

60. In terms of vulnerable adults, two important measures were introduced, namely minimum-wage levels for vulnerable workers, particularly agricultural and domestic workers, and the implementation of public employment programmes. This includes the Expanded Public Works Programme (EPWP) and the Community Work Programme (CWP) aimed at transferring wages to able-bodied adults, particularly youth and women. It provides valuable work experience and the development of assets and services that are delivered to poor and disadvantaged communities.

61. In **Concluding Recommendation 10**, the Committee urges the State Party to put in place a comprehensive data collection system and to include a detailed and disaggregated statistical data in its next report to be submitted to the African Committee of Experts on the Rights and Welfare of the Child (ACERWC).

62. Government has developed monitoring tools, which will be used to collect comprehensive information and data on the realisation of children's rights. Through the DSD, government has established the *Ulwazi Ngabantwana* electronic data system, which is aimed at monitoring the realisation of children's rights and well-being. The data system consist of a metadata template, which categorises data in terms of producer, data source, target, method of computation, numerator, denominator, unit of measurement and disaggregation variables. The system is populated with a compendium of indicators for monitoring delivery on the rights of children, which are disaggregated, by sex, age, and district. The domains include name, family, health, education, and social protection. The system has not yet been implemented, as the training of users is still underway.

63. In **Concluding Recommendation 12**, the committee recommends that the State Party should give due consideration in the establishment or designation of a new coordinating body, and ensure that such decisions are fully informed by research, the best interests of children, and taken with the objective of the better and full realisation and monitoring of the rights and duties in the Charter.

Designation of a new coordinating body

64. The Government of South Africa has located the coordination functions in the DSD. The department facilitates coordination on the protection and promotion of children's rights across all sectors.

65. In **Concluding Recommendation 14**, the committee encourages the State Party to continue commemorating and celebrating the Day of the African Child with the objective of raising awareness and bringing about positive change in the lives of children and recommends that such celebrations should take into account the theme and concept note developed for the Day of the African Child celebration every year by the committee.

The Day of the African Child celebration

66. The Day of the African Child was commemorated in collaboration with the ACERWC in Soweto on the 15 June 2015. The focus was on the need to end child marriages. Commemoration of the Day of the African Child involved CSOs in South Africa.
67. In **Concluding Recommendation, 15**, the committee is concerned about the adequacy of the SAHRC and the extent to which the processes in the SAHRC are known by the public and are made accessible to children.
68. The SAHRC has a dedicated commissioner to attend to children's rights and continue to, investigate and resolve complaints relating to that violation of children's rights.
69. In **Concluding Recommendation 16**, the committee recommends that the State Party give due consideration to various options, including the possibility and added value of establishing a Children's Ombudsperson, with a view to further strengthen the reach, accessibility, effectiveness and impact of the work of the SAHRC in the promotion and protection of children's rights in the State Party.

Establishing a Children's Ombudsperson

70. South Africa has put in place institutions that support Constitutional democracy. These include the SAHRC and the Public Protector. The SAHRC has a mandate to promote and protect the rights of all citizens including children. These institutions function according to the Constitution of South Africa.

2.9 Steps to make the provisions of the Children's Charter widely known

71. The provisions of the Children's Charter are encapsulated in a range of policies and legislation aimed at the protection and promotion of children's rights, which are implemented by various departments across all sectors. The Concluding Recommendations of the ACERWC were shared with 43 national departments during 2015, to make the provisions of the Children's Charter widely known. Furthermore, in addressing the issues of compliance the DSD conducted workshops on compliance monitoring and reporting between September 2015 and February 2016, whereby the concluding recommendations were also presented to provincial departments and NGOs that are working in the children's sector and 252 participants attended the workshops.

PART 3: DEFINITION OF THE CHILD

3.1 The age of majority

72. The South African Constitution and the Children's Act define a child as any person below 18 years without limitations or conditions attached to the definition. Section 28 (2) of the Constitution provides that in all matters involving children, the best interest of the child is of paramount importance.

73. **Concluding Recommendation 18**, recommends that the Government of South Africa harmonise its civil, customary, and common law definition of the child in line with Article 2 of the Charter, and to ensure the effective implementation of Article 21 (2) of the Charter, which prohibits child marriage and sets the minimum age of for all types of marriages to be 18.

3.2 Age of marriage

74. According to the Children's Act, a child below the minimum age set by law for a valid marriage may not be given out in marriage or engagement without his or her consent. The Government of South Africa hosted campaigns on child marriages in collaboration with the AU Committee of Experts on the Rights and Welfare of the Child during the commemoration of the Day of the African Child held in June 2015.

75. The specific aims and objectives were to execute provincial strategies and programmes aimed at ending child marriage; mobilise provincial communities to be aware of child marriage; remove barriers and bottlenecks in law enforcement, including advocate for prioritisation of gender-based violence cases, especially child marriages; increase the capacity of non-state actors including youth leaders and child ambassadors to undertake evidence-based advocacy for policy; and facilitate and coordinate public awareness campaigns for the protection of children against harmful traditional practices.

3.3 Age of contracting and litigating

76. A child acquires legal capacity to contract and litigate in his or her own name upon turning 18 years. Children younger than 18 require the assistance of their parents, guardians, or legal representatives to contract or litigate.

3.4 Age of sexual consent

Section 15 of the Sexual Offence Act was amended to decriminalise a consensual sexual act with a child who is 12 or older but under the age of 16 years, if the perpetrator was also within the same age group or if he or she was 16 or 17 years, if the age difference (between the victim and offender) is not more than two years. The amendments therefore decriminalise consensual sexual acts of children between the ages of 12 and 17. Section 16 was amended along the same lines and allows the Director of Public Prosecution to decide whether to prosecute an offender who was 16 or 17 and the difference between the perpetrator and the victim was more than two years.

77. In **Concluding Recommendation 19**, the committee also calls upon the State Party to expedite the amendment of sections 15 and 16 of the Sexual Offence Act, which has been ordered by the Constitutional Court in the matter of *Teddy Bear Clinic and RAPCAN v The Minister of Justice and Constitutional Development and another* [2013] with a view to promote the best interests of children in this age category.

3.5 Amendment of Section 15 and 16 of the Sexual Offence Act

78. The Criminal Law (Sexual Offences and Related Matters) Amendment Act Amendment Act 5 of 2015, as gazetted on 7 July 2015 (No 38977), subsequently amended sections 15 and 16 of the Sexual Offences Act 32 of 2007, with reference to the Teddy Bear Clinic Constitutional Court judgment. The NPA training manual was accordingly amended with immediate effect. Sections 15 and 16 were also amended, through the Criminal Law (Sexual Offences and Related Matters) Amendment Act Amendment Act 5 of 2015 (the Amendment Act).
79. With regard to children who were convicted in terms of sections 15 and 16 before these sections were amended, the Amendment Act (2015) provides for automatic expungements of the criminal records and removal of the names from the Register for Sex Offenders, where the convicted person was 12 years or older but under the age of 17 years. In respect of children that were charged in terms of sections 15 or 16 before the sections were declared unconstitutional, the NPA withdrew all the cases that were pending before court at the time of the Constitutional Court judgment.

3.6 Age of impacting on customary law

80. Section 12 of the Children's Act limits the age at which girls and boys may participate in customary practices. In this regard virginity testing and male circumcision in children younger than 16 is prohibited. While boys under that age may be circumcised for religious or medical reasons, all children regardless of their age, have the right to refuse to undertake such customs.

3.7 Age of alcohol and gambling

81. The Liquor Act 59 of 2003 and National Gambling Act 7 of 2004 prohibit the sale of alcohol to anyone under the age of 18 and prohibit children from gambling.

3.8 Minimum age of child labour

82. Regulations (*Government Gazette* Notice No. 7, 15 January 2010) provides for the protection of children aged 15 – 18 against harmful or hazardous employment. In addition, the Basic Conditions of Employment Amendment Act 20 of 2013 make provision for prohibition and regulation of child labour. According to the Act, extension of child labour covers all work by children and not only work by children as employees.

3.9 Minimum age for recruitment into the defence force

83. The Defence Act, 2002 (Act 42 of 2002), provides for the minimum age for National Defence Force recruitment as 18.

3.10 Minimum age for consenting to medical treatment and healthcare

84. **Concluding Recommendation 13** refers to the age of medical consent under the 2012 Integrated School Health Policy (ISHP). The Government of South Africa has put in place the ISHP. All parents (regardless of their children's age) are requested by the school to sign and return a consent form to the school, giving permission for their child to receive health services. Parents may consent to all or just some of the health services that are offered by the ISHP. The type of service or option taken must be indicated on the consent form.

85. In accordance with the Children's Act, learners who are 12 years and older must provide their assent to participate in the programme. Where children assert their right to access services independent of their parents (in other words where parents refuse participation), they will be counselled on the importance of adult support, but services will be provided regardless.

3.11 Age of criminal capacity and sentencing

86. Section 96(5) of the Child Justice Act, 2008 (Act 75 of 2008) requires the Minister of Justice and Correctional Services to submit the report to the Cabinet to assist Parliament to determine whether the minimum age of criminal capacity should be raised. The Child Justice Act, 2008 (Act 75 of 2008) requires the submission of this report to be made within five years after the implementation of the Act, which ended on the 31 March 2015.

87. Section 96(4) of the Child Justice Act of 2008 further requires the Intersectoral Committee for Child Justice to submit a Report of the Review of the Minimum Age of Criminal Capacity to the Minister of Justice and Correctional Services not later than 31 March 2015. This provision also sets out the statistical data that must be contained in this report.

88. During 2014/15, the DoJ&CD commenced with a National Data Collection Project to gather the required data from a sample of 20% of the total lower courts in each province that has recorded the highest number of preliminary inquiries since the implementation of the Child Justice Act of 2008. This project was completed during 2015/16. In compliance with Section 96(5) of the Child Justice Act, the Report on the Review of the Minimum Age of Criminal Capacity was approved by Cabinet for submission to Parliament on 17 February 2016. The report was tabled in Parliament on 2 March 2016.
89. The recommendations of the report are that the minimum age of criminal capacity be raised to 12 years with the retention of the rebuttable presumption for children 12 years or older but under the age of 14 years, applicable to children referred to the child justice court for plea and trial.
90. It is further recommended that the Child Justice Act of 2008, (sections 7, 10, 11, 41, 49, 52, 58, and 67) be amended to remove the requirement of establishing the criminal capacity of children 12 years or older but less than 14 years for purposes of diversion. The prosecutor and magistrate will consider and be satisfied that the child's educational and maturity levels are such that he or she will understand and benefit from diversion before the child is diverted.
91. It is further recommended that Section 8 of the Child Justice Act of 2008, be amended and retained in the Act to provide for another review of the minimum age of criminal capacity within 10 years.

3.12 Minimum age of criminal responsibility

92. In respect of criminal responsibility, the Child Justice, makes provision for Parliament to review the age of criminal capacity. In **Concluding Recommendation 13**, the committee is concerned about the minimum age of criminal responsibility, which is at the age of 10 and the retaining of the *doli incapax* presumption for children between the ages of 10 to 14.
93. In this regard, the Government of South Africa has submitted a report on the Review of the Minimum Age of Criminal Capacity to Parliament for consideration in 2016 in terms Section 96 (5) of the Child Justice Act of 2008. The recommendations in the report are that the minimum age of criminal capacity is raised to 12 years with the retention of the rebuttable presumption for children 12 years or older but under the age of 14 years, applicable to children referred to the child justice court for plea and trial.
94. It was also recommended that sections 7, 10, 11, 41, 49, 52, 58 and 67 of the Act be amended to remove the requirement of establishing the criminal capacity of children 12 years or older but under 14 years for purposes of diversion. The prosecutor and magistrate will consider and be satisfied that the child's educational and maturity levels are such that he or she will understand and benefit from diversion before the child is diverted. Section 8 of the Child Justice Act be amended and retained in the Act to provide for another review of the minimum age of criminal capacity within 10 year

3.13 Number and proportion of children in South Africa

95. According to Stats SA's *General Household Survey* the total number of children in South Africa was 19,57 million in 2015 which constitute more than one out of three (35,62%) of the South African population. The number of children decreased from 19,58 million in 2010 to 19,57 million in 2015. The population for children decreased by 0,05% over the period of six years.

Among the provinces over the same period, Free State had the highest growth rates of 811,90% children aged 0 – 18 years, followed by Northern Cape with 539,21% and Gauteng with 4,43%. The lowest growth rate was in Eastern Cape with -1,38% followed by Mpumalanga with -1,34% and KwaZulu-Natal with -1,07%. The number of children aged 0 – 4 years was the highest, followed by those aged 5 – 9 years and 10 – 14 years. Black African children comprised the majority (84,35%) of all children in South Africa, followed by coloured children representing 8,44% and white children who constituted 5,31% during 2015. The number of Black African children was increasing steadily while the white children show a downwards trend over the period of 2010 to 2015.

96. The number of male children decreased from 9 843 703 in 2010 to 9 835 684 in 2015. Female children also decreased from 9 744 690 in 2010 to 9 742 077 in 2015. It was noted that the number of male children were higher than the female children over the period of 2010 to 2015.

PART 4: GENERAL PRINCIPLES

4.1 Non-discrimination

97. In **Concluding Recommendations 21**, the committee urges the State Party to improve the effective implementation of laws, policies, and practices through capacity building and training, that promote substantive equality of children in general and a specific group of children such as girls, children with disabilities, children from rural places, children in the street, child victims and witnesses of crime and children from other marginalised groups.

Girl Child

98. Government has established the Keeping Girls in School Programme, which is implemented by the DBE. The Keeping Girls in School Programme is aimed at mitigating the risk of learners' pregnancy by targeting at risk girls through a sexual reproductive health programme embedded within a curriculum support model. The Girls and Boys Education Movement (GBEM) in partnership with the Media in Education Trust collaborated to implement the programme, whereby three high-risk provinces namely Mpumalanga, Eastern Cape, and KwaZulu-Natal were targeted.

99. Government has also implemented the Families Matter Programme. The programme further strengthens the interventions to keep girls AIDS-free by

engaging parents of these young people with a view to enhance their communication on sexual and reproductive health issues. More than 300 facilitators were trained to implement the Families Matter Programme since 2012 to date in Eastern Cape, Free State, Mpumalanga, and KwaZulu-Natal. This programme will also be scaled up to all provinces.

100. The National Register for Sex Offenders (NRSO) was established in terms of Chapter 6 of the Criminal Law (Sexual Offences and Related Matters) Amendment Act, 2007 (Act 32 of 2007). Its key objective is to register sex offenders convicted of sexual offences perpetrated against children and persons with mental disabilities. The aim is to prevent registered sex offenders from working or operating in environments that will expose them to these victims. It also restricts them, among other things, from becoming foster parents, kinship care-givers, temporary safe care-giver, adoptive or foster parents or curators, unless they receive a clearance certificate from the NRSO. At the end of 2014/15, the registrations into the NRSO stood at 17 500 and on 31 January 2016, they increased to 22 324.

Children with disabilities

101. Government conducted training of 128 intermediate phase teachers and deaf teaching assistants in the new South African Sign Language Curriculum Assessment Policy Statement in October 2015. By October 2016, about 9 800 teachers have been trained nationally in screening, identification, and assessment and support (SIAS) implementation. A total of 1 019 officials and 1 998 schools have also been trained on the SIAS Policy including training on guidelines for curriculum differentiation.
102. In addition, 54 Further Education and Training (FET) (Grade 10) teachers and deaf teaching assistants were trained in February 2016. The training was a comprehensive two-week training that oriented both teachers and deaf teaching assistants in the new Curriculum Assessment Policy Statement. A core group of 30 subject advisors were also trained to support the implementation of the South African Sign Language Curriculum Assessment Policy Statement. Through the Teacher Union Collaboration (TUC), National Professional Teacher's Organisation of South Africa (NAPTOSA) has been mandated to train all teachers and deaf teaching assistants on a South African Council for Educators endorsed course; 375 teachers and deaf teaching assistants have been trained.
103. The DBE has printed and delivered Grades R-9 Volume 1 Braille workbooks to 22 special schools. A total of 31 462 Braille workbooks have been printed and delivered to special schools and these include a Mathematics workbook 1 and 2, as well as Home Language workbook 1 and 2. The DBE in collaboration with the Department of Transport (DoT) has developed a Learner Transport Policy to address among other things, challenges with regard to access to basic education in remote areas. The main objective is to improve access to quality basic education by providing safe, decent, effective, and integrated sustainable learner transport. Not every learner qualifies for transport funding.

104. In **Concluding Recommendation 8**, the committee recommends that the State Party expedite its efforts to ratify international instruments including the Optional Protocol to the UN Convention on the Rights of Persons with Disabilities.
105. The Government has taken measures to ratify these instruments. The Optional Protocol to the UN Convention on the Rights of Persons with Disabilities was ratified in 2007 at the same time as the Convention. The Optional Protocol to the UN Convention on the Rights of Persons with Disabilities however serve as a recourse mechanism whereby persons with disabilities can report issues relating to violation of their rights to the UN when they have exhausted the national human rights mechanisms and the child justice system but still feel dissatisfied with the outcomes.

Children in rural areas

106. Government holds *Ndabezitha izimbizo* annually in rural communities to deal with cultural practices that could constitute domestic violence. The programme is implemented by the NPA and targets rural men and boys with the aim of including them in the fight against domestic violence. To ensure information accessibility, government translated the application form for protection order into all 11 official languages and converted the public education booklets into Braille and audio versions to reach out to disabled children.
107. Through the DEA, government is implementing various projects aimed at children in rural communities. The Imbewu Youth Project aims to promote indigenous cultural knowledge and takes the form of wilderness camps led by "wise elders" from local communities. Traditional knowledge is passed on from the elders to youth leaders who were invited to participate in the project. Thus far, the project has been rolled out in three national parks (Marakele, Golden Gate, and Namaqua). Junior rangers participated in several conservation-related activities such as environmental monitoring.
108. In addition, the Kudu Green School Initiative Project enhances climate change literacy for learners by developing sustainability projects at schools while providing free access to the national parks. A biodiversity education project is divided into garden-based school programmes and other guided groups. The programmes draw on the rich biodiversity amply provided by the national botanical gardens. In order to cater for schools that are not able to visit the gardens, programmes are conducted at school premises with local resources drawn on to enrich the teaching and learning experience.
109. South African National Parks (SANParks) celebrated environmental calendar events such as World Environment Day. Learners who went through these programme in the three years under review were 200 701. Learners are also involved in the outreach programme. It is a project where people and conservationists in the Kruger National Park are working with the youth from various community-based institutions (CBIs) such as schools, NGOs, and churches to promote issues of food security, environmental restoration, such as greening. About 10 556 individual youths are actively involved in such programmes. The impact of the programmes and projects on the involvement of

children were that they raised environmental awareness, exposed children to careers in the environmental sector; promoted access to national botanical gardens, parks, weather stations and natural and heritage sites to be enjoyed by all and diversified the use and beneficiaries of botanical gardens.

4.2 Best interest of the child

110. The Constitution of South Africa and the Children's Act make provision for the best interest of the child in all matters that concern a child. In **Concluding Recommendation 24**, the committee recommends that the State Party undertake further appropriate measures to respect and promote the principle of the best interest of the child not only in law, but also in practice, in policies, as well as in all settings including in family and community settings.

111. Government makes use of protective measures as provided for in related legislation to promote the best interest of the child during prosecutions. The protective measures provided by the Criminal Procedure Act for the protection of victims and witnesses includes Section 158 whereby provision is made for the use of CCTV; application in terms of Section 170A of the Criminal Procedure Act, the appointment of an intermediary during the testimony of the child in the court process.

112. Sections 153 and 154 of the Criminal Procedure Act provide for *in camera* proceedings while Section 227 of Criminal Law Sexual Offences Amendment Act, 2007 (Act 32 of 2007), protects complainants (children included) regarding cross examination questions on their previous sexual history, which are only allowed in exceptional circumstances as stipulated by the Act. In addition, government also has a court preparation programme that assists all witnesses by explaining the court procedures and processes to them prior to their court appearances.

113. The establishment of Sexual Offences Courts that predominantly deals with sexual offence matters, as implemented by DoJ&CD. The NPA supports the process by providing specialist prosecutors dealing with sexual offences prosecutions. The Sexual Offences and Community Affairs Unit in the NPA developed the TCC model, which is victim-centered, court-directed with prosecutor guided investigations and stakeholder cooperation. The main purpose of the model is to prevent secondary victimisation of complainants and witnesses, to reduce cycle time of cases in court and to increase conviction rates.

4.3 The right to life, survival and development

114. In **Concluding Recommendation 26**, the Committee recommends the State Party to put in place all the necessary measures in all settings to protect children from violence that affect their right to life, survival and development; to reduce child mortality and malnutrition through among other things, effective deworming campaigns and supply of nutritional supplements; and to address

road accidents by setting in place rigorous safety standards on drivers as a way of protecting children's right to life.

Protection of children from violence

115. Government has developed and rolled out the National School Safety Framework (NSSF), which is a tool for School Management Teams (SMT) and School Governing bodies (SGBs) for promoting safety holistically in schools. This policy has elements on how to manage and prevent violence; gender-based violence as well as a special segment focusing on homophobic bullying. Training of provincial and district officials have already taken place in all provinces. A total of 17 325 schools are linked to the SAPS in terms of establishing safe schools. This part of the National School Safety Framework aimed at among other things, promoting safety and eradicating violence in schools.
116. Government has further established schools-based crime prevention programmes, through which the SAPS reaches children. A range of crime and violence issues is addressed to indicate the negative impact crime has in causing harm to others. Crime awareness campaigns also emphasise the need to report issues of abuse, educate children and care givers (including educators) on what is tantamount to violence. Issues addressed in the schools-based crime awareness engagements include bullying, cyber bullying, substance use and drug abuse, dangerous weapons, sexual offenses, xenophobia, occult-related crimes and gangsterism and the necessity to report all forms of child abuse. More education on cyber bullying and sexting continues. The national event was held on 27 June 2014 and 6 June 2015 and these interventions are planned to be rolled out in the provinces to educate the learners and communities about the legal consequences of violent behaviour.

Reducing child mortality and malnutrition

117. A total of 3 787 deaths in children between one month and one year were reported during 2015/16 (the figure of 15 526 includes newborn deaths). 5 032 deaths were reported during 2014/15; thus, there were 1 245 fewer deaths in children in this age group in 2015/16 compared with 2014/15. The standardised case management guidelines for sick children (pocketbook) is implemented in hospitals.
118. Government has made strides in offering free comprehensive primary healthcare services for under six-year-old children, which include baby clinics; immunisations and integrated management of childhood illnesses (IMCI). The DoH has also established Ward-Based Outreach teams (WBOT), which renders the following services to communities: six days post-natal care to mothers and babies; defaulter tracing for treatment; checking of *Road to Health* booklets; administration of deworming medication; weighing of babies and using mid-upper arm circumference (MUAC) tapes to detect any severe malnutrition and if found refer the child to the nearest health facility for interventions. The DoH intends to strengthen management of children with severe malnutrition through working with the district clinical specialist teams, provide technical support to provinces and facilities with high case fatality rates due to severe acute malnutrition.

119. The National School Nutrition Programme (NSNP) is a programme that contributes to food and nutrition security through the provision of one school meal to over nine million learners in 21 219 no-fee paying schools on a daily basis. School meals alleviate short-term hunger, enhance learning capacity, and promote attendance among schoolchildren. The primary objectives of the programme are to provide a nutritious meal on all school days, to promote nutrition education for an active and healthy lifestyle and to deworm learners annually. For the 2015/16 financial year, the programme provided daily nutritious meals to 21 203 children in quintile 1 to 3 primary, secondary and special schools nationally, reaching an average of 9 294 831 learners.

120. Through the DoH, government is providing technical support to provinces and in addressing this issue the Integrated Management of Acute Malnutrition guidelines was finalised. The number of children who attended schools with feeding schemes grew significantly by 176,7% over the period of 2010 to 2015. North West had the highest growth rates of 2 907,62% children attended schools with feeding schemes, followed by Northern Cape with 705,49% and Limpopo with 552,53%. Gauteng reported the lowest of 51,78% children attended schools with feeding schemes over the period of 2010 to 2015.

Deworming programme and supply of nutritional supplements

121. Deworming has been rolled out in the nine provinces. However, the administration of the tablets and challenges experienced varied among and within districts. The deworming implementation in 101 schools was monitored during 16 February to 11 March 2016 by the health promotion and the NSNP officials in nine provinces. The DBE targets to deworm a total of 6 149 073 primary school learners nationally. Between February and March 2016, 2 383 227 learners were successfully dewormed. A mop-up plan has been developed to deworm the outstanding 3 765 846 learners.

4.4 Respect for the views of the child

122. Section 47 (7) (a) of the Child Justice Act provides that the magistrate at a preliminary inquiry must encourage the participation of the child. Sub-section (b) provides that the preliminary inquiry magistrate must allow the child to ask questions and to raise issues, which are relevant to the purposes of a preliminary inquiry. During 2014/15, 19 640 preliminary inquiries were conducted.

123. In **Concluding Recommendation 28**, the committee is very concerned that statistics of cases where children participated in both civil as well as in the CJS as victims and witnesses of crime as the information in the State Party report is mostly limited only to the preliminary inquiries. The absence of this information hinders the committee from assessing the extent to which South Africa's obligation to respect child participation in civil and criminal court processes is being ensured.

124. In **Concluding Recommendation 29**, the committee recommends that the State Party should take all the necessary measures to keep record of cases in which children were victims and witnesses and to assure children's rights to express their opinion freely in all matters that affect them.

Measures to keep record of cases in which children participated as victims and witnesses

125. In relation to the NPA court preparation programme child witnesses that were assisted in the past four financial years were 94 971 and the number of cases reported at TCCs during the reporting period were 127 006.

126. In terms of the trial of children, the child-friendly waiting rooms and dual CCTV systems have been introduced. A major benefit of the dual system is that it enables the child to testify from a room away from court to prevent potential trauma that will be caused by giving of evidence in the same room as the accused. This also reduces the case cycle time, as the evidence of the child can be dispensed without the child having to be in contact or close proximity with the accused. The child waiting rooms enable children to wait in a separate child-friendly room while they await their turn in court. The needs of children are focused on to enable them to wait in an area that is not shared by the accused, his family, or supporters. Intermediaries are facilitators of evidence who facilitate the communication of court language in a child-friendly manner and child language in a court-friendly manner to minimise the technicalities that may be brought up by the use of language, which may confuse a child.

PART 5: CIVIL RIGHTS AND FREEDOMS

5.1 Name and nationality

127. The children born in South Africa are all required to be registered within 30 days including those in prison. The Government of South Africa issues to foreign nationals DHA 19, acknowledgement of birth, which is a certificate that confirms that the child is born in South Africa but not a registered citizen.

128. In **Concluding Recommendation 33**, the committee recommends the State Party should promote non-punitive mechanisms for late registration, including the possibility to remove fees and penalties attached to birth registration to make sure that birth registration is free. The State Party should also ensure that adequate training is provided to staff members involved in the implementation of the law and its regulations. The committee also strongly urges the State Party to take into account General Comment No 2 of the African Committee on Article 6 of the Charter for the implementation and full realisation of children's right to name, nationality and birth registration.

129. The Government of South Africa is implementing a modernisation programme. The programme is aimed at ensuring that every child who is registered is captured in the system, called Live Capture, which produces

unabridged birth certificates immediately, and parents no longer have to wait for days. With increased compliance of birth registration within 30 days of the event, government is experiencing positive declines in the late birth registration categories. These categories are measured as follows:

- (i) births registered between 31 days and 14 years of the birth
- (ii) (ii) birth registrations 15 years and above.

130. Graphical representation suggests that there is a decline in the birth rate. However, it should be noted that the DHA registers births of children who are willingly presented for registration. There may still be pockets of unregistered children in the country. Hence, the department will maintain key initiatives under the National Population Register Campaign in future.

131. Registration data suggests that 51 619 children were born after hours or on public holidays outside the department's operational hours. An internal analysis was conducted of the 297 973 births registered of children between 31 days and 14 years and it was determined that approximately 27% of these registrations that took place are for the category 31 to 60 days, which essentially reflects that the core message of birth registration is filtering through to the citizens.

132. The overall situation, as far as birth registration (all ages) is concerned, reflects a marginal year-on-year decline in the number of registrations. It is important to note, however, that the decline does not suppose a decrease in the number of birth occurrences in South Africa.

133. In **Concluding Recommendation 23**, the committee urges the State Party to take all the necessary measures to ensure that these groups of children, asylum seeking, migrant, and refugee children, are not discriminated against. In particular to undertake measures to avoid unnecessary barriers to accessing basic education, healthcare, child protection services, birth registration services, and guarantee among other things the rights of asylum-seeking, migrant, and refugee children.

Rights of asylum seeking, migrant and refugee children

134. The South African Schools Act of 1996 applies equally to learners who are not citizens of South Africa and whose parents are in possession of a permit for temporary or permanent residence issued by the DHA. A learner who entered the country on a study permit must present the study permit on admission to the public school. Persons classified as illegal aliens must, when they apply for admission for their children or for themselves, show evidence that they have applied to the DHA to legalise their stay in the country in terms of the Aliens Control Act 96 of 1991.

135. In addition, the Birth Registration Strategy is being implemented. A key strategy is coordinated by civic services to ensure a credible, accurate, and secure National Population Register (NPR) with a single point of entry within 30 days of birth. To drive this strategy, a NPR campaign was launched during 2010, and broadly entailed rollout of initiatives, such as conducting outreach programmes in rural areas, schools, farms and informal settlements,

establishment of stakeholder forums at local, district, metro and provincial levels.

136. In **Concluding Recommendation 30**, a large number of foreign children born to undocumented migrant women and unaccompanied foreign children without asylum claims do not have birth certificates, is a concern for the committee as it may contribute in making the children stateless persons or create a situation whereby they are denied access to healthcare services, education, grants, protection services or alternative care.

Foreign children born to undocumented migrant women, and unaccompanied foreign children

137. The Refugees Act stipulates that unaccompanied children must be assisted by a legal guardian to apply for asylum. Once the children's court appoints a legal guardian, the DHA proceeds to assist the minors who are unaccompanied to apply for asylum. When a child is born of non-South African citizens, the health institution gives proof of birth and thereafter the DHA issues hand written birth certificates (DHA-19 Acknowledgement of Birth) as proof and records that the child was indeed born in South Africa. This provides to parents an opportunity to go back as citizens to their country of origin to register the birth of the child as provided to such person so that they may register childbirth in their country of birth.

138. The principles of the Children's Act (the best interest of the child, child participation, non-discrimination among other things) are upheld at all, times when services are rendered to all children. Unaccompanied, foreign trafficked children are assisted by social workers to be repatriated to their country of origin, when not successful these children are assisted to apply for asylum status at the Refugee Reception Officer at DHA. The training and capacity building of social workers and other stakeholders on the Guidelines for the Prevention of and Response to Child Exploitation, covers an entire section on services to foreign children who require care and protection and assisting them to apply for asylum status. Government is currently in the process of drafting an integration strategy for refugees. The strategy will form part of the input for the national framework for integration of all foreigners in the country, which is led and coordinated by CoGTA and the DHA.

139. In **Concluding Recommendation 31**, the committee recommends that the State Party should avoid any barriers, as well as address the complex checks and burdens of proof on care givers who do not necessarily fit the married nucleus family unit required to register births and were in the best interests of a child, and also to consider giving citizenship to refugee and migrant children.

Giving citizenship to refugee and migrant children.

140. In South Africa, the asylum seeker children are issued with Section 22 permits upon application. The Section 22 permits allow the asylum seeker to study in South Africa. Refugee children are issued with a Section 24 permit, which is refugee status, and this permit allows the refugee children to study in South Africa. South Africa has a minimum age requirement for all minor children

including citizens and refugees that in order to be issued with an identity document (ID) they must reach the age of maturity, which is 16 years.

141. In this regard, refugee children who are accompanied by their parents are issued with Section 24 permits, which allow them to access basic services. Similarly, unaccompanied children who are assisted by a legal guardian to apply for asylum and the process to qualify for refugee status according to the Refugees Act are also issued with Section 24 permits, which allow them to access basic services. Awareness programmes are conducted for relevant stakeholders to ensure that they are aware of the rights of asylum seekers and refugees including the documentation issued to them.

142. In **Concluding Recommendation 31**, the committee further recommend that the State Party should monitor and ensure that the implementation of the Birth and Death Registration Act and Regulations of 1 March 2014, do not serve to be a hindrance for the registration of the births of children in South Africa including non-citizens.

Implementation of the Birth and Death Registration Act

143. The Amended Birth and Death Act and Regulations of 1 March 2014, make provision for details of fathers to be added since the DHA is producing unabridged birth certificates. The legislation of births and deaths provides for the next of kin to initiate birth registration of a child in the absence of the biological father or mother as a result of death or otherwise late registration of birth is a process used to register birth after 30 days. Foreign nationals are issued with DHA 19, acknowledgement of birth. The certificate confirms that the child was born in South Africa but is not a registered citizen. At the age of 16, children are issued with IDs. The DHA launched smart ID cards in 2013 and is issuing the 16-year-olds with these as first issuance with online fingerprints.

144. The Government of South Africa introduced a modernisation programme to ensure that every registered child is captured on the Live Capture System. The system produces unabridged birth certificates immediately without parents waiting for days or months. For the next three years, R30 million was allocated to digitise birth records and to improve the turnaround time and R2 million was set aside to evaluate birth registration strategies. Government is planning to assess the effectiveness of the birth registration strategies and establish the main reasons why some parents still do not register the birth of their children within the legislated 30-day period.

145. In **Concluding Recommendation 32**, the committee also encourages the State Party to create a more accessible mechanism for fathers, including unmarried fathers, to add their particulars to the birth register as appropriate and other extended families that have custody of a child to make a declaration to have births registered.

Accessible mechanism for fathers, including unmarried fathers

146. The Birth and Death Amendment Act, 2010 (Act 18 of 2010) was amended to give effect to and to align with Children's Act. The DHA has conducted training on all matters pertaining to registration of childbirths and other related

matters, e.g. adoption, children born out of wedlock and paternity. In instances where there is a dispute, a father's decision cannot be absolute when there is conclusive proof that he is the father of the child even though the child is no longer a minor. No father should deny his child a surname regardless of the fact that the child is minor.

147. The birth and death regulations have taken into consideration the protection of children's rights, prompted by malicious acts of child trafficking. The objective of the regulation is to establish the principle that all minors require the consent of both their parents when travelling into or out of South Africa. To assist in curbing the abduction and kidnapping of children, sometimes even by one of the parents, in addition to the issue of child trafficking. In this regard, documents are required at the ports of entry namely a valid passport and birth certificate. For children travelling with one parent or without their parents it is required that a parental consent affidavit from the non-travelling parent recorded on birth certificate must be produced.

5.2 The rights to freedom of expression

148. The Bill of Rights in the Constitution of South Africa gives effect to the right to freedom of expression by everyone.

5.3 Freedom of thought, conscience and religion

149. Section 15 of the Constitution provides for freedom of conscience, religion thought, belief, and opinion to everyone.

5.4 Freedom of association and of peaceful assembly

150. Section 18 of the Constitution spells out that everyone has the right to freedom of association.

5.5 Protection of privacy

151. The Constitution provides that everyone has the right to privacy and that is stipulated in Section 14.

5.6 Protection against child abuse and torture

152. Government departments and civil society conduct outreach programmes at schools, hold dialogues with children, parents, and communities during Child Protection Week to raise awareness and educate communities on the protection of children against child abuse.

153. Input on the Amendment of the Children's Act will ban corporal punishment explicitly in all settings including in the home. Parenting programmes include punishment versus discipline and positive parenting. ChildLine South Africa promotes positive discipline actively through awareness presentations and training workshops for educators and parents in communities.

154. The NPA's sexual offences training for prosecutors have included the Torture Act in their training curriculum. The DBE monitors the implementation of Section 12 of the South African Constitution of 1996, which states that "everyone has the right not to be treated or punished in a cruel, inhuman or degrading way." In line with the Constitution, the National Education Policy Act, 1996 (Act 27 of 1996) (Republic of South Africa, 1996a: A-47) states that "no person shall administer corporal punishment or subject a student to psychological or physical abuse at any educational institution." The NSSF further bolsters the system's ability to monitor the cases of corporal punishment within the education system. The DBE is in the process of developing a protocol to facilitate the implementation of this legislation.

155. In **Concluding Recommendation 35**, the committee recommends that the State Party expedite the process of amending the Children's Act to explicitly ban corporal punishment in all settings including in the home. The committee also calls upon the State Party to promote positive disciplining, to support families through awareness raising, and to train those who are working for and with children such as teachers and care givers. Moreover, the committee advises the Government of South Africa to harmonise its national laws such as the common law, which entitle parents to punish their children reasonably.

Banning of corporal punishment in all settings

156. The South African Schools Act prohibited the use of corporal punishment in schools. According to Section 10 of the Act, no person may administer corporal punishment to a learner at a school. Any person who contravenes Subsection (1) is guilty of an offence and liable on conviction to a sentence, which could be imposed for assault. In the case of *Christian Education South Africa v Minister of Education*, the Constitutional Court rejected a claim that the constitutional right to religious freedom entitles private Christian schools to impose corporal punishment.

157. Corporal punishment in the home and discipline of children is still a very sensitive issue in South Africa and amendments to the Children's Act envisage addressing discipline of children. However, further indigenous research is still needed to obtain objective views. A draft policy on discipline of children at home has been developed and it will form a chapter in the Comprehensive Child Protection Policy that is currently in the process of development to amend the Children's Act.

158. In **Concluding Recommendation 36**, the committee also notes as indicated in the State Party Report, that South Africa has yet to harmonise its domestic laws fully in line with the Convention against Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment (CAT) and to ratify the Optional Protocol on the Convention against Torture. The committee urges the State Party to undertake all the necessary measures to realise the full domestication of the CAT, and also expedite its efforts to ratify its Optional Protocol.

Convention against Torture (CAT) and other cruel, inhuman, and degrading treatment or punishment

159. The DoJ&CD is in consultation with the SAHRC about the operationalisation of the Convention against Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment, once ratified. This protocol requires South Africa to set up a National Preventive Mechanism to do preventive site visits to places where people are detained. Negotiations are still ongoing about the housing of the National Preventive Mechanism with the SAHRC and once concluded, the ratification may proceed.

PART 6. ECONOMIC SOCIAL AND CULTURAL RIGHTS

6.1 Right to education

160. The Government of South Africa is ensuring access to high quality learning and teaching and provides support materials, which are key to improving curriculum delivery. The DBE continues to provide grades R – 9 learners in public schools with learning and teaching support materials in the form of workbooks in literacy and numeracy, including Braille workbooks in all the grades mentioned above. The workbooks provide activities that ensure that learners work to the required standard, and assist teachers to pace their work so that all elements of the curriculum can be completed on time. The department further monitors the provinces for procuring and provisioning textbooks to learners. The department is gradually developing textbooks for selected subjects and selected grades.

161. Access to education is also improved and through the DBE, comprehensive programmes and projects have been developed. The programmes are funded to address several priorities, key of which are the eradication of inappropriate structures, provision of water, electricity and sanitation, provision of new and replacement of schools, school maintenance, repairs and refurbishments, as well as addressing the regulations relating to minimum norms and standards for public school infrastructure. In the case of accelerated schools infrastructure delivery initiative (ASIDI) projects, these are funded through the Schools Infrastructure Backlogs Grant and the provincial programmes through the Education Infrastructure Grant and the provincial equitable share.

162. Government has developed a Comprehensive National ECD Policy, which upholds that ECD be viewed as a public good and also provides for early identification of children with disabilities, to facilitate proper planning and the provision of adequate resources and services. A national audit on registered and unregistered ECD centres was conducted. An ECD Diagnostic Report and a South African Integrated PoA for ECD (2013 – 2016) were developed and approved by Cabinet on 18 September 2013.

163. Stats SA's, *General Household Survey* revealed that the total number of children aged 0 – 4 attended ECD centres was 1,6 million representing just over three out of 10 (30,793%) of all children aged 0 – 4 in South Africa. The

number of children aged 0 – 4 attended ECD centres decreased by 4,89% over the period of 2010 to 2015. There was a total number of 1,5 million children in ECD centres receiving services representing a quarter (29,7%) of all children aged 0 – 4 years in South Africa during the 2015/16 financial year. The number of children in ECD centres receiving services increased substantially from 789 424 in 2010/11 to 1 545 103 in 2015/16.

164. Government has also made progress in terms of enrolment rate in primary schools between 2010 and 2016. The total national enrolment in primary schools, grades 1 to 7 was 7 063 849 in 2013, and increased to 75 509 476 in 2016. However enrolment for secondary schools, grades 8 to 12 was 4 593 497 in 2013 but declined to 4 568 673 in 2016.

165. Government continues to guarantee access to education for pregnant girls. The Girls and Boys Education Movement in partnership with the Media in Education Trust collaborated to implement the Keeping Girls in School Programme, aimed at mitigating the risk of learners' pregnancy by targeting at risk girls through a sexual reproductive health programme embedded within a curriculum support model. It targeted three high-risk provinces namely Mpumalanga, Eastern Cape, and KwaZulu-Natal.

166. Government, through the Department of Basic Education, is reviewing the Draft Policy on the Prevention and Management of Learner Pregnancy. The draft policy was developed to address the challenge of learner pregnancy in schools mainly driven by the gap in dealing with learner pregnancy since the withdrawal of the measures as some schools use these to exclude learners from school for up to two years. The policy also seeks to strengthen the prevention element to reduce the number of learner pregnancies. The Life Skills Education Programme also touches on the prevention of teenage pregnancy through its sexual and reproductive health education component, however, these needs to be augmented.

167. Training is conducted for healthcare providers in health facilities and the focus is on adolescent and youth-friendly services. This training contributes to the reduction of teenage pregnancies as it empowers trained healthcare providers to be able to interact and communicate well with young people when providing services. Through loveLife and Soul City's programmes demand for healthcare services is created and young people are then able to access facilities for contraceptives.

168. In **Concluding Recommendation 52**, the committee recommends the State Party to ensure the realisation of inclusive education by taking all the necessary measures. The manner and form of inclusive education must be dictated by the individual educational needs of the child. The State Party should not apply inclusive education by simply integrating children with disabilities into the regular system regardless of their challenges and needs. Rather it should cater for the children's specific needs by re-evaluating its education curriculum to address challenges faced by children with disabilities, incorporating special needs education in teachers and other personnel involved in the education system trainings, and providing and improving basic infrastructures suitable to children with disabilities.

Inclusive education and incorporation of special needs education

169. In addressing issues relating to inclusive education, the Government has enacted legislation to protect the rights of children with disabilities. This includes Section 27 of the Constitution; the National Health Act (Act 61 of 2003); the National Rehabilitation Policy (2006); the development of a rehabilitation framework and related policies and protocols to secure the right of all persons, including persons with disabilities to have equal access to healthcare, which embraces mental health and rehabilitation services.
170. The *White Paper on the Rights of Persons with Disabilities* provides policy direction for government in ensuring inclusion of persons with disabilities in critical services. Children with disabilities have been identified as a compounded vulnerable group. Section 18 (1) of the Regulations Relating to the Minimum Uniform Norms and Standards for Public School Infrastructure focuses school design provision for specific needs, and states that: "School design must make provision for specific needs of learners, educators and administrative staff with disabilities as for the needs of their able colleagues." Since the publication of the regulations in 2013, prototype design plans are in place and are currently being implemented in line with the regulations relating to minimum uniform norms and standards for public school infrastructure.
171. Government continue to ensure that children with disabilities have access to education. Teachers are provided with training in order to strengthen their capacity to teach children with disabilities. The DBE trained teachers on the new South African Sign Language Curriculum Assessment Policy Statement and have reached 128 Intermediate phase teachers and deaf teaching assistants in October 2015. The number of teachers trained nationally on SIAS Policy and guidelines for curriculum differentiation was 1 019 officials and 1 998 schools have been reached. The DBE has also trained educators at different levels with regard to special needs education guidelines: 4 419 teachers for all phases; SA Sign Language: 1 202 teachers for all phases; and Braille, 463 teachers for all phases.
172. In addition, Braille workbooks have been printed and distributed to children with vision disabilities. The DBE delivered grade R-(Volume 1 Braille workbooks to 22 special school. A total of 31 462 Braille workbooks has been printed and delivered to special schools and these include a Mathematics workbook 1 and 2 as well as Home Language workbook 1 and 2.
173. In **Concluding Recommendation 50**, the committee notes that there remain a number of challenges in the efforts to realise the rights of children with disabilities such as: inadequate disaggregated data; barriers to access facilities and social services; the quality of some services such as rehabilitative services; the inadequate integration of the social model in various policies and practices; and limited monitoring frameworks. The committee recommends that the Government of South Africa of South Africa strengthens its efforts to realise the rights of children with disabilities in full in line with the provisions of the Charter and the Convention on the Rights of Persons with Disabilities.

Strengthen efforts to realise the rights of children with disabilities

174. Section 27 of the Constitution, the National Health Act, 2003 (Act 61 of 2003), the National Rehabilitation Policy (2006), development of Rehabilitation Framework, and related policies and protocols, secure the right of all persons, including persons with disabilities, to have equal access to healthcare, which includes mental health and rehabilitation services.
175. In terms of the lack of Braille and sign language services, government has adopted a strategy to transcribe summarised versions of key policy documents into Braille to increase access to health information. Furthermore, government makes provision for sign language in all major consultations with the disability sector. A government-wide strategy on sign language services is under consideration by the DSD.
176. Government has established the disability service and information portal that provide access to information. Caregivers of children with disabilities have access to integrated information, which includes information on parental counselling, peer-support services, therapeutic, educational, and economic programmes. In protecting sexual and reproductive rights of children with disabilities, government has defined, costed, and approved an integrated and holistic basket of accessible and affordable healthcare services at district and community levels, which will include access to a higher level of care.
177. Several awareness campaigns on the inclusion of children with disabilities in their communities, e.g. children with Albinism were conducted. The introduction of the SIAS in 2014 and large-scale training of teachers, school managers and education officials, aims at identifying children who are marginalised within their homes and communities, as early as possible and ensuring that they receive support and interventions. In 2015/16, 13 000 teachers were trained. The National Scholar Transport Policy (2015) makes provision for universal access, including accessibility for children with disabilities. Implementation is being monitored.
178. In **Concluding Recommendation 54**, the committee notes that there are reported instances where there is recruitment of children from and in schools to make them involved in gang and drug dealing activities. The committee recommends that the State Party should combat this recruitment through close supervision and investigation around schools and by rolling out various measures and programmes that emphasise prevention and awareness raising.

Measures taken to combat recruitment of children in gang and drug-dealing activities

179. The Government of South Africa, through the DBE, has developed a National Strategy on the Prevention and Management of Alcohol and Drug Use among learners in schools. The DBE also developed a Guide to Drug Testing in all South African Schools for implementation throughout the education System. The DOE is currently in the process of rolling out the National School Safety Framework in all provinces. The overall aim of the framework is to create a safe, violence and threat free, supportive learning environment for learners, educators, principals, school governing bodies and

administration. In partnership with the SAPS the department has linked 17 325 schools to local police stations.

180. Government has further established a schools-based crime prevention programme, through which the SAPS reaches children. A range of crime and violence issues is addressed to indicate the negative impact crime has in causing harm to others. Crime awareness campaigns also emphasise the need to report issues of abuse and educate children and care givers including educators on what is tantamount to violence, may precipitate or predispose others to violence. Issues addressed in the schools-based crime awareness engagements include bullying, cyber bullying, substance use and drug abuse, dangerous weapons, sexual offenses, xenophobia, occult-related crimes and gangsterism and the necessity to report all forms of child abuse.

181. In **Concluding Recommendation 51**, the committee also recommends the State Party to ensure that no child is left uneducated by lifting barriers such as the requirement of documents for refugee and stateless children and guaranteeing access to education for pregnant girls. The committee notes with concern the inadequate number of schools and infrastructure, high level of school absenteeism, the poor capacity of school regulating bodies, the high cost of education, shortage of materials, and insufficiency of home language teachers as incumbent of children's right to education. Thus the committee urges the Government of South Africa to address the concern areas and through allocation of sufficient budget for the education sector, construction of schools and basic infrastructure in the rural areas, training of teachers and regulatory bodies, subsidising the education system, provision of materials, and incorporation of home language training in teachers education.

Construction of schools and basic infrastructure in the rural areas

182. The main goal of ASIDI is to eradicate mud and unsafe structures and to provide existing schools with improved infrastructure such as laboratories, libraries, and administration blocks. To this end, the norms and standards for basic school functionality were approved for implementation in line with ASIDI. By October 2016, 510 projects have been identified. A total of 293 have been allocated to implementing agents, 162 have been completed, and 131 are at various stages of planning, procurement of contractors and construction.

Incorporation of home language training

183. The Government of South Africa views the linguistic rights of children as a priority. In 2013, government announced plans to strengthen the teaching of African languages through the Incremental Introduction of African Languages (IIAL). The IIAL is a priority programme aimed at promoting some aspects of social cohesion in society. The IIAL was piloted in 2014/15 in grades 1 – 2 in 264 schools. The 2016 IIAL implementation targeted Grade 1 learners in all schools that are currently not offering a previously marginalised African language. Currently the programme is implemented in 873 schools.

184. The incremental introduction of the African languages pilot is currently underway in grades 1 – 2 in 231 schools in eight provinces and 33 Grade 1 classes in the Free State. Overall, 264 schools were participating in the IIAL

pilot in 2015. In the Western Cape, 10 schools introduced IsiXhosa; in the Northern Cape five schools introduced Setswana; in the Eastern Cape 114 schools introduced IsiXhosa and Sesotho; in KwaZulu-Natal 15 schools introduced IsiZulu; in the Free State 33 schools introduced Sesotho; in North West 10 schools introduced Setswana and IsiXhosa; in Gauteng 12 schools introduced IsiZulu, Sesotho, Setswana, Xitsonga, Sepedi and Afrikaans; in Mpumalanga 39 schools introduced Sepedi, Xitsonga, IsiNdebele, Siswati and IsiZulu; and in Limpopo 26 schools introduced Sepedi, Xitsonga, Tshivenda, Setswana, and Afrikaans.

185. Government is further planning to implement the previously marginalised official African languages in Grade 1 classes in all public and independent schools (\pm 18 513) that offer the National Curriculum Statement. The IIAL will be phased in incrementally in subsequent years until Grade 12 in 2028. The IIAL will require all learners to study three languages, of which one should be a previously marginalised African language.

186. In terms of reading, the Spelling Bee, and Reading clubs, government is implementing programmes through the DBE in partnership with the Department of Arts and Culture. The objectives of the Spelling Bee and Reading clubs programme are to promote a love for reading, writing and spelling in the intermediate phase in English; address existing gaps in language teaching that cause poor performance; inculcate reading as an enjoyable literary activity; and lay a ground work for future academic performance. The only category of the Spelling Bee is the Intermediate Phase English, which includes grades 4 – 6 in the schooling system.

187. In addition, government is making progress on teacher training programmes in home languages. In this regard, Mpumalanga University teaches languages such as Isindebele, Siswati; and at the University of Zululand, isiZulu are taught. State bursaries in African languages have also been increased. Teachers have been trained on the programme for incremental introduction of African languages. The DBE has trained educators at different levels on curriculum differentiation. A total of 17 540 foundation phase teachers and full service guidelines; 5 437 teachers for all phase; and plans with targets for the next phase have been developed.

188. In **Concluding Recommendation 52**, the committee commends the State Party for its effort to ensure migrant children's right to education. However, there are constraints due to the requirement of documents, lack of education materials, and insufficient teachers. Thus, the committee recommends the State Party to facilitate migrant children's access to education by lifting barriers related with submission of documents and provision of the necessary resources.

Lifting barriers and submission of documents and provision of the necessary resources

189. In respect of the admission of non-citizens, the South African Schools Act makes provision that a learner who entered the country on a study permit must present the study permit on admission to the public school. The South African Schools Act apply equally to learners who are not citizens of South Africa and

whose parents are in possession of a permit for temporary or permanent residence issued by the DHA.

190. With regard to the committee's concern on lifting barriers, government is implementing the Aliens Control Act, 1991 (Act 96 of 1991). According to the Act any person classified as an illegal alien must, when they apply for admission for their children or for themselves, show evidence that they have applied to the DHA to legalise their stay in the country in terms of the Aliens Control Act.

6.2 Leisure, recreation and cultural activities

191. School sport is regarded as the bedrock of sports in the country. The DBE, in collaboration with Sports and Recreation South Africa, stages the national championships. These national championships are held on a seasonal basis (i.e. autumn, winter, and summer games) in different provinces. These are based on conducive weather conditions and capacity of provinces to host. The 2016 Winter Games were held in Durban, KwaZulu-Natal. A total of 6 200 learners participated with the support from 480 technical officials and 80 volunteers. Learners competed in seven priority-sporting codes and two indigenous games. Sporting codes are chess, football, hockey, netball, rugby, tennis, and volleyball; and two indigenous games are jukskei and khokho. These national championships provide an opportunity for talented athletes to be identified and confirmed through scientific testing protocols so that their talent can be nurtured.

192. Arts Education is presented within the ambit of the Preamble of South African Schools Act, 1996, (Act 84 of 1996). Government has made resources available to 20 schools in four provinces, which are Gauteng, Limpopo, North West, and Mpumalanga, and provided support with indigenous music instruments. Gauteng further collaborated with the University of South Africa (UNISA) to train teachers in arts education. By October 2016, 200 teachers have been trained.

193. The Government of South Africa has put the South African Schools Eisteddfod (SASCE) in place, which is a programme that involves learners from the entire schooling system and encourages mass participation in school enrichment programmes. The SASCE programme is aimed at promoting social cohesion, unity and national identity, as well as national reconciliation and social transformation. The programme is linked with the NDP and Action Plan to 2019: Towards Schooling 2030. It addresses Chapter 15 of the NDP on nation building and social cohesion. Schools are prescribed to perform and recite the Preamble of the Constitution of South Africa; Plea for Africa; and the South African National Anthem. The National Eisteddfod was held from 28 June to 1 July 2016 under the theme: Commemoration of the 1976 Youth Uprisings through Music. A total number of 8 200 schools registered and participated from the first level of the competition.

6.3 Health and welfare

Measures taken to reduce infant and child mortality

194. The quality of data obtained from different sources indicates that there remains uncertainty about the exact child mortality rate in South Africa. Under five and infant (under one year) mortality rates have consistently declined from 2009 to 2012 in all provinces as well as in the country as a whole. Cause of death data was obtained through the Vital Registration System (death certificates). In 2011, one-quarter of deaths were reported to be due to neonatal causes, while gastro-enteritis (15%) and acute respiratory infections (mostly pneumonia) (13%) were the next most important. Non-natural causes (6%), malnutrition (4%), congenital abnormalities (4%) and tuberculosis (2%) were other major contributors. Most non-natural deaths were ascribed to preventable causes such as drowning, burns, and electrocution. Of concern is that the cause of death classified as being ill defined in 16% of instances, indicating that the quality of death certificate completion by health professionals remains a problem.
195. In terms of that proportion of children under five years admitted with pneumonia who died, the figures indicate that the national average of child under five years pneumonia case fatality rate for 2015/16 is 2,4%. This is in line with national target of < 3%. Involvement of community workers (ward-based outreach teams) in the implementation of key family practices, will also improve health-seeking behaviour and home management of sick children.
196. In **Concluding Recommendation 46**, the committee notes that a significant number of child deaths are preventable, and it is recommended that the State Party strengthens and expands its frameworks, budgetary allocations, training, and quality and accessibility of related services with a view to address among other things child mortality, morbidity and still births.
197. Government, through the DoH, has managed to establish 184 hospitals out of 200 district hospitals that are using the Child Healthcare Problem Identification Programme. There is also a Ministerial Audit Committee on morbidity and mortality in children. Various integrated management of childhood illnesses (IMCI) training methodologies have been introduced in all 52 districts and health professional training institutions. Measures are taken to promote that more hospitals use the Child Healthcare Problem Identification Programme; the appointment of more district clinical specialist teams (i.e. paediatricians and paediatrician nurses); increase IMCI coverage through distance e-learning; and providing computers and tablets in in-service and pre-service settings. The department provides technical support to districts with high child mortality and low IMCI coverage, and training institutions to strengthen quality IMCI training.
198. In **Concluding Recommendation 47**, the committee also commends the establishment of the National Committee on Confidential Enquiries into Maternal Deaths (NCCEMD). However, the national committee's report might not be comprehensive, as for instance, it only reports on maternal deaths in healthcare facilities. As the well-being and understanding of the cause of mothers' deaths is essential to the welfare of children. The committee urges the

State Party to extend the reach of the national committee to all provinces and settings, and implement the recommendations of the committee effectively.

National Committee on Confidential Enquiries into Maternal Deaths (NCCEMD)

199. With regard to the NCCEMD, each member is nominated by the respective province to be represented it at the NCCEMD committee. The Triennial Report with maternal and neonatal care recommendations have been approved to be printed and distributed to all provinces, districts, and facilities. Heads of health services in the provinces have been briefed on the latest recommendations from the NCCEMD, and have been tasked with ensuring development of provincial implementation plans and the national office is monitoring the implementation.

200. Data was entered of 4 452 deaths in pregnancy and the puerperium for the period 2011 – 2013. The Institutional Maternal Mortality Ratio (iMMR) has decreased from 176 22/100 000 live births in 2008 – 2010 to 154 06/100 000 live births in 2011 – 2013. The iMMR decreased in district and tertiary hospitals but there was a slight increase in regional hospitals. In 2011 – 2013, the big five causes of maternal deaths were:

- a) non-pregnancy related infections (NPRI) were: 34,7%, deaths mainly due to HIV infection complicated by Tuberculosis (TB), Pneumocystis Carinii Pneumonia and pneumonia
- b) obstetric haemorrhage (15,8%)
- c) complications of hypertension in pregnancy (14,8%)
- d) medical and surgical disorders (11,4%)
- e) pregnancy-related sepsis (9,5%, includes septic miscarriage and puerperal sepsis).

201. These five account for 86,2% of maternal deaths. Bleeding at or after caesarean section was responsible for a third of obstetric haemorrhage deaths. TB was the most common cause of deaths due NPRI and was probably under-diagnosed in a number of other women. There has been a significant reduction in maternal deaths in the 2011 – 2013 triennium and this reduction is mostly due to a decrease in deaths due to NPRI; however to maintain this fall and obtain an further exponential fall, more still needs to be done. Assessors classified 60% of maternal deaths to be possibly or probably preventable indicating mostly poor quality of care during the antenatal, intrapartum, and postnatal periods.

202. Provinces must have meetings on maternal deaths and report to the NCCEMD. The engagements with the private sector are well underway to incorporate private maternal health data into the national health data. Provinces are expected to do a presentation to the NCCEMD during its annual extended meeting. Summary charts for the wards in maternity units and pocket size charts of the key causes of maternal deaths and their recommendations, have been developed by the national office for healthcare providers, printed and will be distributed to the provinces, districts and facilities. The national office ensures practical implementation of the recommendations, e.g. that provinces have obstetric ambulances.

203. In **Concluding Recommendation 48**, the committee urges the State Party to undertake all the necessary measures to promote exclusive breast-feeding at least for the first six months of children's lives as one mechanism of ensuring their healthy growth and development, and to regulate and control the promotion of alternatives to breast milk.

Promotion of exclusive breast-feeding

204. The Mother Baby Friendly Initiative (MBFI) in South Africa is one of the strategies that continue to improve maternity practices to promote, protect, and support breast-feeding. South Africa currently has 70% (382) facilities with MBFI maternity beds.

205. Government is implementing the Tshwane Declaration through a range of strategies including the:

- a) adoption of the WHO 2010 of the Infant and Young Child Feeding Guidelines in the context of HIV
- b) promulgation of the regulation relating to foodstuffs for infant and young children
- c) distribution of free infant formula phased out
- d) revision of the Infant and Young Child Feeding Policy (2013)
- e) scaling up on the number of MBFI facilities
- f) incorporated breast-feeding in the Maternal Child and Women's Health strategy 2012 – 2016
- g) incorporating Breast-feeding in the Obesity Strategy 2015 – 2020.

The current status of the MBF in South Africa shows that 403/545 facilities (74%) were accredited mother baby friendly by 2015/16.

206. The regulations relating to foodstuffs for infant and young children came into effect on 6 December 2014, to enforce the Code of Marketing of breast milk substitutes. The regulations R991 relating to foodstuff for infants and young children, under the Foodstuffs, Cosmetics and Disinfectant Act, 1972 (Act 54 of 1972), was promulgated in December 2012. Compliance to these regulations is monitored and coordinated at national level, with members of civil society, NGOs, developmental partners, and various organisations being able to report any non-conformity to the regulations with evidence to the DG.

207. The enforcement of the regulation in the competency of environmental health practitioners at local authority level. Action will be taken in strengthening implementation of the MBFI accreditation process to focus on key challenging areas of the 10 steps to strengthen sustainability, and strengthen breast-feeding promotion at community level.

Measures taken to ensure access to health and health services

208. Government is providing an adequate standard of living and access to education and healthcare to all children including indigenous children. The National Health Insurance (NHI) aims at providing essential healthcare to all South Africans regardless of their ability to make direct monetary contributions to the NHI. This is being piloted in 11 selected districts. The re-engineered service-delivery system consists of three interventions known as the three streams of primary healthcare (PHC) essential in delivery of PHC services and

prevention and promotive health. These three streams comprise the ward-based PHC outreach teams, integrated school health teams, and district clinical specialist teams.

209. In the 2014/15 financial year, 2 912 ward-based PHC outreach teams were established. This is an increase from the 1 595 teams established in 2013/14. During the period under review, 1 748 teams reported their activities in the District Health Information System. This is an improvement over 1 063 teams that reported in 2013/14. A total of 800 community healthcare workers have been allocated mobile phones and have been trained in the use of this technology for data capturing and reporting. This initiative supports a faster turnaround time for care of individuals and families in the community. To improve postnatal care within six days, the PHC outreach teams have been tasked with following up new mothers within six days and this has shown a significant improvement in provinces, where roving teams are linking mothers to facilities actively within the specified period. At the end of 2014/15, 74,3% of mothers received a postnatal visit within six days of giving birth.

210. In addition, government, through the DoH, is also working towards a continuum of care starting with primordial prevention, early identification and screening, through to treatment and control at all levels of care and effective palliative care. This includes the development of guidelines and strategies for non-communicable diseases, the management of disabilities, and the establishment and strengthening of rehabilitation services.

211. Since the launch of the *Green Paper on NHI*, various reforms and initiatives are underway to improve the provision of services. Re-engineering of PHC will therefore focus on strengthening management of facilities, upgrading infrastructure, setting and monitoring national quality standards, and establishing norms for staffing levels and skill-mix.

212. The Ideal Clinic (IC) Programme is another initiative that was started by the DoH in July 2013. The IC Programme is a way of improving and correcting deficiencies in PHC clinics in the public sector that were picked up by the department's baseline standards audit in 2011/12, including the ensuing inspections of the Office of Health Standards Compliance (OHSC). An IC is a clinic with good infrastructure, adequate staff, adequate medicine and supplies, good administrative processes and adequate bulk supplies that use applicable clinical policies, protocols, guidelines, as well as partner and stakeholder support, to ensure the provision of quality health services to the community.

213. An IC cooperates with other government departments, as well as with the private sector and NGOs to address the social determinants of health. The goal is to standardise the quality of PHC services across the country. The work done since July 2013, and the method used for its application culminated in the Operation Phakisa IC laboratory that took place from 12 October to 21 November 2014. A key output of the laboratory is a detailed plan for transforming all clinics in South Africa into ICs.

214. Integrated clinical services management (ICSM) will be a key focus within an IC. ICSM is a health, system-strengthening model that builds on the strengths of the HIV programme to deliver integrated care to patients with

chronic and/or acute diseases, or patients who come for preventative services by taking a patient-centric view that encompasses the full value chain of continuum of care and support.

Measures taken to ensure provision of adequate nutrition and safe water

215. The Government of South Africa intends to strengthen the management of children with severe malnutrition through working with the district clinical specialist teams, and to provide technical support to provinces and facilities with high case-fatality rates due to severe acute malnutrition. By 31 March 2016, the programme provided 9 259 510 learners in 20 550 quintile 1 to 3 primary, secondary and identified special schools nationally. Government is providing technical support to poor performing provinces and in addressing this issue the Integrated Management of Acute Malnutrition guidelines was finalised.

216. According to *the General Household Survey 2014*, nationally 90% of South African households have access to piped water. The percentage of households with access to piped water increased from 62,3% in 2002 to 79,5% in 2014; while the percentage of households that continued to live without proper sanitation facilities have been declining consistently between 2002 and 2014, decreasing from 12,3% to 4,9% during this period. The percentage of households for which refuse were removed at least once per week increased from 56,7% in 2002 to 64% in 2014, with a decrease in the number of households that had to rely on their own or communal rubbish dumps, or who had no facilities at all.

217. In **Concluding Recommendation 45**, the committee indicates that while commending the various measures, such as the NSNP, the CSG, the ECD subsidy, and decisions from the judiciary that help to reinforce the right to basic education for children, the committee notes that poor access to food, under-nutrition and malnutrition still continue as key contributing factors for child mortality and child morbidity. The committee calls upon the State Party to safeguard and undertake all necessary measures to realise children's right to basic nutrition in its programmes and actions. In addition, the committee advises the State Party to secure access to medical care for all children without any discrimination based on, among other things, the rural and urban divide, and race.

218. NHI is a health financing system is designed to pool funds to provide access to quality, affordable personal health services for all South Africans based on their health needs irrespective of their socioeconomic status. NHI is intended to ensure that the use of health services does not result in financial hardships for individuals and their families. NHI represents a substantial policy shift that will necessitate a massive reorganisation of the current healthcare system, both public and private and derives its mandate from the NDP of the country.

219. NHI implementation is consistent with the constitutional commitment for the State to take reasonable legislative and other measures, within its available resources, to achieve the progressive realisation of the right to have access to healthcare services including reproductive healthcare. Progressively realising

this right will contribute to a healthy population that benefits the entire nation. NHI is a policy shift that will contribute towards poverty reduction and addressing the inequalities inherited from the past. Implementation of NHI is consistent with the global vision that healthcare should be seen as a social investment and therefore should not be subjected to market forces where it is treated as a normal commodity of trade.

220. The South African health system has been described as a two-tiered system divided along socioeconomic lines. The NHI will create a unified health system by improving equity in financing, reducing fragmentation in funding pools, and by making healthcare delivery more affordable and accessible for the population. The NHI will eliminate out-of-pocket payments when the population needs to access healthcare services. In the end, households will also benefit from increased disposable income because of a significantly lower mandatory prepayment. Nursing remains the backbone of the South African health system. A PHC category for nursing was introduced to support the PHC system. From 2009 to 2013, the number of nurses trained on Nurse Initiated Management of Anti-Retroviral Therapy (NIMART) increased from 250 to 23 000. This increase contributed to the massive roll out.

Measures taken to ensure healthcare for expectant and nursing mothers

221. A revised policy, (National consolidated guidelines for the prevention of mother-to-child transmission of HIV (PMTCT) and the management of HIV in children, adolescents and adults, HIV disclosure guidelines for children and adolescents (draft), standardised ART clinical file for children and adolescents (birth to 19 years) are in place. Currently the department is implementing a 90-90-90 strategy to improve HIV case finding in all population groups and linking them to HIV care. Government has also developed and implemented the contraception policy, which focuses on five key actions, namely: provision of quality contraceptive health services; stimulating community awareness and demand; putting integration into practice; strategic multi-sectoral collaboration; and evidence-guided planning and provision.

222. The draft HIV disclosure guidelines for children and adolescents have been developed. The monitoring tool has been developed and approved. The DoH's Draft Policy Guidelines for Adolescent and Youth Health, outlines five intervention strategies, namely: promoting a safe and supportive environment; providing information; building skills, counselling and access to health services; and an ISHP, which aims to provide reproductive health services.

223. In **Concluding Recommendation 49**, the committee notes that while there is some progress in addressing HIV and TB, the multiple challenges posed by TB and HIV on the realisation of children's rights continues. While commendable progress has been made on the treatment aspect of HIV and AIDS, challenges in relation to prevention, age-appropriate reproductive health education, as well as condom use remain prevalent. The committee indicates that even though there is progress in the dissemination of anti-retroviral medications, there is a reported shortage of vaccines and ART due to the stock-out of the drugs, as well as challenges related to effective and tolerable regimens for TB for both children and adults. It is recommended that the State

Party addresses these and related matters and addresses the stock-outs to safeguard children's access to the highest attainable standard of health and to take all the necessary prevention actions accompanied by effective campaigns.

Addressing the stock-outs to safeguard children's access to the right

224. Government is monitoring drug stock-out through the DoH Affordable Medicines Cluster. The department has developed implementing guidelines and strategies including paediatric and adolescent HIV and TB integrating prevention, early identification of HIV and link to early treatment, care and support blueprint for action 2012 – 2016, psychosocial support for children and adolescents infected and affected by HIV 2013 (information booklet for health professionals).

Measures taken to involve NGOs, local communities and beneficiaries

225. The Government of South Africa involves adolescents in law and policy-making through consultative workshops in the finalisation of policies such as the Integrated Strategy on HIV and AIDS, which has been finalised by the South African National Aids Consortium (SANAC). The B-WiSE is used to provide access to information for adolescents and youth. Average weekly users have increased by 50% in 2016 (2015 average was 2 238; 2016 average was 3 400) and average weekly registrations have increased by 280% in 2016 (2015 average was 6; 2016 average was 23).

226. Through NGOs such as loveLife and Soul City, the demand for healthcare services is created and young people are then able to access facilities for contraceptives. Young people are also involved in the You Only Live Once (YOLO) programme, hence responsible behaviour is important. YOLO has been piloted in 15 districts in eight provinces YOLO was launched on 3 December 2015 at a national youth camp in the Northern Cape and will be scaled up to all districts in the 2016/17 financial year.

227. In addition, the Isibindi (Circle of Courage) Model has been introduced. The Isibindi Model is aimed at creating safe and caring communities in the context of HIV and AIDS through the delivery of community-based child and youth care services by trained and qualified CYCWs. Through the Isibindi Model, prevention, early intervention, and protective services were provided to 1,4 million orphans and vulnerable children nationally.

PART 7: FAMILY ENVIRONMENT AND ALTERNATIVE CARE

7.1 Protection of the family

228. Parents' common responsibilities, assistance to parents and provision of child-care facilities are also taken care of by government. In this regard, the DSD has developed and introduced the *White Paper on Families*, which addresses the responsibilities and assistance to parents by way of marriage preparation and marriage enrichment courses; family enrichment programmes;

parenting skills programmes; marriage and divorce counselling; divorce mediation; and family counselling.

229. The strengthening of families is at the centre of all efforts to address social ills, such as teenage pregnancy, absent fathers, substance and drug abuse, as well as violence against women and children, and HIV and AIDS. Government has developed strategies and programmes to address the issues such as absent fathers, teenage parents, parenting of teenagers and family reunification. The DSD will continue to promote the key strategic objectives of *The White Paper on Families* namely to promote healthy family life and to implement family strengthening and family preservation programmes that will contribute to family resilience and family well-being to better the lives for all.

230. Furthermore, government celebrates the International Day for Families (IDF) on 15 May in partnership with other stakeholders. The main purpose of the celebration of the IDF is to raise awareness among various stakeholders about the plight of families in South Africa and to take stock of the achievements made in addressing some of these challenges. International Men's Day (IMD) is celebrated annually on 19 November to improve gender relations and promote unity. IMD also seeks to appreciate men in general for the greater good of all, and the contribution they make to society.

7.2 Parental care and protection

231. The Children's Act makes provision for family environment and parental guidance. In terms of the families that are headed by children, government ensures that guidance is consistent with the child capacities. The Government of South Africa, through the DSD has begun the process of developing an electronic child-headed households (CHH) register, which became operational in April 2014. The register assists in having a clear picture of all CHHs recognised in terms of the Children's Act as well as youth-headed households. Comprehensive social security has recommended amendments to the Social Assistance Act to include a social security measure to ensure that children in CHHs obtain social assistance.

232. The Children's Act refers to children placed in foster care with family members instead of kinship care. The DSD is implementing a foster care project plan that aims to reduce the backlog of lapsed foster care orders and to put systemic mechanisms in place for effective and sustainable management of the foster care programme. The foster care orders are extended administratively in line with the North Gauteng High Court order and children continue to receive services and foster child grants. The department is engaged in a policy review process undertaking a number of activities that include the Minister's Committee on Foster Care that was established to determine factors that affect the programme, and making recommendations to the Minister on the implementation and evaluation of the foster care programme and consultations on policy options for foster care.

233. The DoJ&CD provides administrative support to children's courts in the administrative opening, finalisation of children's court matters as well as the adjudication and finalisation of children's courts cases/inquiries to ensure the child's well-being, and that the child's best interests and rights are protected.

234. In **Concluding Recommendation 39**, the committee is concerned that disaggregated data on family environment and alternative care measures, which are critical for the development and monitoring of laws, policies and programmes, are not adequate. The committee recommends that the State Party systematically collect disaggregated data on children in street situations; the number of children in CYCCs; in foster care; in corrective facilities in any given year and for the first time; as well as the number of children removed from their families for the first time in a given year.

235. In **Concluding Recommendation 38**, the committee urges the Government of South Africa to provide adequate preventive, as well as corrective measures to support the children who live and work in these street situations. Moreover, the committee urges the State Party to develop and implement norms and standards effectively to cater for those that are deprived of their family environment and to this effect call the State Party to use and implement the UN Guidelines for the Alternative Care of Children as appropriate.

Implementation of the UN Guidelines for the Alternative Care of Children

236. In line with the legislative requirement of Section 194 (1) of the Children's Act, the DSD ensured the determination and development of norms and standards generally for CYCCs and specifically for secure care centres for children in conflict with the law. Over and above the norms and standards there is a blueprint that provides guidelines on the design principles for the structure of secure care centres and how they should be built across all provinces.

237. South Africa is responding to an untold crisis in respect of the care of children as result of the HIV and AIDS crisis. The Children's Act responds to services to orphans and vulnerable children by providing various responses, which include the designation of CHHs and ensuring protection for all children as part of the Constitution, the Convention on the Rights of the Child (CRC) and the Children's Charter. Government is aware of the number of orphans and vulnerable children, living in the care of extended family members. Some of the children have been placed in foster care by the Children's Court. In 2015/16, 506 911 children were placed in foster families.

238. In **Concluding Recommendation 44**, the committee recommends that measures to ensure the accessibility of these grants to all who qualify be ensured by eliminating barriers and by providing the necessary training and capacity building. In addition, in relation to the FCG, it is recommended that capacity to keep up with the procedural requirements for monitoring and renewing grants be addressed, and the necessary measures to prevent lapsing FCGs be undertaken including with a view to come up urgently with a durable policy solution.

Measures to ensure the accessibility of grants to all who qualify

239. Government continued to formulate policy and legislative proposals for contributory income support aimed at protecting households against life cycle risks such as unemployment, ill health, retirement, disability, and the death of a breadwinner. In pursuit of this goal, the *Position Paper on Social Security Reform* was presented to Cabinet in June 2012. It contained proposals for extensive reforms, including the introduction of mandatory pension contributions for formal sector workers, the introduction of survivor and disability benefits, and related institutional reforms aimed at enhancing the quality of benefits received by contributors. Approximate grant figures for 2015 are: FCG R5 billion; CSG R50 billion, Care Dependency Grant R2 billion while Social Relief of Distress was R450 000.

Measures to prevent lapsing foster child grants

240. The Foster Care Policy is being reviewed and options for the legal, care, and protection of children is part of the review. The DSD is implementing a foster care project plan to reduce the backlog of lapsed foster care orders and to put systemic mechanisms in place.

241. The foster care orders are extended administratively in line with the North Gauteng High Court Order and children continue to receive services and FCGs. The DSD is engaged in a policy review process by undertaking a number of activities that include the Minister's Committee on Foster Care that was established to determine factors that impact on the programme and making recommendations to the Minister; implementation evaluation of the foster care programme and consultations on policy options for foster care. Through the implementation of the Foster Care Project Plan there is a reduction in outstanding orders. There are 114 128 outstanding orders from expired records and by 31 August 2016, the total number of children on foster care was 500 366.

Addressing monitoring and renewing grants

242. Plans to review the Social Assistance Act with the intent to introduce an extended CSG for families caring for orphans are underway, and investigations and consultations have been conducted. However, this process is still not finalised.

243. In **Concluding Recommendation 41**, the committee recommends that consistency of the subsidies be ensured in all the provinces. The committee also recommends that, the State Party, within its available resources, and taking into account the global inflation and the cost of living *vis-à-vis* actual feeding and care services cost, should consider to progressively increase the amount of the grant and the subsidy. In addition, the committee recommends that the State Party to provide for care and dependency grants for children with disabilities.

Consistency of the subsidies be ensured in all the provinces

244. There is an allocation of funds earmarked from National Treasury. This is in line with the identification of sector priorities. Additional funding is provided to provinces that are lagging behind in terms of unit cost per service to ensure that there is parity in funding.

Measures taken to increase the amount of grant progressively

245. The Government of South Africa, through the DSD, has obtained approval from Cabinet on 9 December 2015, to increase the value of the CSG amount for orphans and children heading and living in CHHs. The policy intervention proposes a higher value for the CSG, which may be determined by the Minister of Social Development in concurrence with the Minister of Finance from time to time. Overall, DSD offers three children's grants namely: The CSG (which is R350 per month per child), the CDG (R1 500 a month) and the FCG (R890). These are interventions offered to address income poverty and vulnerability of children.

Provision of care and dependency grants for children with disabilities

246. The CDG is provided to children with disabilities and the grant is currently R1 500 per month.

7.3 Parental responsibilities

247. *The White Paper on Families* serves as an effective tool in crafting programmes and strategies aimed at supporting families to fulfil their duties and parental responsibilities. The goal is to build strong and resilient families as well as safer and non-violent communities. Government, through the DSD, has developed parenting programmes particularly in ECD. Training on these programmes have been conducted in all provinces. It is the desire and intention of the DSD to ensure that all members of society, particularly children, the elderly and disabled people are from families that are strong, resilient, and supportive towards their members. The DSD assists families by supporting them through various programmes to perform these parental responsibilities.

248. In ensuring that children of working parents are provided with care service facilities, Cabinet approved the ECD Policy, which recognises ECD as a public good. To date, government spends over R1,8 billion on ECD, benefiting 748 768 children throughout the country. Over 1,5 million children access ECD from 26 000 registered ECD programmes.

249. Government pays a subsidy of R15 per child per day for 264 days a year. At the end of 2014/15, approximately 1,4 million children were accessing ECD services, of which just over half were receiving a subsidy. Government aims to provide all poor children accessing ECD services in registered centers with an ECD subsidy. The amount of R663 million over the MTEF is allocated to increase the number of poor children receiving a subsidy.

250. In **Concluding Recommendation 40**, the committee is concerned about unregistered CYCCs. Children in both registered and unregistered CYCCs who do not have a court order placing them in care, the reported weak enforcement of minimum norms and standards aimed at the protection of children from violence, neglect, and abuse in CYCCs, and inadequate implementation and monitoring of Development Quality Assurance (DQA) processes is also cause for concern. Thus, the committee recommends that the State Party consider strengthening its implementation, enforcement and monitoring of the relevant laws, policies, laws,

regulations, and standards including the use of independent oversight mechanisms, and to take all the necessary measures to ensure the registration of unregistered CYCC.

Ensure the registration of unregistered CYCC

251. The DSD has developed registration guidelines to assist provinces to adhere to the criteria for the registration as stipulated in the Children's Act. Support, guidance, and assistance are provided continuously to provinces during the registration processes to ensure that compliance with norms and standards required for registration.

Implementation and monitoring of DQA processes

252. Provinces are monitoring and conducting quality assurance of non-profit organisations (NPOs). The DSD is currently developing a standardised quality assessment tool to monitor children's services.

253. In **Concluding Recommendation 42**, the committee appreciates the promulgation of laws that ensure the best interest of the child in the issuance of maintenance orders. However, the committee recommends that the State Party should ensure the effective implementation of the relevant laws on maintenance orders granted by courts as a way of safeguarding the best interest of the child in practice.

Maintenance of the child

254. The Maintenance Amendment Act, 2015 (Act 9 of 2015) was assented to and signed by the President on 7 September 2015. The Amendment Act amended the Maintenance Act so as to regulate the:

- a) lodging of complaints relating to maintenance and the jurisdiction of maintenance courts
- b) investigation of maintenance complaints
- c) securing of witnesses for purposes of a maintenance enquiry
- d) maintenance enquiries in order to make provision for the granting of interim maintenance orders
- e) making of maintenance orders
- f) making of maintenance orders by consent.

255. The senior maintenance prosecutors appointed by the Sexual Offences and Community Unit in the NPA are responsible for the effective and efficient management of maintenance matters in the provinces assigned. The NPA is also responsible for the training of prosecutors and stakeholder cooperation.

256. The DoJ&CD initiated electronic Fund Transfer (EFT) for maintenance payments to the beneficiaries. This system allows the beneficiary to receive the maintenance monies via their bank accounts. The introduction of this system received the overwhelming support of the beneficiaries. As a result, 394 courts are on the EFT system. In essence, 98% of maintenance beneficiaries are now receiving maintenance payments on a monthly basis via the EFT and bank system. During the period 1 April 2015 to 31 March 2016, a total of R1 727 247 171 was paid via EFT payments to 2 352 322 beneficiaries. Those who are not

on the EFT system yet are usually the non-nationals and people who do not have IDs and other documentation required by banking institutions to qualify for a bank account. Some beneficiaries still rely on cash as a means of payment due to the lack of access to banking facilities in rural communities, high withdrawal costs, and the convenient location of courts versus bank locations.

257. Government introduced the Maintenance Enforcement Strategy aimed at reducing the increasing numbers of maintenance defaulters and ultimately eliminates maintenance default from courts.

7.4 Adoption

Measures taken to encourage national and international adoption

258. Guidelines on national and inter-country adoptions, accreditation of adoption service providers, the Register on Adoptable Children and Prospective Adoptive Parents (RACAP), Inter-country Adoption Working Agreement Framework and Guidelines on International Social Services, and on Separated and Unaccompanied Minors, are implemented.

259. The International Social Services (ISS) unit in the DSD is well placed to attend to inter-country social services needed by the migrant community in South Africa. The international network of ISS connects social workers from around the globe. This inter-country collaboration assists South Africa to find cross-border durable solutions for separated and unaccompanied migrant children in South Africa. Many children have been reunited successfully with their families. Services are rendered to and from South Africa. The Adoption Registrar is responsible for the registration of adoptions after cases have been finalised in the Children's Court.

260. In **Concluding Recommendation 43**, the committee commends the State Party for the various measures undertaken to improve domestic adoption. The committee recommends that the State Party uses the *Guidelines for Action on Inter-country Adoption in Africa* in strengthening its measures in relation to inter-country adoption.

261. In terms of bilateral and multilateral agreements Government ratified the Hague Convention on the Protection of Children and Cooperation in Respect of Intercountry Adoption and the *Guidelines for Action on Inter-country Adoption of Children in Africa* were also incorporated in the *South African Guidelines for Inter-country Adoption*: South Africa entered into a working agreement with India in 2008 as a receiving country. Subsequent to that, India put a moratorium on inter-country adoptions to review its policy/legislation. South Africa ceased working with India during that period, but resumed when the moratorium was lifted in 2011

262. In 2013, the South African Central Authority authorised an accredited child protection organisation to facilitate inter-country adoption with India. The South African Central Authority suspended its working agreement with Botswana due to challenges regarding screening of prospective adoptive parents. Inter-country

adoption is considered as a last option. Adoption service providers are encouraged to exhaust all options to place the child nationally before considering inter-country adoption (principle of subsidiary).

263. South African policy and legislation is stringent in the determination of the adoptability of a child. Some children are consented by their biological parents who are given a period of 60 days after signing consent to reconsider giving their children up for adoption. Relatives and families of the biological parents are considered during this process. Children who are currently in out-of-home care (foster care/child and youth care centres) are provided with reunification services with their families. If the reunification services are unsuccessful, priority is given to foster parents to adopt the child if the child is in foster care and adoptable.
264. RACAP contains information on unmatched adoptable children and prospective adoptive parents. It assists the South African Central Authority to find prospective adoptive parents nationally before considering inter-country adoption. There were 561 adoptable children and 373 prospective adoptive parents in May 2016.
265. The South African Central Authority regulates the cost of inter-country adoption. It has capped the costs of inter-country adoption services. The costs should not exceed R35 000 for professional services only. Post-adoption services are supposed to be rendered by the adoption agency in the foreign country for a period of five years and post-adoption reports are submitted for a period of five years (first year two reports, then annually for four years). South Africa provides services on access and disclosure of information to an adopted person older than 18 years of age concerning that person's origin.
266. The DSD is the central authority in South Africa on inter-country Adoption. It acts as a point of contact, coordination, and responsibility within South Africa for the implementation of the various duties and activities called for by the international legal instruments. The South African Central Authority does not approve working agreements with adoption agencies in foreign countries that are not authorised and accredited to provide inter-country adoption services. The South African Central Authority is against pre-identification of children by prospective adoptive parents. The South African Central Authority is against families who come to South Africa and facilitate national adoption with South African adoption agencies without consultation with the South African Central Authority and central authorities of their countries of origin.
267. The South African Central Authority conducted capacity building of adoption service providers on inter-country adoption in all the provinces and had consultations with relevant stakeholders such as the DoJ&CD, DHA, International Relations and Cooperation (DIRCO), DBE, and CSOs. The training on Practice Guidelines on National and Inter-country Adoption, working agreements, and the Children's Act: chapters 15 and 16, was given to 1 350 officials in 2013/14. In 2014/15, 1 360 officials were trained on the Practice Guidelines on National and Inter-country adoption, working agreements, and the Children's Act: chapters 15 and 16. In 2015/16, 1 800 officials were trained on the Practice Guidelines on National and Inter-country adoption, working agreements, accreditation, and the Children's Act: chapters 15 and 16.

268. In terms of periodic review of placement, the Children's Act in Section 186 provides for long term statutory placements. This section is however hardly used in the implementation of the Act. The Foster Care Policy is presently being reviewed and options for the types of foster care are being developed. The DSD recognises that there are bureaucratic requirements in the process of adoption, example e.g. Section 239 (1) (d) of the Children's Act requires that an application for adoption must include a letter from the Head of the Department recommending the adoption; amendments to the Children's Act, proposes that if such letter is not furnished within a period of 30 days the letter will be dispensed.
269. Guidelines outlining the procedures for the Register on Adoptable Children and Prospective Adoptive Parents (RACAP) have been developed and capacity building is ongoing. Guidelines for Inter-Country Adoption and National Adoption have been developed. There is an intersectoral adoption committee where issues are jointly discussed. Adoption service providers in all provinces have been trained on the Children's Act implementation.

PART 8: PROTECTION OF CHILDREN IN MOST VULNERABLE SITUATIONS

8.1 Children with disabilities

270. Government continue to ensure that children with disabilities are protected at all times. Chapter 4 of the Criminal Law (Sexual Offences and Related Matters) Amendment Act of 2000 provides for crimes against persons who are mentally disabled. The objective is to improve the protection of children and persons with mental disabilities against sexual violence. Chapter 6 provides for establishment of the NRSO, which contains the details of offenders that are convicted of sexual offences against children and persons with mental disabilities. These offenders are restricted from being employed at environments that will expose them to children or persons with mental disabilities. The intention of this intervention measure is to reduce sexual offending and re-offending against children.
271. In improving children with disabilities' access to justice, the DoJ&CD translated the following public education material into formats accessible to children with disabilities: Educational Booklet on Children's Act, 2005 in Braille, Educational Booklet on the Maintenance Act, 1998 in Braille, Educational Booklet on Intermediary Services in Braille, Audio-CDs on intermediary services to reach out to blind child witnesses and Braille Constitution of the Republic of South Africa. This public educational material is accessible to court users and is available at other service points within the department. Plans with targets for the next phase have been developed.
272. The NPA also ensures that prosecutors are informed about and trained on the latest developments in law based on legislation and case law. Hence, in relation to gender-based violence comprehensive training manuals were developed and delivered at several training sessions in this regard. In 2014/15,

the DoJ&CD translated the Child Justice Booklet into Braille to ensure access to justice to blind persons. This booklet is currently distributed to all lower courts. The Constitution was also translated into Braille and launched by the Minister of Justice and Correctional Services in the National Roundtable Discussion on Access to Justice for Persons with Disabilities held on the 27 November 2014, in Gauteng.

273. Teachers are also provided with training in order to strengthen their capacity to protect and promote the rights of children with disabilities. FET (Grade 10) teachers and deaf teaching assistants were trained in February 2016. The training was comprehensive and 54 teachers and deaf teaching assistants were oriented in the new Curriculum Assessment Policy Statement. Government has further trained a core group of 30 subject advisors to support the implementation of the South African Sign Language Curriculum Assessment Policy Statement. NAPTOSA was also mandated to train all teachers and deaf teaching assistants on a South African Council for Educators endorsed course, and by 2015/16 a total number of 375 was trained.

274. In terms of access to transport, the DBE in collaboration with the DoT has developed a Learner Transport Policy to address among others, challenges with regard to access to basic education in remote areas. The main objective is to improve access to quality basic education by providing safe, decent, effective, and integrated sustainable learner transport. Not every learner qualifies for transport funding. In addition, government has developed a framework and strategy for disability and rehabilitation services under the DoH. The policy document makes provision for disability and rehabilitation services at all levels of care, from home/community level to tertiary and specialised hospital level. The framework includes a section on the provision of optical assistive devices such as spectacles and low vision optical devices. The implementation of the policy document across the country is aimed at improving access to assistive devices and to make them available at lower levels of care.

275. In **Concluding Recommendation 8**, the committee recommends that the State Party expedite its efforts to ratify international instruments including the Optional Protocol to the UN Convention on the Rights of Persons with Disabilities. Government has taken measures to ratify these instruments. The Optional Protocol to the UN Convention on the Rights of Persons with Disabilities was ratified in 2007 at the same time as the Convention. The Optional Protocol to the UN Convention on the Rights of Persons with Disabilities however serve as a recourse mechanism whereby persons with disabilities can report issues relating to violation of their rights to the UN when they have exhausted the national human rights mechanisms and the child justice system but still feel dissatisfied with the outcomes.

276. In **Concluding Recommendation 58**, the committee notes that there is no comprehensive legal framework that addresses the rights of victims of child-rights violations and therefore recommends that the State Party consider the possibility of coming up with a victim empowerment law to address, among others, the issue of trauma faced by victims in and after the incident of the violence.

Victim empowerment laws

277. Through the NPA, the government has established the TCC model, which is focused on the victim-centered, court-directed with prosecutor-guided investigations. The TCC model aims to provide women and children with better, humane treatment by reducing secondary victimisation, reducing the time to finalisation of a case, and improving the conviction rate.

278. The model has been replicated progressively in 55 sites. They are located in communities where the incidence of reported rape is particularly high, within hospitals that serve surrounding police stations. The plan is to roll out these sites nationwide. It must be noted that the model also provides for trauma containment services and related counselling delivered by the victim assistance officers and the valuable assistance of NGOs available in the areas of the TCCs.

279. In **Concluding Recommendation 59**, the committee notes that a number of services to victims of violence (psychosocial, counselling and referral services) are mostly provided by NGOs sometimes with negative implications to access and quality, especially in instances where there are serious financial limitations. The committee recommends that that State Party should address these shortcomings, among other things, by allocating adequate financial, technical and human resources aimed at the provision of services to victims.

Allocating adequate financial, technical and human resources aimed at the provision of services to victims.

280. Government has allocated resources aimed at the provision of services to victims. Through the DSD, government established the Gender-Based Violence Command Centre, which is a 24-hour call centre, dedicated to provide support and counselling to victims. The DSD in partnership with the Vodacom Foundation are implementing a Gender-Based Violence Command Centre whereby victims use a toll free number to call and to speak to a social worker for assistance and counselling. The centre uses mobile technology to estimate the location of a victim, assign the closest social worker in the field, record the case, and receive continuous feedback on the case. The command centre is also staffed with trained social workers, command centre agents who provide immediate counselling to victims, and help them to avoid or minimise further exposure to gender-based violence.

281. Since inception, the command centre has taken more than 24 046 calls and received more than 22 683 'please call me' messages from distraught members of the public who need help in one way or another. The command centre has attended to a variety emergency situations including indecent assault, physical violence, rape, abandoned children and verbal abuse, stalking, emotional abuse, sexual harassment, forced marriages, forced prostitution, elderly citizen abuse, bullying, and has even intervened in family disputes.

282. The Gender-Based Violence Command Centre won two highly acclaimed service awards namely the Innovation Award in the Contact Centre Management Group awards, and the Changing Lives Award in the Africom awards. The command centre also participated and competed with Africa, Asia,

and Europe in the Technological Innovation awards in London and won the golden award. The success of the centre can be attributed to the fact that it is a comprehensive, integrated system that provides immediate, consistent, coordinated, and timely support to victims of gender-based violence.

8.2 Children in situations of economic exploitation and abuse

283. The Basic Conditions of Employment Amendment Act of 2013 makes provision for the prohibition and regulation of child labour. Any person who requires or permits a child under to work commits an offence. This it has been extended to cover all work by children and not only work by children as employees in order to comply with South Africa's obligations under the relevant international labour standards and also creating consistency with the Constitution and other legislations protecting the rights of children Section 141 of the Children's Act cross references with Section 43 of the Basic Conditions of Employment Act, which is amended to talk to child work and not child labour.

284. The DSD has incorporated the Action Steps in the Child Labour PoA in the development of Child Exploitation Strategy and Guidelines. Social workers are trained on the implementation of the Children's Act, Section 141 (2) (b) that any instance of child labour must be reported and a concept document was developed for the labour inspectors in terms of Section 110 of the Children's Act, on reporting all cases of child labour to a designated social worker and completing Form 22 to report to the CPR.

285. Government is looking on the issue of Acceptable Household Chores for children whereby concept documents were prepared for the International Conference against Child Labour. Inputs were provided to Convention 182 on the worst forms of child labour and Convention 138 on the minimum age of children in employment. Labour inspectors are involved in training on issues of child exploitation Section 41(4) of the Prevention and Combating of Trafficking in Persons Act, 2013 (Act 7 of 2013) provides that the Minister may make regulations establishing and regulating the functioning of a mechanism to facilitate the implementation of this Act and to coordinate the responsibilities, functions and duties referred to in this section. A national working committee, which meets periodically, coordinate the implementation of the Act. There are also provincial task teams on trafficking in persons (TIP) consisting of various role-player departments and CSOs/NGOs. Most provincial TIP task teams have rapid response teams, which are responsible to provide rapid response in particular cases requiring coordination, and sub-teams that are responsible for case management. The latter consists mainly of the law enforcement agencies responsible for the administration and management of cases. Some real positive outcomes have been realised in Mpumalanga, Western Cape, and KwaZulu-Natal because of rapid response teams.

286. The Government of South Africa constantly highlights the importance of the protection of children from sexual exploitation and child trafficking in the tourism industry. This is done by communicating the Global Code of Ethics in Tourism to tourism stakeholders through the Quarterly Tourism Policy Watch, which is published regularly. Through the National Department of Tourism (NDT), government also communicated the Prevention for the Combating of

Trafficking in Persons' Act of 2013 to tourism stakeholders through the Quarterly Tourism Policy Watch of July – September 2013.

287. Government, through the NDT, signed a partnership agreement on the Code of Conduct for the Protection of Children from Sexual Exploitation (The Code) with Fair Trade Tourism, in its capacity as the Local Code Representative. Under the agreement, the NDT has pledged its support. The NDT mobilised tourism industry stakeholders to attend regional workshops where Fair Trade created awareness on The Code and the distribution of collateral on The Code. The NDT also participated in the National Reference Group for the review of the draft report on the findings of research conducted during 2013 regarding the situation of Commercial Sexual Exploitation of Children (CSEC) in travel and tourism. The DSD is working in partnership with the NDT to ensure the protection of children from sexual exploitation in travel and tourism.

288. Reporting from provinces in terms of Part A of CPR does not provide disaggregated information on children in situations of economic exploitation and abuse though a provision of child labour as a category in Form 22 as provided for in Regulation 33 of the Children's Act. The special protection measure for the DSD is to ensure that children access social grants. The number of children who are vulnerable to situations of economic exploitation and abuse receive state social grants are as follows: Foster Child Grant: 497 524; Child Support Grant: 11 986 237; Disability Grant: 1077 145; Care Dependency Grant: 132 095.

8.3 Refugee children, children seeking asylum and internationally displaced children

289. In **Concluding Recommendation 55**, the committee indicates that it has been reported that refugee children have trouble to access basic services due to stringent requirement of documents. The committee recommends that the Government of South Africa removes inessential document requirements and the implementation of the Refugee Act 130 of 1998.

Implementation of the Refugee Act

290. Refugee children are issued with a Section 24 permit, which gives them refugee status. This permit allows refugee children to study in South Africa. South Africa has a minimum age requirement for all minor children including citizens and refugees that in order to be issued with an ID they must reach the age of maturity, which is 16 years. In this regard, refugee children who are accompanied by their parents are issued with Section 24 permits, which allow them to access basic services. In the same vein, unaccompanied children who are assisted by a legal guardian to apply for asylum and the process to qualify for refugee status according to the Refugees Act are also issued with Section 24 permits, which allow them to access basic services. Awareness programmes are conducted to relevant stakeholders to ensure that the stakeholders are aware of the rights of asylum seekers and refugees including the documentation issued to them.

291. In **Concluding Recommendation 56**, the committee mentioned that the Refugee Act does not provide for the issuance of identification cards to unaccompanied children and who cannot be returned to their country of origin. The committee urges the State Party to take immediate legislative and administrative measures to address the issue.

Issuance of identification cards to unaccompanied children

292. The Refugees Act stipulates that unaccompanied children must be assisted by a legal guardian to apply for asylum. Once the Children's Court appoints a legal guardian, the DHA proceeds to assist the minors who are unaccompanied to apply for asylum. When a child is born of non-South African citizens, the health institution gives a proof of birth and thereafter the DHA issues a hand written birth certificate (DHA-19 Acknowledgement of Birth) as proof and record that the child was indeed born in South Africa. This provides parents an opportunity to go back to their country of origin to register the birth of the child as provided to such person so that they may register the child's birth in their country.

293. Asylum-seeking children are issued with Section 22 permits upon application. The Section 22 permits allow the asylum seeker to study in South Africa. Refugee children are issued with a Section 24 permit, which is a refugee status, and this permit allows the refugee children to study in South Africa.

294. In this regard, refugee children who are accompanied by their parents are issued with Section 24 permits, which allow them to access basic services. In the same vein, unaccompanied children who are assisted by a legal guardian to apply for asylum and the process to qualify for refugee status according to the Refugees Act are also issued with Section 24 permits, which allow them to access basic services. Awareness programmes are conducted to relevant stakeholders to ensure that the stakeholders are aware of the rights of asylum seekers and refugees including the documentation issued to them.

295. The DHA is in the process of drafting an integration strategy for refugees and the strategy will form part of input for the national framework for integration of all foreigners in the country, which is led and coordinated by the CoGTA. The number of asylum-seeking and refugee children registered under Section 22 permits in 2016 was 34 931 while those registered under Section 24 permits were 22 873.

296. In **Concluding Recommendation 22**, the Committee recommends that reported community xenophobia, and at times attacks, is also a serious concern that needs a concerted and effective legislative, administrative, and other appropriate response.

Addressing community xenophobia

297. Government has developed the National Action Plan to Combat Racism, Racial Discrimination, Xenophobia, and Related Intolerance. The process relating to the development, finalisation and implementation of the National Action Plan emanated from the Durban Declaration and PoA adopted at the

third World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance hosted by South Africa in 2001. The Durban Declaration and PoA, Article 66, urges "States to establish and implement without delay national policies and action plans to combat racism, racial discrimination, xenophobia, and related intolerance, including their gender-based manifestations," among other things.

298. The draft National Action Plan has been amended to ensure alignment with the UN Practical Guide on Developing National Action Plans against Racial Discrimination (UN Practical Guide) published by the Office of the High Commissioner for Human Rights (OHCHR) during 2014). The National Action Plan confirms the commitment of government to counter racism, racial discrimination, xenophobia and related intolerance. The NAP will also assist South Africa to meet its various international treaty and regional obligations, particularly about the International Convention on the Elimination of all forms of Racial Discrimination (ICERD).

299. The NAP also prioritises groups of individuals who, besides being victims of racial discrimination, face multiple forms of discrimination, such as: rural and urban poor; persons in extreme poverty; women and girls; children and youth; stateless persons; domestic workers; People living with HIV and AIDS; persons with disabilities, older persons; persons deprived of their liberty; lesbian, gay, bisexual, transvestite and transgender groups; and persons affected by armed conflict or natural disasters.

300. During the xenophobic attacks in 2014/16, children were dealt with as children in need of care and protection. In line with the Children's Act, social work services were provided to the identified children whereby assessment and referrals for basic services were made. Children's basic needs in terms of health, education, social and nutritional needs were addressed according to respective legislation. Government and civil society collaborated and worked in an intersectoral manner during the attacks.

8.4 Children in armed conflict

301. There is no armed conflict in South Africa.

8.5 Children of imprisoned mothers

302. In **Concluding Recommendation 60**, the committee urges the State Party to consult General Comment No.1 of the ACERWC on Article 30 of the African Charter on the Rights and Welfare of the Child, and to extend special treatment for mothers, taking into account the best interest of the child beginning from arrest, up to the ultimate conviction, sentencing, imprisonment and reintegration phase of the Criminal Justice System. In **Concluding Recommendation 61**, the committee further recommends the State Party to build separate penitentiaries for mothers and to provide basic facilities such as a playing area, equipment, and cribs for the holistic development of children.

303. The Government of South Africa, through the DCS initiated the concept of Mother and Baby Unit (MBU) in 2009, to cater specifically for the needs of incarcerated mothers with their babies. The intention was to separate the mothers from the general female population. The MBUs have been harmonised to be child friendly with baby cots, toys and a kitchen. According to the Correctional Services Amendment Act, 2008 (Act 25 of 2008), mothers who are remand detainees and those serving their sentences are allowed to keep their babies until they are two years old.
304. The DCS has also established ECD centres in some of the MBUs. The DCS strives to ensure the best interest of the child by rendering ECD and ensuring provision of programmes that focuses on the development and stimulation of babies. Females with babies are involved in parenting skills programmes. The department further ensures that the process of placement of babies with suitable alternative care is commenced with immediately upon admission or birth of the child. Mothers and babies have access to healthcare services. The DCS is operating 16 MBUs nationally.
305. According to the policy on mothers and babies, mothers are allowed to care for their own babies until suitable placement can be found outside. The babies in correctional facilities are therefore seen as vulnerable hence the mothers are allowed to stay with them until the age of two years as also stipulated in the Correctional Services Amendment Act, 2008 (Act 25 of 2008).
306. The mothers are housed at MBUs separate from the general female population. The MBU concept was established in 2009 and it was aimed at ensuring that babies bond with their mothers (for example, breastfed) and for the babies to have access to services and programmes that focus emotional, cognitive, sensory, spiritual, moral, physical, social and communication aspects relevant to their developmental age and for bonding with the mother. Female inmates who are pregnant and in their last trimester are housed at the MBU to enhance reasonable accommodation of their special needs.

8.6 Children in situations of sexual exploitation

307. Government has put specialised investigation units, Family violence, Child protection, and Sexual offences (FCS) units in place for all cases where children are abused and exploited. In conducting their mandate, the FCS also investigates all sexual offences, cyber related crimes, child trafficking and will form part of investigation teams on any matter where children are involved. For example, the FCS would form part of a team that is investigating harmful occult-related crime where a child has been murdered in an occult-related incident.
308. Between 2010 and 2013, 36 170 police officials had been trained. Between 2013 and July 2016, 15 275 members have been trained. This totals to 51 445. The FCS and forensic social workers whose duties are to conduct child assessments, compile court records, and provide expert evidence with regard to a crime against a child. This capacity supports and assists the successful detection and finalisation of investigations for court purposes.

309. The FCS and Directorate for Priority Crime Investigations (DPCI) also popularly known as “the Hawks” investigate human trafficking involving children. Five child trafficking cases have been investigated by the DPCI between 2014 and 2016. In these cases, two involved Mozambican nationals. In the one case, three Mozambican children (aged 14 – 16) were rescued from labour and sexual exploitation in Mpumalanga and the offender received eight life sentences. In the other case a four-year-old child was kidnapped from the Eastern Cape to Mozambique and the Mozambican offender was sentenced to 25 years. In another case in the Eastern Cape (Stutterheim) two offenders were charged with 28 sexual offences in a case involving two girls aged 13 and 15. The offenders were sentenced to 52 years and 22 years, respectively. Another example of domestic trafficking is found in the Western Cape case of a 15-year-old girl recruited in Daveyton and taken to Cape Town where she was commercially sexually exploited.
310. Chapter 6 of the Criminal Law (Sexual Offences and Related Matters) Amendment Act, 2007 (Act 32 of 2007) provides for the comprehensive process regarding the NRSO. Section 50 (1) (i) of the Act provides for the persons whose names must be included in the NRSO, which will be any person that has been convicted of a sexual offence against a child or a person who is mentally disabled. The aim is to prevent registered sex offenders from working or operating at environments that will expose them to these victims and from becoming foster parents, kinship caregivers, temporary safe caregiver, adoptive parents or curators, unless they receive a clearance certificate from the NRSO. At the end of 2014/15, the registrations into the NRSO stood at 17 500. As at 31 January 2016, they increased to 22 324. Currently, child sexual offenders are registered on the NRSO. The DoJ&CD is currently engaged in reviewing this matter.
311. Government has re-introduced the Sexual Offences Courts Project since August 2013. A commitment was made to first introduce 57 courts over a period of three years from August 2013. The Sexual Offences Court Model suggests minimum requirements for both the Physical and Human Resources. The human resources that mostly focuses on child witnesses or victims include the introduction of child friendly waiting rooms and dual CCTV systems. The physical resources that are required in the system include the provision of Court Intermediaries provided by the Department of Justice and Constitutional Development, Court Preparation Officers provided by the National Prosecuting Authority, Designated Social Workers provided by the Department of Social Development. These are some of the resources that are part of the Sexual Offences Court Model that directly support child complainants and witnesses.
312. A major benefit of the dual system is that it enables the child to testify from a room away from court to prevent potential trauma that will be caused by the giving of evidence in the same room as the accused. This reduces also the case cycle time as the evidence of the child can be dispensed with without the child having to be in contact or close proximity with the accused. The Child Waiting Rooms enable children to wait in a separate child friendly room whilst they await their turn in court. The needs of children are focused on to enable them to wait in an area that is not shared by the accused or his family or supporters. Intermediaries are facilitators of evidence who facilitate the

communication of court language in a child friendly manner and child language in a court friendly manner to minimize the technicalities that may be brought up by the use of language which may confuse a child.

313. In **Concluding Recommendation 63**, the committee notes with concern the high rate of violence in South Africa and the lack of evidence-based planning to address the causes and consequences of the high level of violence. Thus, the committee urges the State Party to undertake evidence-based planning to tackle the high rate of violence and to mitigate its long-term effect of children. Further, the State Party should empower the police and build up child protection units in all provinces.

314. Government has established specialised investigation units that focus on Family Violence, Child protection, and Sexual offences (FCS) The number of FCS units stands at 176 and are part of early identification interventions aimed at protecting vulnerable children. In this regard, the SAPS National Instruction 2/2010 directs the police to hand over children in need of care and protection to social workers for assessment and placement in alternative care. Children who are in need of emergency care and protection would be handed over to care facilities such as CYCCs, subject to confirmation by court order on review on the next court day following the emergency placement. These include child victims of abuse, domestic violence, children living in streets, and unaccompanied migrant children, asylum-seekers who are brought to the attention of the police.

315. Section 4 of the Domestic Violence Act, 1998 (Act 116 of 1998) gives children the right to apply for a protection order assisted or unassisted. The latter applies in view of the fact that parents or guardians of a child might be the abusers. The Act further allows persons who have a material interest in the well-being of a child to apply for the protection order on behalf of a child, and these could be educators, police officers, social workers, healthcare workers, as well as family members.

316. Assessment of the social welfare workforce to determine whether there is adequate workforce was conducted in 2013 and that resulted to partnerships with various cadres of social service professional to service children and victims of crime.

8.7 Children in situations of drug Abuse

317. The Prevention and Treatment of Substance Abuse Act, 2008 (Act 70 of 2008), came into force on 31 March 2013. It introduced a more integrated, community-based approach to combating substance abuse, with a greater emphasis on prevention. A social mobilisation strategy was developed and approved, and piloted in Limpopo. It aims at empowering communities to play a more active role in the fight against substance abuse.

318. A treatment model was approved, and capacity-building workshops were conducted in the nine provinces to ensure that service providers in the field of substance abuse provide quality treatment services that adhere to the relevant

norms and standards. The DSD also conducted briefing sessions on the PoA for Anti-Substance Abuse, monitored its implementation, and reported to Cabinet. A New Central Drug Authority board was appointed, and assumed their duties in March 2013. All these initiatives formed part of the department's ongoing efforts to reduce substance abuse, and contributes to Government Outcome 3: All people in South Africa are and feel safe.

319. As of 2015, the country had seven public treatment centres and these are not adequate or accessible to cover the challenge that the country is faced with. The DSD has embarked on establishing six additional centres; ensuring that every province has one public treatment facility. Eastern Cape (Port Elizabeth), North West (Potchefstroom), and Limpopo (Seshego) have started operating their centres in the current financial year. The DSD will also be completing the Taung treatment facilities in North West, Free State (Bloemfontein) and Northern Cape (Kimberly). These centres will make provision for the treatment of young persons upon operationalisation.
320. The DoJ&CD contributes in the fight against substance abuse within its mandate, which ensures access to justice for all. In achieving this mandate, a number of initiatives were held to sensitise and educate employees and communities on substance abuse and its legal consequences, in partnership with stakeholder departments, NGOs, and local drug forums. Ongoing programmes on public awareness have been established at regional level to respond to and to prevent the spread of substance abuse. Most of the initiatives initiated by the DoJ&CD focused on the well-being of children.
321. During 2014/15, 51 educational initiatives were conducted in the form of interactive information sessions, awareness raising on drug and alcohol abuse, door-to-door campaigns in rural and semi-urban communities and school dialogues/campaigns. A total of 34 712 children and community members were reached. The DoJ&CD developed a substance abuse information booklet focusing on the dangers of substance abuse and the legal consequences of substance abuse.
322. The DSD has completed a comprehensive national audit of all registered and unregistered treatment centres and halfway houses in the country to determine the country's capacity to treat people with substance abuse challenges. Through the audit, the DSD will be able to identify the challenges relating to the registration of unregistered treatment centres. These centres have been encouraged to apply for registration to comply with the minimum requirements for registration. However, the DSD will not hesitate to take legal action should unregistered treatment centres be unwilling to apply for registration as treatment centres or comply with the minimum requirements for registration.
323. Government approved the National Drug Master Plan 2013 – 2017 (NDMP) and it was implemented. Nine provincial substance abuse forums and fourteen national departments were capacitated on the approved NDMP and assisted to develop the provincial departmental master plans aimed at combating substance abuse in the country during the 2015/16 financial year. The implementation evaluation of the NDMP was conducted and finalised. The purpose of the evaluation was to assess the extent to which the NDMP has

been implemented and to identify areas of success as well as related challenges. The draft report is available and the final report is currently being finalised. In addition, government commenced the process of reviewing the NDMP and it will be concluded during 2016/17 financial year.

324. Government further convened an Anti-Substance Abuse Summit and the resolutions are currently being implemented. The implementation of the second Biennial Anti-Substance Abuse Summit resolutions were monitored and reports were received from the relevant stakeholders from departments, provinces, CSOs, which include FBOs, NGOs, CBOs and youth structures. The third Biennial Anti-Substance Abuse Summit takes place later this year to determine the extent to which the resolutions of the past summit have been implemented. This summit will also be used to revise the Anti-Substance Abuse PoA and to inform the review of the NDMP.
325. In terms of the Anti-Substance Abuse Prevention, the DSD in collaboration with its partners and other relevant stakeholders in the field of substance abuse commemorated the International Day against Drug Abuse and Illicit Trafficking in order to educate and raise awareness on the harmful effects of substance abuse among communities. Following the International Day against Drugs and Illicit Trafficking, the DSD hosted the Presidential Imbizo with the intention to tackle the problem of substance abuse at Eersterust in Gauteng. This was the response to the community of Eersterust who called upon the President to intervene and address the problem of substance abuse in the area.
326. The DSD also conducted an anti-substance abuse festive season campaign by activation at tollgates, and road shows in collaboration with the Department of Trade and Industry. The DSD also embarked on an anti-substance abuse campaign at 25 institutions of higher learning. The purpose of the campaign was to prevent substance abuse among students through awareness raising and education programmes. This programme will continue to reach out to students at other institutions.
327. The country is characterised by a number of open spaces and these are used for things they were not meant for such as drug abuse and other criminal activities. The DSD embarked on an anti-substance abuse programme at Albert Park in KwaZulu-Natal. The intention of the programme was to create awareness about facts related to substance abuse and reclaim these public spaces so that communities can make use of them without fear.
328. Government has addressed the issue of Foetal Alcohol Syndrome in the country. The DSD held community dialogues (izimbizo) especially in affected areas in the Western Cape, as part of public education and awareness campaigns and it is ongoing. These initiatives are aimed at addressing social behaviour, which has been established over many generations. The DSD conduct education and awareness campaigns continuously, targeting the general public and vulnerable groups including children. The DSD is also implementing Ke Moja Drug Awareness Programme with the aim of educating young people and children about the facts related to alcohol and drug abuse. The programme aims at capacitating children and young people to handle challenges associated and emanating from drug abuse.

329. Puppet programmes have been developed specifically for young children under the age of 18 years with the aim of creating awareness at an early stage. The children are also engaged on issues of drug trafficking through dialogues, workshops, and seminars. Treatment services are also available for children who are found to be already abusing substances as well as their families.

330. In **Concluding Recommendation 62**, the committee commends the State Party for banning the advertising of alcohol, raise the legal drinking age, limit hours for alcohol sales, and lower the legal alcohol limit for drivers and advise government to continue its efforts through supervision of alcohol producers and sellers.

Supervision of alcohol producers and sellers

331. The DSD together with the departments of agriculture, trade, and industry and the SAPS inspected all the liquor outlets around the Durban City Centre to ensure that they comply with relevant policies. A notable achievement during the past five years was the coming into force of the prevention of and treatment of substance abuse, which provides a new legal framework for reducing the demand for substances that are prone to abuse, and the harm caused by such abuse. It also introduces a more integrated, community-based approach to the prevention of substance abuse.

332. The scourge of substance abuse is also acknowledged and addressed through various prevention and early intervention programmes by sector departments. Government has taken this very seriously with many initiatives. This includes the establishment of an inter-ministerial committee on substance abuse with all departments developing an intersectoral PoA for substance abuse improvement in the rendering of the substance abuse programmes is implemented in partnership with private and civil society.

333. The DoJ&CD contributes in the fight against substance abuse within its mandate, which ensures access to justice for all. In achieving this mandate, a number of initiatives were held to sensitise and educate employees and communities on substance abuse and its legal consequences, in partnership with stakeholder departments, NGOs, and local drug forums. Ongoing programmes on public awareness have been established at regional level to respond to and to prevent the spread of substance abuse. Most of the initiatives initiated by the DoJ&CD focused on the well-being of children.

334. During 2014/15, 51 educational initiatives were conducted in the form of interactive information sessions, awareness raising on drug and alcohol abuse, door-to-door campaigns in rural and semi-urban communities and school dialogues/campaigns. A total of 34 712 children and community members were reached. The DoJ&CD developed a substance abuse information booklet focusing on the dangers of substance abuse and the legal consequences of substance abuse.

8.8 Children in situations of sale, trafficking and abduction

335. Government promulgated the Prevention and Combating of Trafficking in Persons Act (Act 7 of 2013), which came into operation on 9 August 2015. Furthermore, the National Intersectoral Committee on Trafficking in Persons has engaged the Integrated Justice System (IJS) unit regarding the development of a holistic data collection tool. Section 41 (1) (b) of the Act provides that the DG of DoJ&CD is responsible for establishment of an integrated information system to facilitate the effective monitoring and implementation of the Act, with the view to determine, among other things, the purposes for which persons who have been identified as victims of trafficking have been trafficked and the profiles of the traffickers and their victims, including age, gender, nationality and sex of the victims.
336. Section 41 (4) of the Prevention and Combating of Trafficking in Persons Act provides that the Minister may make regulations establishing and regulating the functioning of a mechanism to facilitate the implementation of this Act and to coordinate the responsibilities, functions and duties referred to in this section. Currently there is a national working committee, which meets periodically to coordinate the implementation of the Act. There are also provincial task teams on TIP task teams consisting of various role-player departments and CSOs/NGOs. Most provincial TIP task teams have rapid response teams, which are responsible to provide rapid response in particular cases requiring coordination. Sub-teams are responsible for case management. The latter consists mainly of the law enforcement agencies responsible for the administration and management of cases. Some real positive outcomes have been realised in Mpumalanga, Western Cape, and KwaZulu-Natal because of the rapid response teams.
337. During the reporting period, government registered 540 people of which 67 were children, who were potentially trafficked into and within South Africa in the last two years, 96 for sexual exploitation, 271 for forced labour, 90 for organ trafficking, four for forced marriages (ukuthwala) and two as drug mules. During February 2015, in one of the country's largest anti-trafficking raids, 16 under-age girls were rescued from a Durban brothel and in April 2015, 200 Cambodian men, and boys, who were trafficked to Cape Town for forced labour, were rescued from a fishing vessel.
338. The NPF is in the consultation phase and one of its main objectives is prevention of trafficking through public awareness and education. This will include among other things early intervention with at-risk populations through community education and awareness raising, focusing on early and immediate reporting of matters to the relevant authorities and service providers. Children and young women from rural areas who are victims of trafficking are assisted through accredited organisations that offer programmes aimed at reception, care, and development of that child. The child must also be referred to a designated child protection organisation or provincial department of social development for investigation in terms of Section 155 (2) of the Children's Act, to determine whether the child is in need of care.
339. The Act provides in section 29 (1) (a) that a court may on its own accord or at the request of the victim or the prosecutor in addition to sentence order a

convicted person to pay appropriate compensation to any victim of the offence for damage to or the loss or destruction of the property, including money; physical, psychological or other injury; being infected with life-threatening disease; or loss of income or support.

340. Children who are victims of sexual exploitation and sexual abuse are dealt with in terms of the Children's Act; hence, designated social workers render services from designated child protection organisations, which comprise DSD and NGO sectors. The NGO sector has service level agreements with DSD for funding services to be rendered to all children including children who are victims of sexual exploitation and sexual abuse. DSD engages in intersectoral coordination and collaboration with all government departments and the NGO sector to ensure that services are rendered to the identified children in terms of their respective mandates for the implementation of the Children's Act, the Sexual Offences Act and the Prevention and Combating of Trafficking in Persons Act (TIP Act).

8.9 Children in street situations

341. Awareness campaigns are conducted by different departments to deal with the prevalence of violence against children including children working and living in the streets. These include Child Protection Week, which is led by the DSD whereby different activities are embarked on to educate and make communities aware of the protection of children. There are 48 shelters for children working and living in the streets.

PART 9 HARMFUL PRACTICES

342. Government is committed to the promotion of positive cultural values. Section 12 (1) of the Children's Act prohibits harmful cultural practices such as child marriages, forced marriages, genital mutilation, virginity testing, and circumcision.

343. In **Concluding Recommendation 65**, the committee calls upon the Government of South Africa to take all the necessary measures to combat the practice of *ukuthwala*, which subjects girls to forced marriages. Further, the committee recommends the State Party to address the issue of death and mutilation of boys because of botched circumcisions. In addition, the committee recommends that the State Party undertake measures with a view to ban virginity testing of children.

Measures taken to discourage harmful social and cultural practices

344. According to the Children's Act, a child below the minimum age set by law for a valid marriage may not be given out in marriage or engagement without his or her consent. With regard to the practice of *ukuthwala*, the South African Law Reform Commission published a *Discussion Paper on Ukuthwala* in 2014 and conducted public hearings nationally. In October 2015, the South African

Law Reform Commission issued a *Revised Discussion Paper* incorporating inputs from the hearings and included a Draft Bill. The Bill seeks to have a new crime of *ukuthwala* and prohibit forced marriages of children. The Gender Directorate in the DoJ&CD collaborated with regional offices to roll out the *ukuthwala* campaigns in Eastern Cape and KwaZulu-Natal.

345. Government conducted a campaign in Mqanduli in the Eastern Cape. The event was attended by 240 community members including stakeholders, the chief, and his elders. In KwaZulu-Natal, the campaigns were conducted in different areas. The *ukuthwala* campaign event in Nongoma was attended by 100 members of the community and Chief Mandlakazi of the Ngonyameni Tribal Authority. In this event, there were stakeholders from different departments as well as ward councillors within the area. The DoJ&CD also facilitated the event in Umlazi, which was attended by 180 community members. The NPA prosecute all cases of *ukuthwala* that are reported e.g. *S v Jezile 2015 (2) SACR 452 (WCC)*.

346. In the Western Cape a case of *ukuthwala*, was investigated regarding a 14-year-old girl. FCS units have been instrumental in the successful investigation of crimes relating to *ukuthwala*. In these cases the application of existing legislation such as the Criminal procedures Act of 1977 and the Sexual Offences Act of 2007, enables criminal charges to be brought against offenders such as rape, abduction and grooming children for sexual purposes.

347. Initiation is a sacred and respected customary practice used as a rite of passage to adulthood. The practice of initiation among traditional communities has in recent years been subject to abuse. In many instances, it has resulted in the death of initiates as well as serious injuries (bodily harm). Subsequently, in 2012 the DTA developed a draft policy on initiation. The objectives include providing awareness campaigns on initiation practices with a view to educate all persons involved in such practices on their rights, duties, responsibilities, roles and functions, as the case may be, as well as all relevant legal prescripts. The policy was published in the *Gazette* on 22 May 2015 for public comment. The policy is currently in the Cabinet process for consideration.

Death and mutilation of boys because of botched circumcision

348. Moreover, the DSD in partnership with the DTA developed a draft framework on prevention and early intervention programmes to address the death and mutilation of boys because of botched circumcision. Male social service practitioners familiar with the traditional custom in the service offices were identified to raise awareness before the initiation season takes place, and to render psychosocial support after initiation. The focus of the outreach is the protection of children against harmful cultural practices as provided for in Section 12 of the Children's Act. The target groups are young boys, youth, and parents. Upon return from initiation, psychosocial counselling and trauma counselling are provided to the injured and amputated boys. Trauma debriefing is also provided to the families of deceased initiates. There are dedicated rescue centres and wards in hospitals to attend to the injured initiates.

349. Crime awareness programmes and campaigns are implemented in order to address matters that contribute to crime. For example if a matter relates to mutilating children for purposes of muthi, then the SAPS would partner with traditional healers, traditional leaders, mobilise their community-police forums and members of the public in order to indicate the criminal implications, and negative social impact of that particular practice.

350. The FCS investigates all cases relating to initiation schools where the victims are under the age of 16. Crimes related to initiation schools can employ the various areas of expertise and disciplines within the SAPS depending on the nature of the crime. The closure of illegally operating initiation schools, for example is a function-performed members of visible policing. These. FCS also form part of a team that is investigating harmful occult-related crime where a child has been murdered in an occult-related incident.

Virginity testing of children

351. Education and awareness raising campaigns are conducted to ensure there is compliance to the provisions of the Children's Act. Section 12 of the Children's Act limits the age at which girls may participate in customary practices. In this regard virginity testing in children younger than 16 is prohibited.

Measures taken to protect children with Albinism

352. Government in partnership with the Albinism Society of South Africa (ASSA) co-hosted the first national conference of persons with Albinism in 2014, which focussed on the rights of persons with Albinism. Over 250 delegates with Albinism, including 90 children with Albinism from special and ordinary schools across the nine provinces, attended the conference. This complied with the UN Convention on the Rights of the Child Article 12 on child participation and the UN Convention on the Rights of Persons with Disabilities, Article 7 on self-representation. This conference was a direct outcome of the Presidential *Siyahlola* Monitoring Programme.

353. Deliberations over the two days focused, among other things on priorities in service delivery, elimination of discrimination and the development of positive language associated with Albinism in all official languages. The conference as such takes forward the recommendations contained in the report published by the Office of the High Commissioner on Human Rights on the Promotion of the Rights of Persons with Albinism. One of the highlights of the conference was the launch of a booklet *Understanding Albinism*, developed by the Human Rights Media Centre on the 26 October 2013. South Africa further participated in the 2015 Pan African Albinism Conference in Tanzania denouncing the killing of people with Albinism.

PART 10 CHILD JUSTICE

10.1 Measures taken to ensure that children deprived of their liberty are not subjected to torture

354. South Africa signed into law the Prevention and Combating of Torture of Persons Act, 2013 (Act 13 of 2013) (the Torture Act). The Torture Act acknowledges that torture is not limited to physical acts of violence that cause pain or suffering, but that torture can also be a mental anguish that may not include any form of physical pain. The Act also ensures that there are no exclusions or defences for the act of torture. It specifically states that a government official at any level, including the President, will be prosecuted for an act of torture, and that torture cannot be condoned even in a state of political turmoil, state of war, or any other public emergency.

355. In **Concluding Recommendation 57**, the committee is seriously concerned about among other things: the lack of adequate and disaggregated information about the implementation of the Child Justice Act, the detailed reasons for the reported drop in children that are diverted and their implications for the implementation of the Charter, the low number of police officers and others who work for and with children that are trained on the Child Justice Act information on children that are used by adults for the commission of crimes. The committee recommends that the State Party address these and other limitations in the implementation of the Act.

356. The Child Justice Act has been in operation for five years and the need has been identified to commission research into the impact of the Act since its implementation. The Child Justice Sector considers this review urgent and imperative since the Act was implemented on 1 April 2010.

357. The research will investigate areas including the reasons for the significant drop in the number of charges against children recorded by the SAPS; the average time that children spend in detention in police cells and the reasons for detention; in police dockets and the availability of probation officers after hours to conduct assessments of children arrested for allegedly committing offences; and the trends in diversions since the implementation of the Child Justice Act.

358. Successful implementation of the Child Justice Act depends largely on the support for and acceptance of children who are in conflict with the law by their parents and their communities. Hence, failure to inform the public and the media about the Act and its benefits may have a negative impact on implementation of the Act. More so, it is universally accepted that public education serves as the critical tool of crime prevention.

10.2 Reported drop in children that are diverted

359. A preliminary inquiry is conducted as part of an informal pre-trial procedure, which is inquisitorial in nature. An inquiry may be conducted in a

court of law or any other suitable place. The objectives of a preliminary inquiry are to:

- a) consider the assessment report of the probation officer, with particular reference to the age estimation of the child, if the age is uncertain
- b) the view of the probation officer regarding the criminal capacity of the child if the child is 10 years or older but under the age of 14 years and a decision whether an evaluation of the criminal capacity of the child by a suitably qualified person referred to in Section 11 (3) is necessary
- c) whether a further and more detailed assessment of the child is needed.

360. During 2014/15, there has been a slight decrease in the number of preliminary inquiries conducted, as compared with the corresponding period in 2013/14. The number of preliminary inquiries conducted during the reporting periods are 25 517 in 2012/13 and 19 640 in 2014/15. The figures show that since 2012/13 there has been a steady decline in the number of preliminary inquiries conducted. In 2014/15, a further drop of 8,9% was registered. It is presumed that this decrease may be the result of the following factors:

- a) the possible decrease in the number of charges against children registered by the SAPS
- b) the possible decline in the number of assessments conducted by the probation officers
- c) the possible increase in the number of children being diverted in terms of Section 41 of the Child Justice Act (before the preliminary inquiry for Schedule 1 offences)
- d) the possible decrease in the number of children entering the child justice system.

361. The Intersectoral Committee on Child Justice has commissioned the National Operational Intersectoral Committee to conduct a research to determine the cause for this decline. This research will form part of the broader research on the impact of the Child Justice Act, which is planned by the DoJ&CD. The DoJ&CD identified the necessity to report on the outcomes of preliminary inquiries, as current reports do not cover this information. The current data collection system will be reviewed to accommodate the collection of this data.

10.3 Measures taken to ensure that children are separated from adults in their place of detention

362. According to the Child Justice Act, if the child is to be detained, the inquiry magistrate must decide whether such detention should be in prison, police lockup or in a CYCC. During the reporting period, the statistics dealing with the granting of bail and the placement of children indicate that there has been an increase of 181 children who were detained in CYCCs while awaiting trial and a decrease of 220 children awaiting trial in prison. This ought to be seen in a positive light as it may show the increased realisation of the objectives of the Child Justice Act.

363. There was also a significant increase of 354 children who were released in the care of a parent/guardian/appropriate adult while awaiting trial. This figure is also encouraging since it gives effect to the goal of the Constitution and the

Child Justice Act that detention should only be used as a measure of last resort. There was a decrease of -6,9% in the number of new matters registered at child justice courts between 2013/14 and 2014/15. In cases finalised with a verdict, in 2013/14 the conviction rate was 64%, whereas in 2014/15 it increased to 66%. During 2014/15, the sentences imposed against children in terms of the Child Justice Act are as follows: 2 181 in 2012/13 and decreased to 1 342 in 2014/15. There is a noticeable decline in the number of sentences in the form of fines imposed on children. This decrease is welcomed as it often serves as indirect punishment against parents whose children are still at school, and therefore without an income to pay for such fines.

364. A further decrease in the number of children sentenced to imprisonment is also positively noted. From 2011/12 to 2014/2015, the number of children serving imprisonment sentences dropped from 94 to 39. This is a -58,5% decrease, which could mean that the Child Justice Act is indeed making significant inroads in building the Child Justice System in South Africa that protects the constitutional right of a child not be detained except as a measure of last resort.

10.4 Legal assistance and fair trial guarantees

365. With regard to legal aid services during preliminary inquiries, Section 81 of the Act makes it clear that it is not compulsory for a child to be legally represented at the preliminary inquiry but states that nothing precludes a child from being represented by a legal representative. Legal Aid SA does not have dedicated capacity to provide its services during preliminary inquiries, but it offers its support in cases where it is deemed necessary for the child to be legally represented at this stage of the proceedings.

366. The number of children legally represented by Legal Aid SA during preliminary inquiries in 2012/13 were 1 612 and increased to 3 336 in 2014/15. It is clear that there has been a progressive increase in the number of children that have been legally represented by Legal Aid SA during preliminary inquiries. Out of the 19 640 children who participated in preliminary inquiries during 2014/15, 3 336 received legal aid services. It must be noted that these services are not compulsory at this stage.

367. The NPA also developed training manuals and provides specialised training sessions mainly for prosecutors towards sexual offences, domestic violence, child justice, maintenance, and trafficking in persons.

368. Section 83 of the Act prohibits a child from waiving his or her right to legal presentation when appearing before a child justice court. Section 82 of the Act provides for the provisioning of legal representation at the State's expense by Legal Aid South Africa. During 2013/2104 a total of 11 689 children were represented by Legal Aid South Africa during trial in the child justice court and during 2014/2015 a total of 11 652 children were represented by Legal Aid South Africa during trial in the child justice court.

Measures taken to train law enforcement, prison warders and judicial officers on the Child Justice Act

369. The SAPS directed stations to ensure that there is a member of police trained on the Child Justice Act, sexual offences, and domestic violence matters for every shift. This was designed to ensure that there is capacity for these services provided at every given shift. Inspections are conducted at stations regularly to identify any matters of non-adherence to the provision of services. Between 2010 and 2013, 36 170 police officials had been trained and 15 275 members have been trained between 2013 and July 2016, and the total police officers trained are 51 445.

370. The content of training is designed to provide members with social context and content that provides insight into the situation of children in conflict with the law; knowledge of the Child Justice Act, and national instruction and related implications; practical skills of handling child offenders and related administrative processes. The less formal station lectures are provided by members of the Legal and Policy Division to police members at stations as well as those who are off-duty, complement this figure. The advantage of the training is that it is able to reach a higher number of members simultaneously as trainers can access a wider range at once. Exact figures are not currently available.

371. In **Concluding Recommendation 64**, the committee indicated that the rape of children under the age of seven has increased and perpetrators are not always brought to justice. The committee recommends the State Party to entrench effective penalties and to establish a child friendly reporting mechanisms.

Addressing rape of children under the age of seven

372. Chapter 3 of the Criminal Law (Sexual Offences and Related Matters) Amendment Act of 2000 creates specific crimes against children, while Chapter 4 provides for crimes against persons who are mentally disabled, which are punishable by law. These chapters are intended to improve the protection of children and persons with mental disabilities against sexual violence. Chapter 6 of the same Act also establishes the NRSO, managed by the DoJ&CD. The NRSO contains the details of sex offenders convicted of sexual offences perpetrated against children and persons with mental disabilities. The registered offenders are restricted from being employed at environments that will expose them to children or persons with mental disabilities. This intervention measure is intended to reduce sexual offending and re-offending against children.

373. Section 50 (1) (i) of the Act provides for the persons whose names must be included in the NRSO, which will be any person that has been convicted of a sexual offence against a child or a person who is mentally disabled. The aim is to prevent registered sex offenders from working or operating in environments that will expose them to these victims and from becoming foster parents, kinship caregivers, temporary safe caregiver, adoptive parents or curators, unless they receive a clearance certificate from the NRSO. At the end of 2014/15, the registrations into the NRSO stood at 17 500. By 31 January 2016, they increased to 22 324.

PART 11: RESPONSIBILITIES OF THE CHILD

374. In **Concluding Recommendation 66**, the committee appreciates the Bill of Responsibilities and for encouraging children to carry out solidarity activities through Children's Parliament. With this, the committee calls upon the State Party to continue its efforts in promoting the responsibility of the child as it contributes towards the provision of a forum of participation for children allowing them to be involved in matters which might affect their interests. Further, the committee recommends the State Party to provide for adults responsibility in line with children's responsibility.

11.1 Measures taken to ensure responsibilities of the child

375. Government through the DBE adapted the Bill of Rights/Responsibilities to educate learners about their rights and accompanying responsibilities. The posters are distributed in schools as part of learners/teacher support material. Government has further established the schools-based crime prevention programme, through which the SAPS reaches children. A range of crime and violence issues is addressed to indicate the negative impact crime has in causing harm to others.

376. Crime awareness campaigns also emphasise the need to report issues of abuse and educate children and care givers including educators on what is tantamount to violence, may precipitate or predispose others to violence. Issues addressed in the schools-based crime awareness engagements include bullying, cyber bullying, substance use and drug abuse, dangerous weapons, sexual offenses, xenophobia, occult-related crimes and gangsterism and the necessity to report all forms of child abuse.

377. With regard to rights and responsibilities, government also launched the *Slimline Constitution* at a Learner Imbizo on Human Rights in commemoration of the Human Rights Day (21 March 2015). The main aim of the Imbizo was to educate learners about human rights and create awareness on the programmes, which seek to promote human rights. Learners were engaged with the DoJ&CD about issues concerning their rights and responsibilities. About 150 learners drawn from schools were engaged with the *Slimline Constitution*. The engagement served as an opportunity for the DoJ&CD to give each pupil in attendance a copy of the *Slimline Constitution* tailor-made for learners. A publication of the *Slimline Constitution* entitled *Basic Provisions of the Constitution Made Easy for Learners* to bring the Constitution to children was developed. A total of 574 729 copies of the *Slimline Constitution* were printed and distribution is in progress.

PART: 12 ANNEXURE 1: ADDITIONAL STATISTICAL INFORMATION

GENERAL MEASURE OF IMPLEMENTATION

Table 1: Number of children reached during Child Protection Week

Year	Number of children reached during the launch	Number of children reached during the closing event
2013	370	2 500
2014	2 000	2 000
2015	3 000	2 500
2016	2 000	1 500
TOTAL	7 300	8 500

Source: Department of Social Development

Table 2: Fraud and corruption cases 2015/16 financial year

Year	Cases received	Cases closed/ finalised	Outstanding	R	Recoveries made
2013/14	3 571	3 388	183	109 624 816	510 290
2014/15	1 328	1 214	114	48 840 134	247 627
2015/16	1 122	1 030	100	2 589 550	179 392
2016/17	326	360	105	72 419 295	0
TOTAL	6 347	4 144	502	233 473 795	937 309

Source: Department of Social Development

Table 3: Suspensions, dismissals and convictions

Province	SASSA officials subjected to investigation	Suspensions	Dismissals	Employment terminated before/ during disciplinary process	Convictions
Eastern Cape	92	69	2	2	0
Free State	19	17	4	4	0
Gauteng	21	17	5	1	3
Head Office	6	6	0	1	0
KwaZulu-Natal	115	111	7	5	0
Mpumalanga	30	22	12	1	1
Limpopo	16	11	4	2	0
North West	18	9	9	1	0
Northern Cape	20	14	11	1	6
Western Cape	140	37	7	2	6
Total	477	313	61	20	16

Source: Department of Social Development

Table 4: Children-related programmes allocation

Children-related programmes allocation: National DSD

Programme	Audited [R]			Preliminary [R]	Total
	2012/13	2013/14	2014/15	2015/16	
Children	54 765 000	56 310 000	67 904 000	76 031 000	255 010 000
	54 765 000	56 310 000	67 904 000	76 031 000	255 010 000

TABLE 5: Children-related programmes allocation: provinces

Province	2012/13		2013/14		2014/15		Total [2012/13 – 2014/15]		2014/16		Total 2012/13 – 2015/16]	
	Rands	%	Rands	%	Rands	%	Rands	%	Rands	%	Rands	%
Eastern Cape	237 921	7%	542 589	12%	651 643	12%	1 432 153	10%	637 934	10%	2 070 087	10%
Free State	340 579	9%	377 526	8%	344 007	6%	1 062 112	8%	365 732	6%	1 427 844	7%
Gauteng	1 102 562	30%	1 351 564	29%	1 629 765	30%	4 083 891	30%	1 956 637	31%	6 040 528	30%
KwaZulu-Natal	721 061	20%	835 189	18%	941 344	17%	2 497 594	18%	1 019 959	16%	3 517 553	17%
Limpopo	253 322	7%	260 638	6%	545 352	10%	1 059 312	8%	677 358	11%	1 736 670	9%
Mpumalanga	178 512	5%	329 897	7%	353 435	6%	861 844	6%	455 032	7%	1 316 876	7%
Northern Cape	146 879	4%	181 994	4%	216 688	4%	545 561	4%	332 690	4%	779 251	4%
North West	188 768	5%	267 079	6%	272 031	5%	736 878	5%	441 986	6%	1 148 864	6%
Western Cape	454 290	13%	523 498	11%	550 888	10%	1 528 666	11%	600 199	9%	2 128 865	11%
	3 623 884		4 678 974		5 505 153		13 808 011		6 358 527		20 166 538	

Source: Department of Social Development

Table 6: Budget 2015/16 – 2016/17 (Health)

	FINANCIAL YEAR 2015/16	BUDGET
CHILD YOUTH & SCHOOL HEALTH		R20 990 000
HPV		R200 000 000
	TOTAL	R220 990 000
	FINANCIAL YEAR 2016/17	
CHILD YOUTH & SCHOOL HEALTH		R22 664 000
HPV		R200 000 000
	TOTAL	R222 664 000

Source: Child, Youth and School Health Directorate

Table 7: Number of children receiving child grant and budget for all grants

NUMBER OF CHILDREN RECEIVING A CHILD GRANT 2012 – 2016				
TYPE OF GRANT	2012 – 2013	2013 – 2014	2014 – 2015	2015 – 2016
Child Support Grant (CSG)	11 341 988	+0,30% 11 125 946	+5,19 % 11 703 165	+2,35% 12 572 900
Foster Child Grant (FCG)	532 159	-3,78% 512 055	-2,4% 499 774	-8,23% 470 015
Care Dependency Grant (CDG)	120 26	- 1,90% 120 632	+29,78% 126 777	+3,25% 131 040
TOTAL	11 994 415	11 658 633	12 329 716	12 573 955
BUDGET FOR ALL CHILD GRANTS 2012 – 2016				
GRANT TYPE	2012 – 2013 R	2013 – 2014 R	2014 – 2015 R	2015 – 2016 R
Child Support Grant (CSG)	38 310 293 000	39 907 203 000	43 778 252 000	47 308 008 000
Foster Child Grant (FCG)	5 618 342 000	5 551 084 000	5 820 660 000	5 408 370 000
Care Dependency Grant (CDG)	1 897 401 000	2 268 799 000	2 259 346 000	2 394 702 000
TOTAL	R45 826 036 000	R47 727 086 000	R51 858 258 000	R55 111 080 000

Source: Department of Social Development

Table 8: Number of trainings and capacity building on Child Justice Act

Province	Total Number of officials trained	Content of the training	Impact of the training
CONDUCTED BY REGIONAL OFFICES			
KwaZulu-Natal	70 supervisors and office managers.	(i) The duties of the child justice clerks as per the provisions of the Act (ii) The capturing of the NOC statistical tool (iii) Maintenance of daily registers; completion of prescribed forms and the implementation of national circulars.	The supervisors and office managers are now better equipped to manage and supervise clerks more effectively, and give appropriate advice, where necessary.
Mpumalanga	44 clerks of the Court trained on the Integrated Case Management System (ICMS) Child Justice.	(i) The purpose of the Act and the salient features thereof (ii) The Constitutional rights of children (iii) The role of clerks in Child Justice Court (iv) The application of the ICMS.	Increased number of Child Justice cases was registered on the ICMS; Improved registration of data was made on the system with minimal corrections; participants found training on the Constitution and the Child Justice Act eye opening.
Gauteng	23 clerks of the Court trained on the ICMS Child Justice.	Child Justice System.	Enhanced the capturing of child justice cases on the ICMS Child Justice System.
	48 participants at an intersectoral workshop.	The workshop focused on the intersectoral implementation of the Act, and highlighted challenges and remedial actions.	Improved understanding of the implementation of the Child Justice Act and the referral system between the stakeholders.
	51 participants at an intersectoral workshop.	The workshop focused on the integrated implementation of the Act, and highlighted challenges and remedial actions.	Improved understanding of the implementation of the Child Justice Act and the different roles and responsibilities.

Province	Total Number of officials trained	Content of the training	Impact of the training
Limpopo	94 participants (from DoJ&CD, DSD and SAPS) were reached in an Intersectoral workshop conducted in the Capricorn District.	The workshop addressed challenges and loopholes in implementing the Act and recommended remedial actions.	Stakeholders have the common understanding of the implementation of the Act and better understanding of their different roles and responsibilities in terms of the Act.
	60 participants (DoJ&CD, DSD and other stakeholders) were reached at a Youth Empowerment Workshop at Nwanedi Resort.	The workshop addressed challenges faced by the youth committing crime.	Stakeholders have a better understanding of what is expected of them when dealing with children in conflict with the law.
	11 Clerks of the Court trained on the ICMS Child Justice.	ICMS Child Justice.	Enhanced capturing of child justice cases on the Child Justice ICMS.
Northern Cape	8 officials.	ICMS Child Justice.	Enhanced capturing of child justice cases on the ICMS Child Justice system.
Western Cape	51 clerks of the court.	ICMS Child Justice.	Enhanced capturing of child justice cases on the ICMS Child Justice.
	31 clerks of the court.	ICMS Child Justice.	Enhanced capturing of child justice cases on the ICMS Child Justice.
Free State	43 clerks of the court.	ICMS Child Justice.	Enhanced capturing of child justice cases on the ICMS Child Justice.
North West	4 clerks of the court.	ICMS Child Justice.	Enhanced capturing of child justice cases on the ICMS Child Justice.
Eastern Cape	283 officials	The Child Justice Process in terms of the Act.	Officials have a better understanding of how to deal with children in conflict with the law according to the Act.
Province	Total Number of officials trained	Content of the training	Impact of the training
TRAINING CONDUCTED BY JUSTICE COLLEGE			
Gauteng	23 Court clerks	Child Justice for Clerks and sexual offences	Improved understanding of the administrative role in child justice, especially by newly appointed court clerks
Mpumalanga	19 Court clerks		
KwaZulu-Natal	16 Court clerks		
Eastern Cape	16 court clerks		
Free State	18 court clerks		
Total trained	913		

Source: Department of Justice and Constitutional Development 2014/2015 Departmental Annual Report on the Implementation of the Child Justice Act of 2008

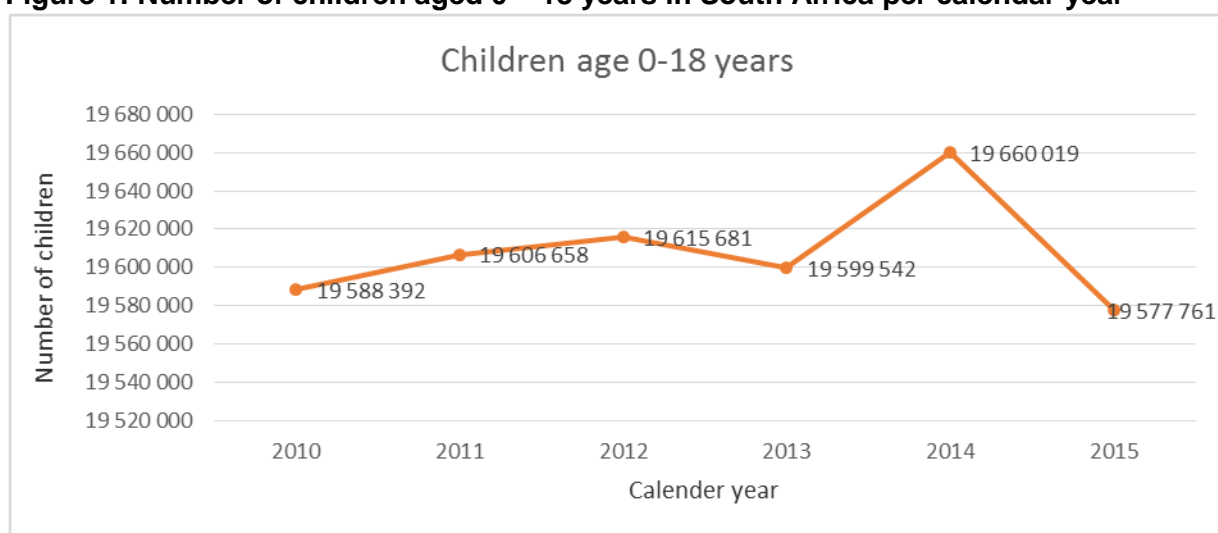
DEFINITION OF THE CHILD

Table 9: Children aged 0 – 18 years in South Africa per province and calendar year

Province	2010	2011	2012	2013	2014	2015	Growth %
Eastern Cape	2 835 850	2 841 869	2 849 513	2 826 089	2 846 901	2 796 683	-1,38
Free State	1 021 742	996 079	980 759	970 652	976 021	9 317 235	811,9
Gauteng	3 669 231	3 669 772	3 736 049	3 759 476	3 748 817	3 831 702	4,43
KwaZulu-Natal	4 329 740	4 296 300	4 273 531	4 300 458	4 313 792	4 283 564	-1,07
Limpopo	2 387 226	2 400 881	2 374 326	2 350 505	2 334 000	2 325 941	-2,57
Mpumalanga	1 665 616	1 672 982	1 634 869	1 637 343	1 634 066	1 643 321	-1,34
Northern Cape	437 522	443 070	443 375	439 664	445 799	2 796 683	539,21
North West	1 329 894	1 337 357	1 354 531	1 351 053	1 390 061	1 354 066	1,82
Western Cape	1 948 345	1 948 345	1 968 772	1 946 299	1 970 562	1 979 528	1,6
Total	19 588 392	19 606 658	19 615 681	19 599 542	19 660 019	19 577 761	-0,05

Source: Stats SA General Household Survey; Data note: 2010 to 2015

Figure 1: Number of children aged 0 – 18 years in South Africa per calendar year

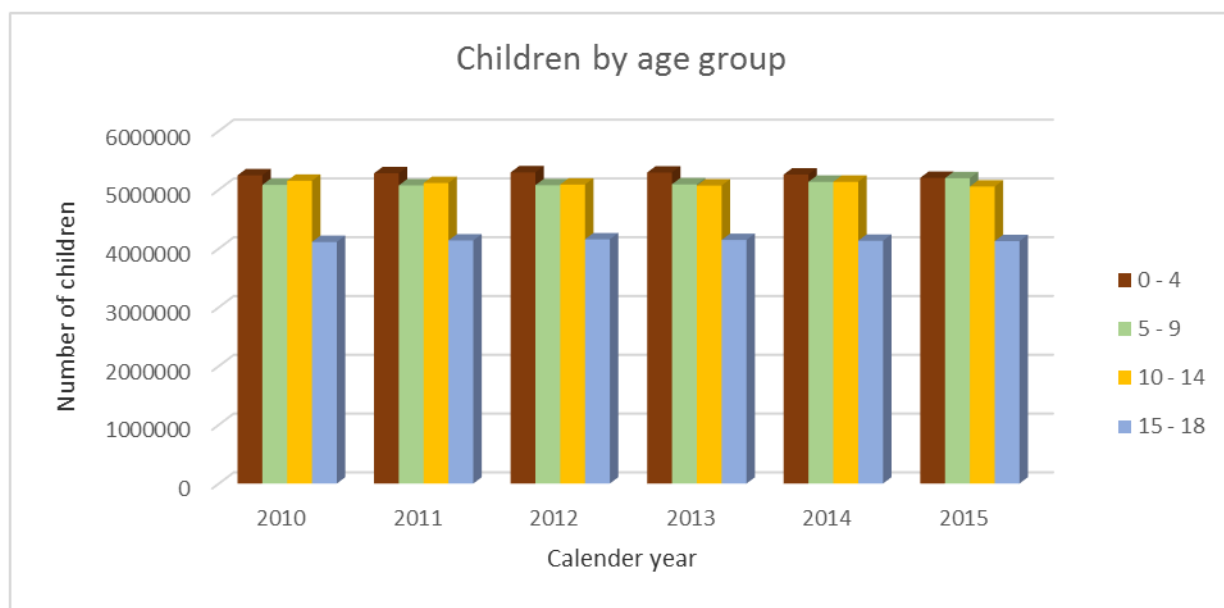


Source: Stats SA General Household Survey; Data note: 2010 to 2015

Table 10: Breakdown of children's age groups

Age group	2010	2011	2012	2013	2014	2015
0 – 4	5 244 941	5 280 053	5 295 283	5 292 511	5 259 523	5 201 596
5 – 9	5 081 091	5 074 309	5 076 952	5 091 234	5 134 572	5 196 705
10 – 14	5 152 096	5 115 437	5 087 723	5 070 995	5 134 572	5 054 241
15 – 18	4 110 264	4 136 859	4 155 722	4 144 802	4 131 352	4 125 217

Figure 2: Number of children by age group



Source: Stats SA General Household Survey; Data note: 2010 to 2015

GENERAL PRINCIPLES

Table 11: Number of shelters for children working and/or living in the streets

PROVINCE	NUMBER OF SHELTERS (CYCC)
Gauteng	15
Northern Cape	1
Western Cape	6
Eastern Cape	9
Free State	3
Limpopo	3
Mpumalanga	2
North West	3
KwaZulu-Natal	6

Table 12: Number of child witnesses assisted

Year	Adult witnesses assisted	Child witnesses assisted
2012/13	91 266	22 097
2013/14	96 437	23 171
2014/15	104 847	22 276
2015/16	111 426	27 427

Source: National Prosecuting Authority

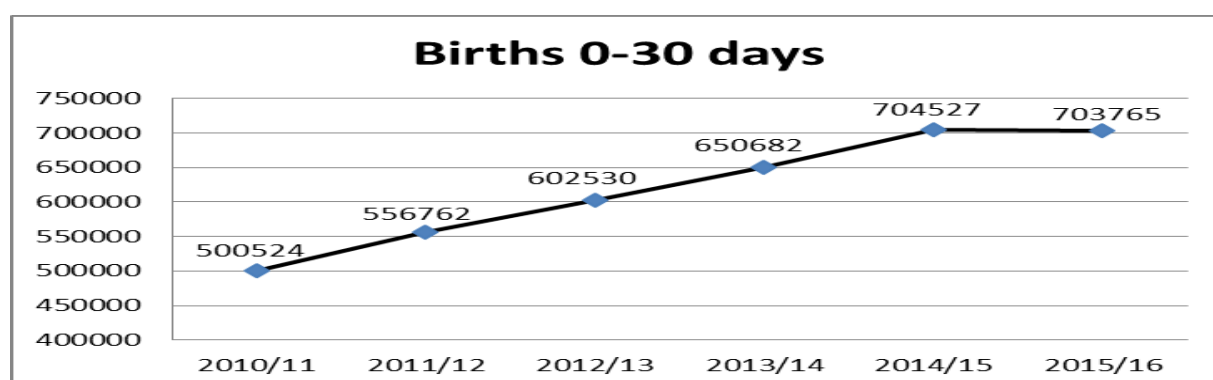
Table 13: Number of cases reported at TCCs

Year	Number	Percentages
2012/13	33 112	(57% children v 43% adults)
2013/14	30 706	(56% children v 44% adults)
2014/15	30 402	(58% children v 42% adults)
2015/16	32 786	(57% children v 43% adults)

Source: National Prosecuting Authority

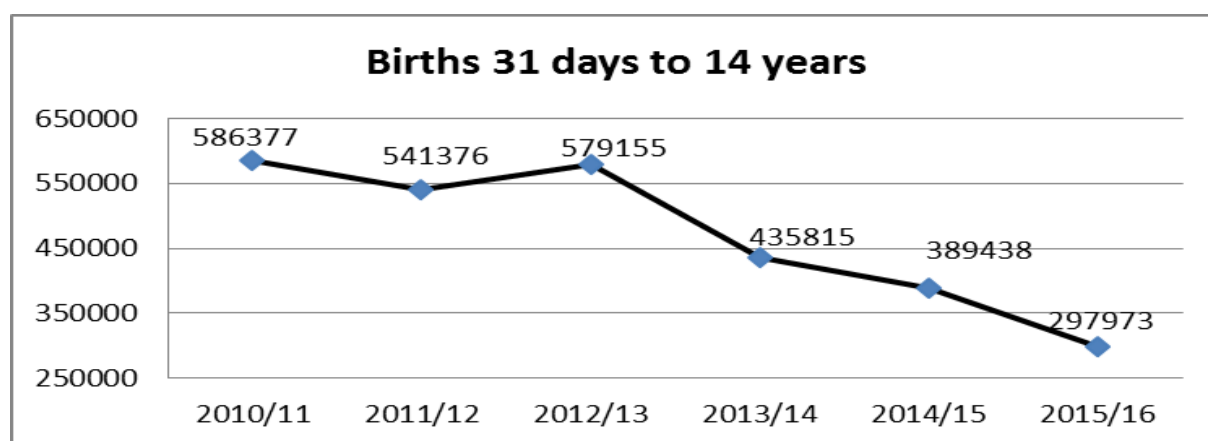
CIVIL RIGHTS AND FREEDOM

Figure 3: Number of registrations between 0 – 30 days



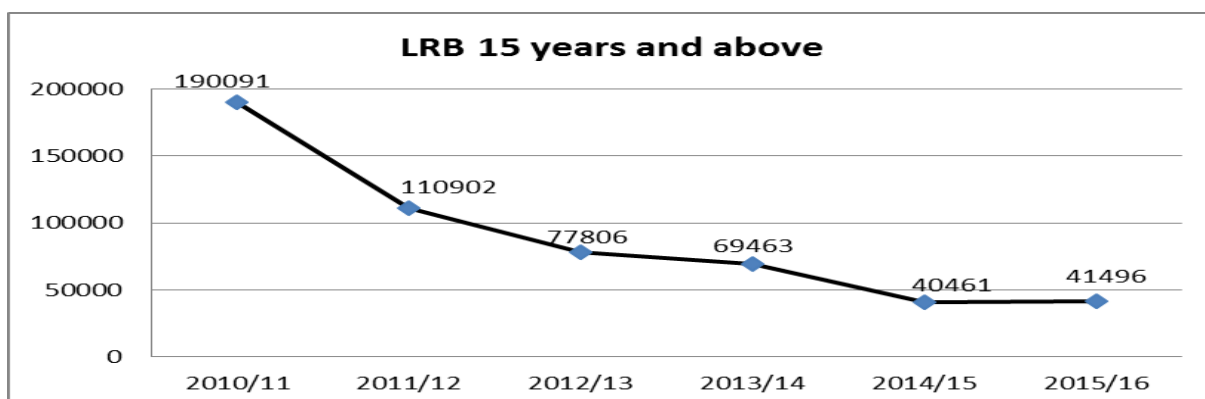
Source: Department of Home Affairs

Figure 4: Number of registrations between 31 days to 14 years days



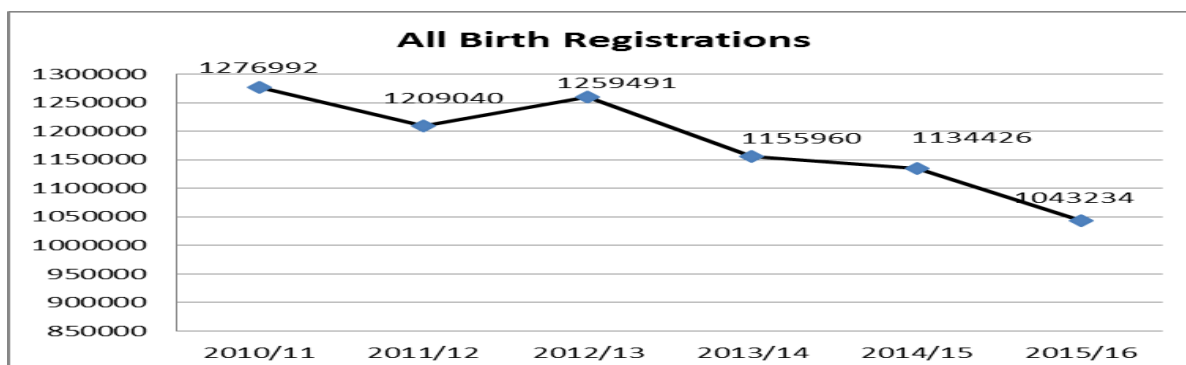
Source: Department of Home Affairs

Figure 5: Number of late registration of births 15 years and above



Source: Department of Home Affairs

Figure 6: Overall birth registrations per year 2010 – 2016



Source: Department of Home Affairs

Table 14: Refugee beneficiaries receiving Child Support Grant per province

Province	2012/13	2013/14	2014/15	2015/16
Eastern Cape	137	416	574	648
Free State	0	43	89	94
Gauteng	288	453	1462	2 253
KwaZulu-Natal	428	472	570	711
Limpopo	2	3	24	25
Mpumalanga	7	21	91	157
Northern Cape	27	47	66	71
North West	2	9	17	20
Western Cape	1 176	1 990	2 665	2 941
Total	2 067	3 454	5 558	6 920

Source: SASSA, SOCPEN; Data note: 2012/13 to 2015/16

ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Table 15: Enrolment in Primary Schools (grades 1 – 7)

Province	2010	2011	2012	2013	2014	2015	2016
Eastern Cape	1 232 905	1 157 901	1 140 822	1 133 220	1 142 506	1 163 757	1 175 147
Free State	375 719	377 076	382 510	388 474	393 684	405 433	417 366
Gauteng	1 146 294	1 162 013	1 193 061	1 232 183	1 275 717	1334 603	1 389 093
KwaZulu-Natal	1 564 596	1 567 329	1 571 814	1 561 995	1 590 072	1595 577	1 606 333
Limpopo	890 493	874 824	879 558	885 829	898 765	924 414	941 761
Mpumalanga	588 750	588 064	591 708	594 826	600 214	616 722	613 416
Northern Cape	165 994	167 103	168 531	170 652	174 183	175 885	177 450
North West	451 533	455 910	461 585	470 814	477 396	486 717	499 868
Western Cape	608 084	607 212	614 893	625 856	642 646	665 002	689 042
National	7 024 368	6 957 432	7 004 482	7 063 849	7 195 183	7 368 110	7 509476

Source: DBE, 2010-16 SNAP Survey

Table 16: Enrolment in Secondary Schools (grade 8 – 12)

Province	2010	2011	2012	2013	2014	2015	2016
Eastern Cape	638 791	633 910	638 519	640 820	636 803	646 512	645 703
Free State	250 778	251 254	247 804	242 532	242 317	239 199	232 166
Gauteng	739 523	757 089	769 289	774 422	783 434	793 114	796 439
KwaZulu-Natal	1 053 202	1 085 180	1 103 930	1 107 300	1 109 168	1 093 889	1 075 396
Limpopo	699 485	700 275	716 953	707 711	697 176	705 657	696 821
Mpumalanga	391 760	397 612	399 503	396 764	394 512	399 773	393 880
Northern Cape	90 041	93 499	92 844	94 009	95 363	94 495	95 629
North West	263 499	264 060	268 299	268 792	271 439	275 594	277 287
Western Cape	344 389	351 560	360 144	361 147	363 268	362 862	355 352
National	4 471 468	4 534 439	4 597 285	4 593 497	4 593 480	4 611 095	4 568 673

Source: DBE, 2010-16 SNAP Survey

Table 17: Children out of school

Province	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Eastern Cape	7,6	6,4	6,1	5,4	6,5	6,5	5,9	5,8	5,2	5,6	5,6
Free State	5,7	5,1	4	3,4	5,4	4,7	5	4,3	4	4,7	3,6
Gauteng	4,7	4,7	6,2	5,6	4,5	3,5	4,7	4,8	4,3	4,1	3,6
KwaZulu-Natal	6,6	6,2	6	5,7	5,1	5,8	6,1	4,6	4,3	4	4
Limpopo	2,7	3,7	3,5	2,8	4	2,8	2,8	2,6	2,3	2,1	2,5
Mpumalanga	4,1	4,9	5,4	3,7	4,8	5	4,3	4,1	4,3	4,7	3,8
North West	6,1	7,4	8,2	7,4	7,3	6,3	7	4,9	5,7	5,3	6,5
Northern Cape	8,4	6,7	7,7	6,5	7,6	7,3	6,4	6,7	6,1	5,1	6,7
Western Cape	7,8	9,2	10	7,5	8,8	7,3	6,8	7	6,1	6,5	5,5
National	5,8	5,8	6,1	5,3	5,6	5,2	5,3	4,8	4,5	4,5	4,3

Source: General Household Survey (GHS); DBE own calculations

Table 18: Enrolment in special needs schools

Province	2015
Eastern Cape	9 229
Free State	6 160
Gauteng	44 941
KwaZulu-Natal	17 084
Limpopo	8 106
Mpumalanga	3 994
Northern Cape	1 966
North West	7 282
Western Cape	19 883
National	118 645

Source: DBE, SNE_SNAP Survey

Table 19: Percentage of 15 to 24-year-olds who completed Grade 7 and above, 2004 – 2014 (primary completion)

Province	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Eastern Cape	75	79,4	80,2	83,2	83,2	83,4	85,6	86,3	86,6	88,7	89,4
Free State	90,7	90,3	91,2	90,5	91	93,5	93,7	93,6	95	94,3	95
Gauteng	94,4	95,1	94,3	95	95,8	95,7	96,4	97	97,8	97,1	97,9
KwaZulu-Natal	88,7	89,4	90	90,8	90	90,5	92,6	93	93,1	94,3	95,1
Limpopo	90,6	89,7	91,2	91,4	90,6	91,8	92,5	93,5	94,6	94,8	94,5
Mpumalanga	88,3	90,1	89,2	90,4	90,4	91,5	92,8	91,5	93	92,4	93,3
North West	84,8	83	85,4	87,1	88,7	90,4	90,3	91	91,2	92,2	91,7
Northern Cape	84,1	87	86,9	86,7	86,7	89,3	92,9	91,3	92,5	92,8	93,6
Western Cape	92	93,9	94,7	92,5	94,1	95	96,3	95,5	95,8	95,9	96,3
National	88,2	89,2	89,7	90,4	90,6	91,3	92,7	92,9	93,6	94	94,5

Source: General Household Survey (GHS) DBE own calculations

Table 20: The teacher-pupil ratio

Province	2013	2014	2015	2016
Eastern Cape	29	30	30	32
Free State	27	27	29	29
Gauteng	28	28	29	28
KwaZulu-Natal	30	30	33	32
Limpopo	30	30	31	32
Mpumalanga	30	30	31	31
Northern Cape	32	31	32	32
North West	30	31	32	32
Western Cape	29	30	30	30
National	29	30	31	31

Source: DBE School Realities, 2013-2015

Table 21: The number and percentage of repetitions

Grade	2009	2010	2011	2012	2013	2014
Grade 1	6,9	5,8	6,9	9	10,7	9,2
Grade 2	7,4	8,4	8,3	9,7	9,1	9
Grade 3	7,2	8,9	7,7	9,5	9,7	9,6
Grade 4	7,1	6,2	8,2	10,7	9,2	7,6

Grade 5	6,8	7	6,0	8,2	9,4	7,8
Grade 6	6,5	6,6	7,3	7,2	7,6	8,4
Grade 7	5	5,3	6,1	6,5	7,9	6,8
Grade 8	8,2	6,6	7,6	10,3	8,6	9,8
Grade 9	10,7	11,3	13,4	15	16,2	17,3
Grade 10	17,1	19	21	22,1	24,5	21
Grade 11	16,3	18,2	18,1	19,9	21,1	17,7
Grade 12	8,3	10,6	10,9	8,9	8,9	6,4
Total	8,8	9,4	10,2	11,5	12,2	11,3

Source: Statistics South Africa, General Household Survey (GHS), DBE own calculations

Table 22: Rates of infant and child mortality

Year	2009	2010	2011	2012
Under five-year mortality rate (per 1 000 live births)	56	52	40	41
Infant mortality rate (per 1 000 live births)	39	35	28	27

Source: Second Triennial Report of the Committee on Morbidity and Mortality in children under 5 years: CoMMiC

Table 23: Percentage of children who died whose deaths were associated with HIV infection and with severe malnutrition, Child PIP data, 2010 – 2013.

	% DEATHS ASSOCIATED WITH HIV INFECTION				% DEATHS ASSOCIATED WITH SAM			
	2010	2011	2012	2013	2010	2011	2012	2013
Eastern Cape	41	35,6	39,2	31,9	34,3	28,3	30,7	29,7
Free State	54,4	39,5	41,2	37,3	50,4	39,8	31,3	35,1
Gauteng	51	40,4	33,2	29,5	35,1	23,8	12,8	15,5
KwaZulu-Natal	56,2	48,5	45,1	42,5	31,2	28,3	28,2	28,7
Limpopo	48,2	40,8	31,7	41,2	41	44,1	42	39,2
Mpumalanga	51,7	49,9	48	46,9	30,6	29,4	29,4	28,8
North West	48,5	43,8	46	40,8	47,4	55,3	35,4	43,5
Northern Cape	42,4	30,1	23,7	30,2	37,2	27,4	26,3	44,8
Western Cape	25,6	18,5	18,2	20,7	19,5	22,7	14,1	14
TOTAL	49,9	43	39,9	39,1	33	30,9	27,9	31,2

Source: District Health Information System

Table 24: Percentages of one-year-olds fully immunised

	2014									
	%	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Child under 5 years pneumonia case fatality rate	%	3	2,8	3,4	3,7	4	2,4	2,5	2,6	3,1
Inpatient death under 1 year rate	%	7,1	8,3	8,1	7,6	7,7	7	7,4	7,8	8
Inpatient death under 5 year rate	%	5,7	6,5	6	5,7	5,6	5,3	5,4	5,6	5,9
Measles 1st dose under 1 year coverage (annualised)	%	87,5	92,5	93,4	95,1	89,4	92,3	102,1	90,5	85
Immunisation coverage under 1 year (annualised)	%	83,4	87,5	88,6	90,1	85,9	88,7	96,8	86,5	81,2

Source: District Health Information System: DHIS

	2015											
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Child under 5 years pneumonia case fatality rate	3,2	2,9	2,2	1,9	1,8	2,3	2,6	2,8	2,3	2,6	2	3,2
Inpatient death under 1 year rate	7,7	7,4	6,9	6,7	6,3	6,9	7.	6,3	6,6	6,2	6,6	7
Inpatient death under 5 year rate	5,9	5,5	5,2	5	4,6	4,8	5,1	4,7	4,7	4,4	4,5	5,1
Measles 1st dose under 1 year coverage (annualised)	102,1	96,6	103,5	93,8	94,1	98,4	95,2	88,2	96,1	101,3	98.	101,6
Immunisation coverage under 1 year (annualised)	97,3	92,6	99,7	89,9	89,8	94,2	91	84,7	92,4	96,7	88,7	83,1

Source: District Health Information System: DHIS

	2016			
	Jan	Feb	Mar	Grand total
Child under 5 years pneumonia case fatality rate	3,5	2,3	1,8	2,6
Inpatient death under 1 year rate	7	6,4	6,3	7,1
Inpatient death under 5 year rate	5	4,4	4,5	5,2
Measles 1st dose under 1 year coverage (annualised)	112,3	109,1	105,8	96,7
Immunisation coverage under 1 year (annualised)	90,8	85,4	83,8	89,5

Source: District Health Information System: DHIS

Table 25: The proportion of pregnant women provided with HIV Prevention-of-Mother-to-Child-Transmission (PMCT) services and the percentage of children born with HIV

		2014									
		Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	
Antenatal client HIV 1st test positive rate	%	15,1	15	14,8	14,5	15,2	15,8	15,4	15,5	14,6	
Antenatal client initiated on ART rate	%	86,9	88,7	89,5	91,2	90,6	90,1	91,1	91,4	93,8	
Infant 1st PCR test around 6 weeks uptake rate	%	102,0	100,1	99,7	112,4	101,1	100	113,8	99,7	86.	
Infant 1st PCR test positive around 6 weeks rate	%	1,5	1,4	1,7	1,3	1,4	1,5	1,5	1,8	1,5	
ART prophylaxis discontinued within 12 months after delivery rate	%	4	3,4	3,9	4	3,1	4,5	3,4	2,1	2,6	

Source: District Health Information System: DHIS

	2015											
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Antenatal client HIV 1st test	15,3	15,7	15,1	14,9	15,3	15,3	14,6	15,4	15,4	15,2	15,3	14,3

positive rate												
Antenatal client initiated on ART rate	93,4	94,2	93,6	94,2	92,5	92,1	94,2	92,6	94,1	94,9	92,2	91,1
Infant 1st PCR test around 6 weeks uptake rate	93,3	100	100,5	92,3	88	84,9	84,3	70,7	63,9	67,1	59,7	48,7
Infant 1st PCR test positive around 6 weeks rate	1,5	1,5	1,5	1,5	1,3	1,4	1,4	1,7	1,6	1,6	1,4	1,6
ART prophylaxis discontinued within 12 months after delivery rate	0,9	1,5	1	2,7	1,3	1,2	1,2	0,3	0	0,1	0,1	0,1

Source: District Health Information System: DHIS

	2016			
	Jan	Feb	Mar	Grand total
Antenatal client HIV 1st test positive rate	15	15	14,7	15,1
Antenatal client initiated on ART rate	92,2	92,5	92,9	92
Infant 1st PCR test around 6 weeks uptake rate	50,3	54,5	49,4	84,4
Infant 1st PCR test positive around 6 weeks rate	1,3	1,5	1,6	1,5
ART prophylaxis discontinued within 12 months after delivery rate	0	0	0	1,8

Source: District Health Information System: DHIS

Table 26: The proportion of pregnant women who have access to, and benefit from, prenatal and post-natal healthcare

		2014									
		Apr	May	Jun	Jul	Aug	Sep	Oc4	Nov	Dec	
Antenatal 1st visit before 20 weeks rate	%	50,5	49	50,9	53,3	55,6	56,2	55,7	55,5	52,5	
Couple year protection rate (annualised)	%	39,8	42,7	43,7	50,8	51,4	53,3	55,8	52,9	42,2	
Delivery by caesarean section rate	%	24,6	24,3	23,8	25,5	24,4	24,4	26,6	25,9	25.	
Delivery in facility rate (annualised)	%	85	88,5	86,6	85,1	86,6	90,1	79	75,2	83,2	
Delivery in facility under 18 years rate	%	7,4	7	7,8	7,5	8,1	8	7,3	7,3	7.4	
Maternal mortality in facility ratio	per100K	116,2	144	138,3	124,5	158,4	131,4	138,2	136	1087	
Mother postnatal visit within 6 days rate	%	71,8	70,9	72,2	73,8	69,3	76,2	78,1	74,9	735	

Source: District Health Information System: DHIS

		2015											
		Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Antenatal 1st visit before 20 weeks rate		52,8	55,5	57,5	55,8	56,6	58,7	60,8	61,6	62,9	64,2	63,8	61,5
Couple year protection rate (annualised)		44	49,3	49,1	50,5	47,5	46,8	52,7	48,2	50,8	50,9	51,3	46,2
Delivery by caesarean section rate		24,2	25	24,6	25,1	25,1	25,7	26,6	26,5	26,4	27,4	27,1	26,2
Delivery in facility rate (annualised)		91,5	81,3	92,7	87,1	87,3	85,8	84,9	83,7	88,5	76,8	75,2	82,4
Delivery in facility under 18 years rate		7,1	7	7,6	6,9	7	7,2	7,6	7,6	7,4	6,8	7,1	7,
Maternal mortality in facility ratio		119,5	126,3	111,1	111,7	140,4	146,3	132,8	94,7	89,3	136,4	108,5	118,7
Mother postnatal visit within 6 days rate		69,9	74	74,7	68,3	64,3	69,3	69,5	68	69,8	71,4	69,1	66,7

Source: District Health Information System: DHIS

	2016			
	Jan	Feb	Mar	Grand total
Antenatal 1st visit before 20 weeks rate	61,2	63,3	64	57.3
Couple year protection rate (annualised)	42,8	46,7	43,7	48.0
Delivery by caesarean section rate	26	26,4	26,2	25.5
Delivery in facility rate (annualised)	84,3	79,4	86,1	84.4
Delivery in facility under 18 years rate	6,7	6,6	7	7.3
Maternal mortality in facility ratio	127,4	118,4	106	124.4
Mother postnatal visit within 6 days rate	67,1	71	67,6	70.9

Source: District Health Information System: DHIS

Table 27: Number of maternal deaths: South Africa

Indicator	Period	Number	R	Value
Child under 5 years diarrhoea case fatality rate	2016	350	17 451	2
	2015	1 217	47 309	2,6
	2014	1 763	50 273	3,5
	2013	1 622	40 384	4
	2016	329	15 268	2,2
	2015	1 349	56 615	2,4
	2014	1 422	46 809	3
	2013	1 498	41 090	3,6
Child under 5 years severe acute malnutrition case fatality rate	2016	465	5 614	8,3
	2015	1 577	16 080	9,8
	2014	1 938	16 478	11,8
	2013	1 674	14000	12
DTaP-IPV-HepB-Hib 3 - Measles 1st dose drop-out rate	2016	-92 600	252 210	-36,7
Immunisation coverage under 1 year (annualised)	2016	274 363	328 648	83,5
	2015	937 075	1 022 111	91,7
	2014	926 817	1 059 660	87,5
	2013	904 140	1 085 178	83,3
Infant exclusively breastfed at HepB 3rd dose rate	2016	86 972	278 650	31,2
	2015	385 430	1 034 874	37,2
	2014	458 393	1 033 447	44,4
	2013	321 712	958 619	33,6
Measles 2nd dose coverage (annualised)	2016	300 758	4 055 116	7,4
	2015	867 125	337 926	89,0
	2014	854 427	1 035 460	83,7
	2013	8E+05	1 056 563	80,87

Source: Department of Health, DHIS

Table 28: Comparison of underlying causes of maternal death, as well as per age

Table 2.3. A comparison of underlying obstetric causes of death between triennia 2002-2004, 2005-2007 2008-2010 and 2011-2013

Underlying Obstetric Cause	2002-2004		2005-2007		2008-2010		2011-2013	
	N	%	N	%	N	%	n	%
Direct	1767	53.6	1819	45.9	2252	46.3	2155	49.73
Hypertension	628	19.1	622	15.7	679	14	640	14.77
Obstetric haemorrhage	442	13.4	491	12.4	688	14.1	684	15.79
Ectopic pregnancy	47	1.4	55	1.4	75	1.5	102	2.35
Miscarriage	114	3.5	136	3.4	186	3.8	185	4.27
Pregnancy Related Sepsis	274	8.3	223	5.6	258	5.3	226	5.22
Anaesthetic related	91	2.8	107	2.7	121	2.5	105	2.42
Embolism	64	1.9	57	1.4	93	1.9	102	2.35
Acute collapse	107	3.2	128	3.2	148	3	106	2.45
Hyperemesis gravidarum					4	0.1	5	0.12
Indirect	1430	43.4	1966	49.7	2399	49.3	1997	46.09
Non pregnancy related Infections	1246	37.8	1729	43.7	1969	40.5	1504	34.71
Medical and Surgical conditions	184	5.6	237	6	430	8.8	493	11.38
Unknown	99	3	174	4.4	216	4.4	181	4.18
Total	3296	100	3959	100	4867		4333	100.00
Coincidental	110		118		99		119	

Source: Department of Health

Table 29: Causes of maternal deaths per age

Table 2.10 Distribution of the underlying cause of death and age category of maternal death

Primary obstetric problem	< 20	20 - 24	25 - 29	30 - 34	35 - 39	40 - 44	45+
Medical and surgical disorders	9.5	20.5	29.2	19.7	13.8	5.9	1.4
Non-pregnancy-related infections	4.9	19.4	30.1	26.8	14.0	3.4	1.4
Ectopic pregnancy	4.9	9.8	35.3	30.4	13.7	4.9	1.0
Miscarriage	7.0	18.9	33.0	23.2	10.8	4.9	2.2
Pregnancy-related sepsis	13.3	21.2	25.7	15.9	14.2	6.2	3.5
Obstetric haemorrhage	7.2	14.0	23.1	24.0	19.0	9.4	3.2
Hypertension	12.3	20.9	24.8	18.9	14.4	5.8	2.8
Anaesthetic complications	16.2	25.7	17.1	19.0	16.2	3.8	1.0
Embolism	6.9	13.7	20.6	25.5	18.6	9.8	3.9
Acute collapse - cause unknown	4.7	21.7	27.4	17.9	16.0	10.4	1.9
Total	8.0	19.0	27.3	23.2	14.8	5.5	2.1
General pop.	12.2	27.4	26.4	19.3	11.0	3.5	0.3
>15%	14.0	31.5	30.3	22.2	12.6	4.0	0.4
<15%	10.3	23.3	22.4	16.4	9.3	2.9	0.3

XXXXX 15% above general pregnant population
XXXXX Between 15% above and below general pregnant population
XXXXX 15% below national general pregnant population

General pop. – General pregnant population from: Stats SA Recorded Live Births 2012, November 2013 P0305

Province	Indicator name screening coverage (annualised)	% Apr-15	% May-15	% Jun-15	% Jul-15	% Aug-15	% Sep-15	% Oct-15	% Nov-15	% Dec-15	% Jan-16	% Feb-16	% Mar-16	% Apr-16
Eastern Cape	School Grade 1	8,6	22,4	20,9	10,8	12,9	39,1	44	42,9	0,9	10,1	5,1	10,3	13,4
	School Grade 8	2	14,9	7,5	6,4	4,6	22,6	20,6	10	0	4,2	7,5	3,7	8,6
Free State	School Grade 1	41	37,8	35,4	12,2	1,5	60,4	48,2	51,2	0,5	6,7	0,6	1,6	8,4
	School Grade 8	28,3	59,2	6,6	5,3	2,7	57,7	43,2	22,3	0	15,4	16,4	3,4	2,8
Gauteng	School Grade 1	58,2	51,4	73,4	35,2	5,9	49,5	75,7	70,6	1,1	11,2	11,1	10,	54,7
	School Grade 8	29	27,2	16,6	20,4	2,3	39,0	37,8	4,3	0	17,5	9,7	5,7	44,8
KwaZulu-Natal	School Grade 1	19,4	54,3	45,4	22,8	4,3	30,4	29,9	30,9	0,8	15	7,8	3,9	47,6
	School Grade 8	12,2	31	12,9	9,4	3,4	12,2	14,8	7,5	0	7,9	9,1	1,9	59,3
Limpopo	School Grade 1	35,2	55,3	59,1	57,1	7	33	55,3	11,7	0,2	6,1	8,6	25,5	19,4
	School Grade 8	12,3	27,9	6,4	38,6	5,2	7,6	21,8	0	0	3,3	2,2	8,6	8,5
Mpumalanga	School Grade 1	27,3	40,7	21	18,5	2,2	12,4	14,4	17,3	0	3,3	1,6	0,9	30,2
	School Grade 8	6,4	18,9	4,3	4,6	0,2	9,1	10,1	0,3	0	2,2	1,5	0,	42,6
Northern Cape	School Grade 1	17,7	35,9	11,3	3,6	2,9	33,4	11,6	10,3	0	10,1	9,4	8,7	9,9
	School Grade 8	10,9	11,8	3,3	3,9	0	14,1	9,1	4,1	0	14,2	18,4	0,5	3,1
North West	School Grade 1	56,9	132,9	96,8	35,5	28,5	59,9	87	84,5	1,3	32,1	17,1	4,	18,6
	School Grade 8	48,1	50	25,9	34	28,6	46,3	60,2	34,7	0	44,1	18,9	7,6	1,1
Western Cape	School Grade 1	58,2	102	77,4	36,3	25,8	68,5	71,2	94,4	0,8	27,2	45	17,7	63,6
	School Grade 8	12,4	21	0,8	15,5	7	16,1	22,2	8,3	0,3	4,9	13,2	1,8	19,3

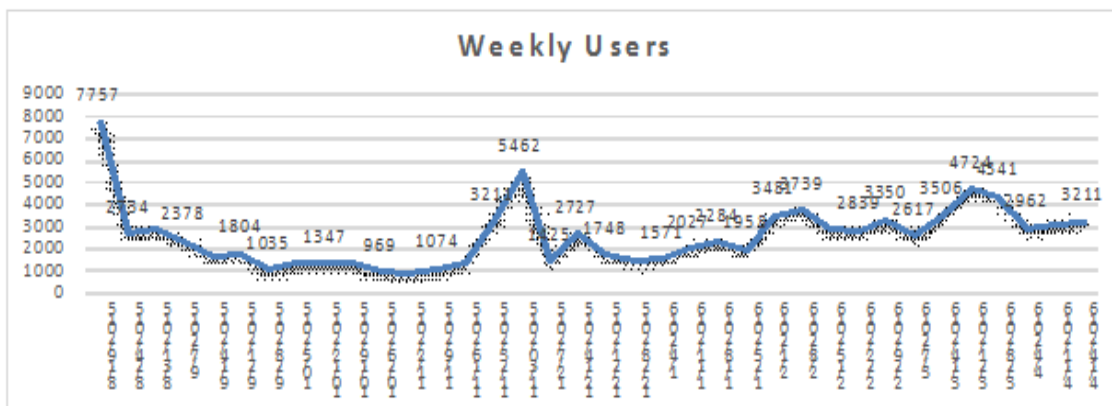
Source: Department of Health

Table 30: Post-exposure prophylaxis for child rape survivors April 2014 – March 2015 and April 2015 – March 2016

Indicator Name	Apr-14	May-14	Jun-14	Jul-14	Aug-14	Sep-14	Oct-14	Nov-14	Dec-14	Jan-15	Feb-15	Mar-15	Total
Sexual assault prophylaxis rate	61,4	60,4	62,2	57,9	57,2	58,9	55,1	59,9	64,2	60,3	53,5	60,2	59,3
Sexual assault prophylaxis rate	61,9	57,6	60,3	58,1	61,6	57,4	53,7	57,9	57	51,9	60,2	58,5	57,8

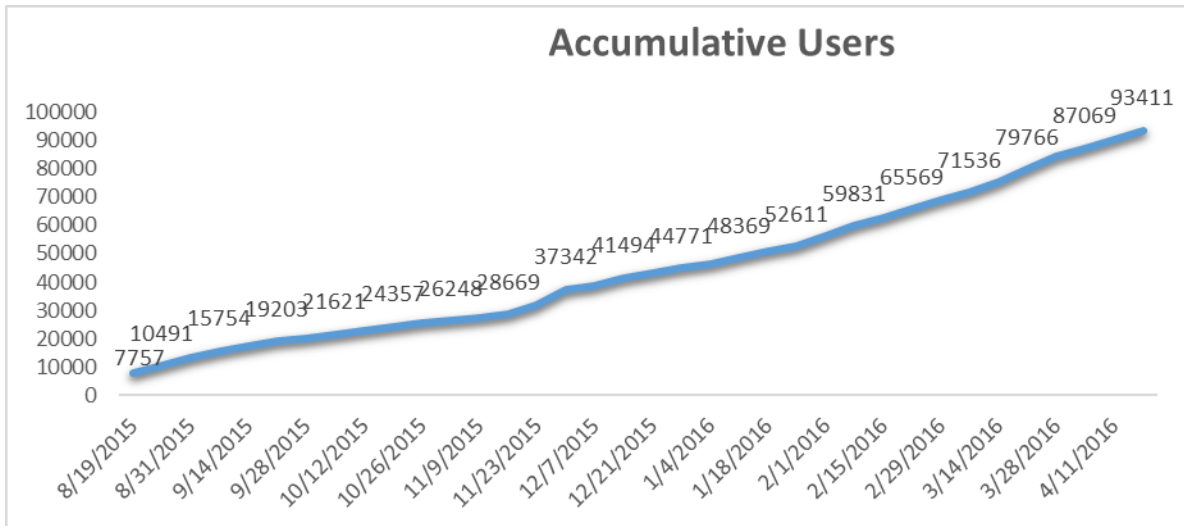
Source: Department of Health

Figure 7: Weekly target for mobile marketing campaign is 5 000 users per week



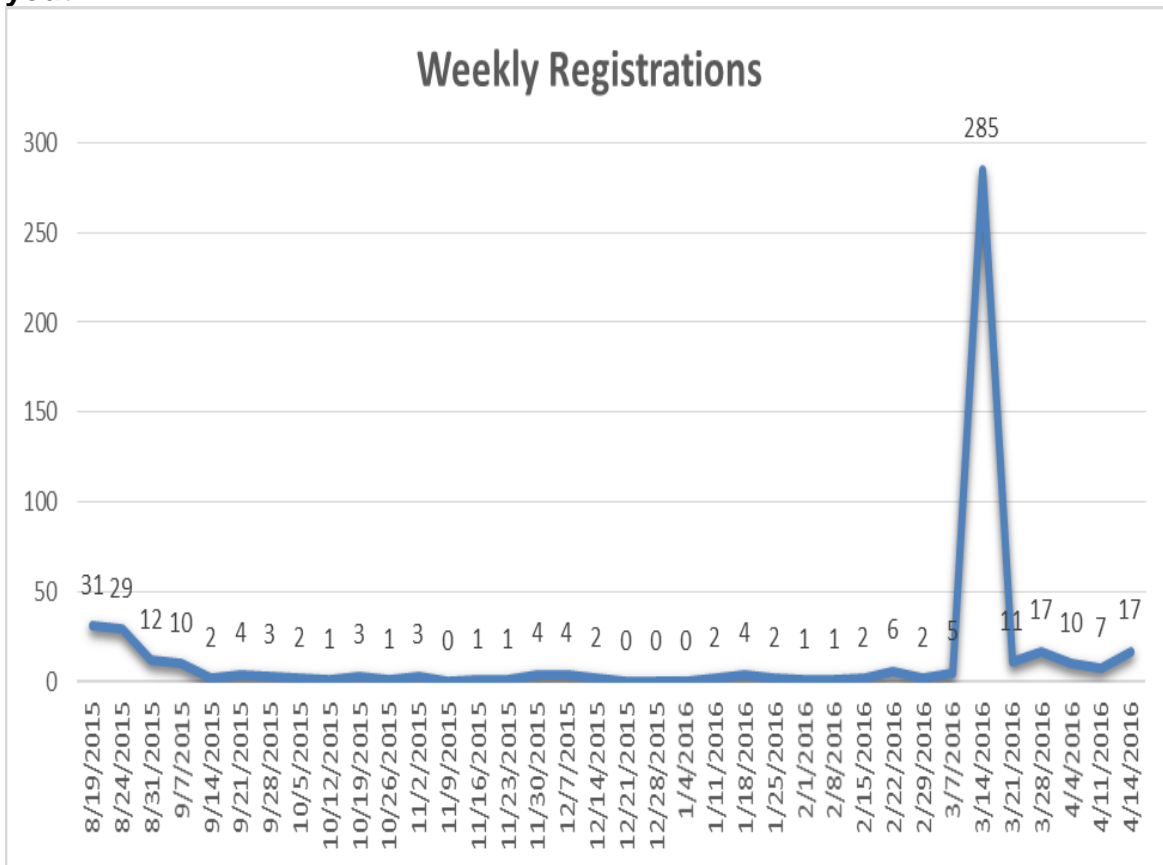
Source: Department of Health

Figure 8: Accumulative users



Source Department of Health

Figure 9: Weekly registrations
 Included is B-WiSE as it provides access to information for adolescents and youth



Source: Department of Health

Table 31: Weekly target for mobile marketing campaign is 500 registrations per week

Province	Indicator	2013/14	2014/15	2015/16
Eastern Cape	Couple Year Protection	31,2	41,6	53,5
Free State	Couple Year Protection	35,5	43,7	57
Gauteng	Couple Year Protection	25,1	38,7	42,2
KwaZulu-Natal	Couple Year Protection	45,5	62,3	52
Limpopo	Couple Year Protection	36,7	49,2	50,4
Mpumalanga	Couple Year Protection	36,5	39,8	38,6
North West	Couple Year Protection	33,3	42,8	35,1
Northern Cape	Couple Year Protection	33,2	45	38,2
Western Cape	Couple Year Protection	64,5	59,9	58,6

Source: Department of Health

Table32: Number of drop-in centres per province

Province	Number of drop-in centres
Limpopo	344
Mpumalanga	91
Gauteng	247
KwaZulu-Natal	271
Free State	65
Eastern Cape	12
Western Cape	13
Northern Cape	91
North West	47
TOTAL	1 181

Source: Department of Social Development

Table33: Integrated school health services

Province	IndicatorName	Apr-15	May-15	Jun-15	Jul-15	Aug-15	Sep-15	Oct-15	Nov-15	Dec-15	Jan-16	Feb-16	Mar-16	Total
	(annualised) screening coverage	Percentage (%)												
Eastern Cape	School Grade 1	8,6	22,4	20,9	10,8	12,9	39,1	44	42,9	0,9	10,1	5,1	10,3	19
	School Grade 8	2	14,9	7,5	6,4	4,6	22,6	20,6	10	0	4,2	7,5	3,7	8,7
Free State	School Grade 1	41	37,8	35,4	12,2	1,5	60,4	48,2	51,2	0,5	6,7	0,6	1,6	24,8
	School Grade 8	28,3	59,2	6,6	5,3	2,7	57,7	43,2	22,3	0	15,4	16,4	3,4	21,7
Gauteng	School Grade 1	58,2	51,4	73,4	35,2	5,9	49,5	75,7	70,6	1,1	11,2	11,1	10	37,8
	School Grade 8	29	27,2	16,6	20,4	2,3	39	37,8	4,3	0	17,5	9,7	5,7	17,5
KwaZulu-Natal	School Grade 1	19,4	54,3	45,4	22,8	4,3	30,4	29,9	30,9	0,8	15	7,8	3,9	22,1
	School Grade 8	12,2	31	12,9	9,4	3,4	12,2	14,8	7,5	0	7,9	9,1	1,9	10,2
Limpopo	School Grade 1	35,2	55,3	59,1	57,1	7	33	55,3	11,7	0,2	6,1	8,6	25,5	29,5
	School Grade 8	12,3	27,9	6,4	38,6	5,2	7,6	21,8	0	0	3,3	2,2	8,6	11,1
Mpumalanga	School Grade 1	27,3	40,7	21	18,5	2,2	12,4	14,4	17,3	0	3,3	1,6	0,9	13,3
	School Grade 8	6,4	18,9	4,3	4,6	0,2	9,1	10,1	0,3	0	2,2	1,5	0	4,8
Northern Cape	School Grade 1	17,7	35,9	11,3	3,6	2,9	33,4	11,6	10,3	0	10,1	9,4	8,7	12,9
	School Grade 8	10,9	11,8	3,3	3,9	0	14,1	9,1	4,1	0	14,2	18,4	0,5	7,5
North West	School Grade 1	56,9	132,9	96,8	35,5	28,5	59,9	87	84,5	1,3	32,1	17,1	4	53
	School Grade 8	48,1	50	25,9	34	28,6	46,3	60,2	34,7	0	44,1	18,9	7,6	33,2
Western Cape	School Grade 1	58,2	102	77,4	36,3	25,8	68,5	71,2	94,4	0,8	27,2	45	17,7	52,1
	School Grade 8	12,4	21	0,8	15,5	7	16,1	22,2	8,3	0,3	4,9	13,2	1,8	10,3

Source: Department of Social Development

Table34: Reducing HIV and AIDS infection

	Year	Percentage (%)												Total
Infant 1st PCR test at 6 weeks uptake rate	2013	104	107,3	91,7	106,7	101,1	95,5	113,8	103,9	102,1	123,1	102,6	82,5	102,6
	2014	102,4	100,7	98	101,8	99,6	101	112,9	101,1	100,2	114,2	99,3	86,4	101,4
	2015	93,5												93,5
Infant 1st PCR test positive at 6 weeks rate	2013	2,2	2,3	2,6	2,5	2	2	2,1	2,2	2	1,8	1,7	1,6	2,1
	2014	1,8	2,2	2	1,5	1,4	1,7	1,4	1,4	1,6	1,5	1,8	1,6	1,6
	2015	1,8												1,8
Infant exclusively breastfed at HepB 3rd dose rate	2013	15,9	16,7	16,6	31,7	32,1	34,1	38,2	40,1	39,5	43,6	43,8	44,4	33,5
	2014	41,7	42,2	43,8	44,1	43,5	45	44	44,1	45,6	46,2	46,1	46,6	44,4
	2015	46												46
Infant given NVP within 72 hours after birth uptake rate	2013	97,3	95,9	98,4	96,9	96,8	97,7	97,6	98,4	98,7	99	99,1	99,1	97,9
	2014	99,5	98,4	100,4	99,4	99,1	98,9	101	94,9	97,5	98,4	98,3	97,6	98,6
	2015	95												95
Infant initiated on CPT at 6 weeks uptake rate	2013	85	87,5	76,6	84,2	80,3	75	89,9	82,8	81,6	101,8	84,2	68	82,9
	2014	86	84,7	81,8	90,8	89,8	90,4	100,8	90,7	89	102,2	88,1	76,4	89,1
	2015	81,3												81,3
Infant rapid HIV test at 18 months positive rate	2013	3,1	3	2,3	3,3	2,6	2,5	2,4	1,9	2,1	2,1	2,1	1,6	2,3
	2014	1,9	1,6	1,4	1,5	1,4	1,4	1,3	1,2	1,5	1,5	1,4	1,4	1,4
	2015	1,5												1,5
Infant rapid HIV test at 18 months uptake rate	2013													
	2014							99,1	97,7	87,8	101,5	88,8	84,4	173,4
	2015	99,1												99,1

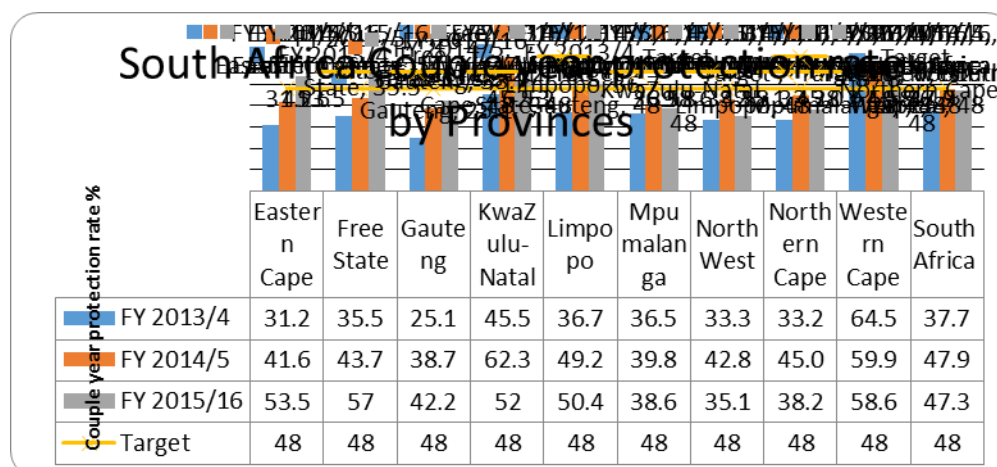
Source: Department of Health

Table 35: Adolescent and youth-friendly services

	Year	Percentage %												Total
Infant 1st PCR test at 6 weeks uptake rate	2013	104	107,3	91,7	106,7	101,1	95,5	113,8	103,9	102,1	123,1	102,6	82,5	102,6
	2014	102,4	100,7	98	101,8	99,6	101	112,9	101,1	100,2	114,2	99,3	86,4	101,4
	2015	93,5												93,5
Infant 1st PCR test positive at 6 weeks rate	2013	2,2	2,3	2,6	2,5	2	2	2,1	2,2	2	1,8	1,7	1,6	2,1
	2014	1,8	2,2	2	1,5	1,4	1,7	1,4	1,4	1,6	1,5	1,8	1,6	1,6
	2015	1,8												1,8
Infant exclusively breastfed at HepB 3rd dose rate	2013	15,9	16,7	16,6	31,7	32,1	34,1	38,2	40,1	39,5	43,6	43,8	44,4	33,5
	2014	41,7	42,2	43,8	44,1	43,5	45	44	44,1	45,6	46,2	46,1	46,6	44,4
	2015	46												46
Infant given NVP within 72 hours after birth uptake rate	2013	97,3	95,9	98,4	96,9	96,8	97,7	97,6	98,4	98,7	99	99,1	99,1	97,9
	2014	99,5	98,4	100,4	99,4	99,1	98,9	101	94,9	97,5	98,4	98,3	97,6	98,6
	2015	95												95
Infant initiated on CPT at 6 weeks uptake rate	2013	85	87,5	76,6	84,2	80,3	75	89,9	82,8	81,6	101,8	84,2	68	82,9
	2014	86	84,7	81,8	90,8	89,8	90,4	100,8	90,7	89	102,2	88,1	76,4	89,1
	2015	81,3												81,3

Infant rapid HIV test around 18 months positive rate	2013	3,1	3	2,3	3,3	2,6	2,5	2,4	1,9	2,1	2,1	2,1	1,6	2,3
	2014	1,9	1,6	1,4	1,5	1,4	1,4	1,3	1,2	1,5	1,5	1,4	1,4	1,4
	2015	1,5												1,5
Infant rapid HIV test at 18 months uptake rate	2013													
	2014							99,1	97,7	87,8	101,5	88,8	84,4	173,4
	2015	99,1												99,1

Source: Department of Health



Source: Department of Health

Table: 36 Mean weight and height among male participants aged 0 – 14 years by age, locality, province and race, South Africa 2013 (SANHNES)

Boys Background characteristics	Weight (kg)			Height (cm)		Total (n)
	Mean	95%CI	Total (n)	Mean	95%CI	
Age						
0-6 months	*	*	*	*	*	52
6-11 months	*	*	*	*	*	45
12-23 months	11,4	10,2-12,1	125	78,9	77,7-80	125
2-5 years	16,1	15,7-16,6	656	98,6	97,5-99,8	656
6-9 years	24,4	23,9-24,9	625	132,2	122,3-124	625
10-14 years	38,4	37,2-39,5	620	145	143,9-146,1	620
Locality						
Urban formal	26,1	24,6-27,6	830	119,7	116,6-122,9	830
Urban informal	24,7	22,6-26,8	311	111,5	111,5-119,7	311
Rural formal	23,9	22,9-24,9	622	116,5	114,4-118,6	622
Rural informal	22,7	21,6-23,9	360	114,4	112,0-116,7	360
Province						
Western Cape	23,7	22,2-25,3	318	113,6	110,4-116,8	318
Eastern Cape	24,9	23,5-26,3	291	117,6	115,1-120,1	291
Northern Cape	22,3	20,1-24,5	122	115,8	111,2-120,4	122
Free State	23,1	21,4-24,8	188	114,2	109,9-118,5	188
KwaZulu-Natal	26,4	24,1-28,6	302	119,8	115,2-124,3	302
North West	22,1	20,8-23,4	275	114,6	111,3-117,8	275
Gauteng	26,1	23,7-28,4	205	120,4	115,5-125,3	205
Mpumalanga	24	22,6-25,4	237	115,1	112,3-117,8	237
Limpopo	23,8	21,6-26,0	185	117	112,6-121,3	185

Race						
African	24,7	23,9-25,6	1629	117,4	115,7-119,2	1629
White	*	*	*	*	*	10
Coloured	23,7	22,1-25,2	433	116,1	112,9-119,3	433
Asian/Indian	*	*	*	*	*	42
Total	24,8	24,0-25,6	2123	117,5	115,9-119,2	2123

Source: South African National and Health Nutrition Examination Survey

Table 37 Mean weight and height among female participants age 0 – 14 years by age, locality, province and race, South Africa 2013 (SANHNES)

Girls Background characteristics	Weight (kg)			Height (cm)		
	Mean	95%CI	Total (n)	Mean	95%CI	Total (n)
Age						
0-6 months	*	*	57	*	*	56
6-11 months	*	*	57	*	*	57
12-23 months	10,7	10,2-11,1	125	76,3	74,6-78	125
2-5 years	15,7	15,3-16,1	640	98	97-99	640
6-9 years	25,4	24,6-26,3	592	123,9	122,8-125	529
10-14 years	44,5	43-45,9	685	148,2	147,4-149	685
Locality						
Urban formal	28,6	26,5-30,8	837	120,2	117,3-123	837
Urban informal	25	22,8-27,1	305	112,3	107,8-116,8	305
Rural formal	26,9	25,7-28,1	649	120,3	118,2-122,5	649
Rural informal	24,9	23,1-26,7	364	116,7	113,2-120,2	364
Province						
Western Cape	25,6	23,2-28,1	300	116,5	112,7-120,2	300
Eastern Cape	27,2	25-29,4	293	120,1	116-124,2	293
Northern Cape	27,2	24,2-30,3	135	122,4	115,4-129,4	135
Free State	24,6	20,9-29,2	194	111	105,9-116,2	194

Source: South African National and Health Nutrition Examination Survey

Table 38: Access to sanitation by province

Province	RDP acceptable			Not RDP acceptable		
	Flush toilet	Chemical toilet	Ventilated pit latrine	Unventilated pit latrine	Bucket latrine	None
Mpumalanga	43,8%	1,4%	12,1%	33,9%	0,9%	6,3%
Limpopo	21,9%	0,9%	15,1%	52,9%	0,6%	7,2%
Gauteng	85,4%	1,1%	2,4%	7,4%	1,8%	1,1%
KwaZulu-Natal	45%	8,2%	14,4%	20,7%	1,7%	6,3%
Free State	67,1%	0,6%	87%	13,5%	5,5%	3,1%
Northern Cape	66%	0,6%	9,1%	107%	4%	8%
Western Cape	89,6%	0,9%	0,6%	0,6%	3,7%	3,1%
Eastern Cape	43%	3%	13,9%	20,2%	2,3%	12,7%
North West	45,4%	0,8%	11,3%	34,2%	1%	5,8%
South Africa	60,1%	2,5%	8,8%	19,3%	2,1%	5,2%

Source: Department of Water and Sanitation: Report on the Right to Access Sufficient Water and Decent Sanitation: 2014

Table 39: Access to water by province

Province	RDP acceptable			Not RDP acceptable	
	Piped water within dwelling	Piped water within stand	Piped water within 200m from stand	Piped water more than 200m from stand	No access to piped water
Mpumalanga	35,7%	36%	9,2%	6,6%	12,6%
Limpopo	18,4%	33,9%	20,5%	13,2%	14%
Gauteng	62,1%	27,3%	6%	2,8%	1,8%
KwaZulu-Natal	40%	23,6%	14,8%	7,6%	14,1%
Free State	44,8%	44,3%	6,2%	2,6%	2,2%
Northern Cape	45,8%	32,8%	12,8%	6,6%	2,6%
Western Cape	75,1%	13,3%	8,3%	2,4%	0,9%
Eastern Cape	32,8%	16,6%	18,6%	9,9%	22,2%
North West	29,3%	40%	14,3%	8%	8,4%

Source: Statistics South Africa

FAMILY ENVIRONMENT AND ALTERNATIVE CARE

Table 40: Children living in child-headed households

Province	Child-headed households	Youth-headed households
KwaZulu-Natal	604	1139
Mpumalanga	590	478
Limpopo	383	282
Gauteng	725	3280
Free State	329	105
Eastern Cape	90	137
Western Cape	179	189
North West	56	2
Northern	126	305
TOTAL	3 082	5 917

Source: Child-headed households and youth-headed households data register.

Table 41: Number of children in need of care and protection placed in funded child and youth care centres

	2014/15 Annual target	Annual actual output	% Performance
Eastern Cape	1 996	1 078	54,01
Free State	245	72	29,39
Gauteng	4 092	3 817	93,28
KwaZulu-Natal	4 019	3 507	87,26
Limpopo	1 200	961	80,08
Mpumalanga	1 128	836	74,11
Northern Cape	0	0	0
North West	600	582	97
Western Cape	224	252	112,50

Source: Department of Social Development

Table 42: Children placed with foster families

PROVINCE	Apr-13		Apr-14		Apr-15	
	Beneficiaries	Children	Beneficiaries	Children	Beneficiaries	Children
Eastern Cape	71 793	101 817	79 951	117 786	79 863	116 935
Free State	24 955	32 196	30 391	40 176	29 357	38 632
Gauteng	36 828	49 025	41 574	56 118	40 585	54 611
KwaZulu-Natal	75 628	102 723	89 911	127 977	86 103	120 446
Limpopo	33 776	46 302	41 241	59 726	40 513	58 008
Mpumalanga	23 129	30 571	25 633	34 911	25 874	34 980
Northern Cape	9 186	12 619	10 361	14 591	10 431	14 694
North West	24 257	33 104	29 536	41 491	27 643	38 634
Western Cape	20 040	28 731	20 530	29 089	20 968	29 971
National	319 592	437 088	369 128	521 865	361 337	506 911

Source: Department of Social Development

Table 43: Types of children's institutions and total number as per category

Temporary Care	Safe Children's Homes	Schools of Industry	Reform Schools	Shelters
57	265	9	3	27

Source Department of Social Development

Table 44: Average number of sentenced children in correctional facilities

Year	April 2010	2010/11	2011/12	2012/13	2013/14	2014/15
Sentenced children	717	635	538	367	281	234

Source: Department of Correctional Services

Table 45: Breakdown of the maintenance statistics 2011 to 2016

Year	Number	Percentage finalised
2011/12	152 350	62%
2012/13	158 872	64%
2013/14	194 608	66%
2014/15	222 888	65%
2015/16	205 325	64%

Source National Prosecuting Authority

Table 46: Number of adoptions registered per adoption type

Year	Local adoptions	Inter-country adoptions	Total
2010/11	2 234	200	2 434
2011/12	1 426	194	1 620

2012/13	1 522	177	1 699
2013/14	1 240	212	1 452
2014/15	1 401	250	1 651
2015/16	978	187	1 165

Source: Department of Social Development

PROTECTION OF CHILDREN IN MOST VULNERABLE SITUATIONS

Table 47: Disabled children by province

Province	2010	2011	2012	2013	2014	2015	Growth %
Eastern Cape	284 917	311 705	255 932	279 817	298 994	326 072	14,44
Free State	151 703	97 566	105 601	82 594	99 016	85 234	-43,82
Gauteng	262 119	273 009	258 635	287 782	320 278	334 722	27,7
KwaZulu-Natal	295 428	283 024	362 412	360 584	339 049	365 928	23,86
Limpopo	426 143	300 581	221 650	267 600	265 135	128 134	-69,93
Mpumalanga	115 350	156 783	139 287	143 082	159 023	264 268	129,10
Northern Cape	56 545	72 582	56 866	61 742	67 522	48 926	-13,47
North West	147 101	163 663	148 576	156 225	175 631	163 328	11,03
Western Cape	127 649	111 152	100 887	114 963	125 644	126 406	-0,97
Total	1 866 959	1 770 068	1 649 848	1 754 393	1 850 295	1 843 022	-1,28

Source: Stats SA General Household Survey; Data note: 2010 to 2015

Table 48: Children with disability aged 5 – 18 with seeing difficulty

Degree of difficulty	2010	2011	2012	2013	2014	2015
Some difficulty	303 805	281 037	306 027	311 370	245 009	263 369
A lot of difficulty	40 511	34 818	27 587	31 358	26 660	28 542
Unable to see	5 117	5 548	14 926	14 402	15 545	5 185
Total	349 434	321 404	348 541	357 131	287 215	297 097

Source: Stats SA General Household Survey; Data note: 2010 to 2015

Table 49: Children with disability aged 5 – 18 with hearing difficulty

Degree of difficulty	2010	2011	2012	2013	2014	2015
Some difficulty	143 876	133 203	128 503	137 032	96 843	119 104
A lot of difficulty	35 255	23 873	23 329	17 563	14 193	20 080
Unable to see	4 642	3 583	10 547	7 336	15 930	11 132
Total	183 774	160 659	162 380	161 931	126 967	150 318

Source: Stats SA General Household Survey; Data note: 2010 to 2015

Table 50: Children with disability aged 5 – 18 with walking difficulty

Degree of difficulty	2010	2011	2012	2013	2014	2015
Some difficulty	149 978	71 557	80 315	137 393	115 374	120 738
A lot of difficulty	54 513	24 615	28 421	46 220	40 404	47 270
Unable to see	37 686	29 518	39 759	43 996	51 269	43 913
Total	242 177	125 690	148 497	227 611	207 047	211 922

Source: Stats SA General Household Survey; Data note: 2010 to 2015

Table 51: Children with disability aged 5 – 18 with remembering difficulty

Degree of difficulty	2010	2011	2012	2013	2014	2015
Some difficulty	303 514	206 457	209 158	271 313	267 697	301 084
A lot of difficulty	113 582	74 743	81 119	85 337	99 996	134 633
Unable to remember	40 697	34 986	38 385	49 517	60 188	53 405
Total	457 794	316 186	328 664	406 168	427 881	489 123

Source: Stats SA General Household Survey; Data note: 2010 to 2015

Table 52: Children with disability aged 5 – 18 with self-care difficulty

Degree of difficulty	2010	2011	2012	2013	2014	2015
Some difficulty	638 780	619 895	567 399	703 728	774 362	765 730
A lot of difficulty	274 679	311 713	253 029	264 373	314 211	305 686
Unable to self-care	245 417	299 140	245 476	236 552	303 952	246 540
Total	1 158 879	1 230 748	1 065 906	1 204 655	1 392 526	1 317 958

Source: Stats SA General Household Survey; Data note: 2010 to 2015

Table 53: Children with disability aged 5 – 18 with communication difficulty

Degree of difficulty	2010	2011	2012	2013	2014	2015
Some difficulty	167 459	112 409	86 569	121 907	105 415	114 223
A lot of difficulty	87 588	34 038	28 440	37 931	35 658	52 368
Unable to communicate	97 568	36 542	40 731	44 880	51 087	51 989
Total	352 616	182 989	155 741	204 718	192 162	218 580

Source: Stats SA General Household Survey; Data note: 2010 to 2015

Table 54: Disabled children attended school by province

Province	2010	2011	2012	2013	2014	2015	Growth %
Eastern Cape	257 061	286 823	227 138	251 779	271 109	302 550	17,70
Free State	138 142	87 444	99 589	73 446	92 121	75 197	-45,57
Gauteng	235 567	242 685	228 832	258 397	290 641	312 780	32,78
KwaZulu-Natal	257 929	248 475	318 493	328 954	310 204	316 346	22,65
Limpopo	407 706	146 788	211 970	253 068	245 916	252 643	-38,03
Mpumalanga	104 008	285 123	132 189	129 529	147 778	118 403	13,84
Northern Cape	51 117	65 587	49 994	56 378	63 567	42 320	-17,21
North West	132 376	145 030	136 952	146 184	155 896	150 354	13,58
Western Cape	108 846	94 703	87 012	98 536	103 520	111 459	2,40

Total	1 692 755	1 602 662	1 492 173	1 596 276	1 680 755	1 682 057	-0,63
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Source: Stats SA General Household Survey; Data note: 2010 to 2015

Table 55: The number of asylum-seeker and refugee children registered under sections 22 and 24, which apply to asylum seekers and refugees.

Section 22		Section 24	
Age	Total	AGE	Total
0	1 056	0	1 423
1	1 775	1	2 101
2	1 964	2	2 101
3	1 946	3	2 009
4	2 157	4	1 914
5	2 512	5	1 872
6	2 309	6	1 557
7	1 868	7	1 349
8	1 613	8	1 060
9	1 547	9	982
10	1 380	10	909
11	1 267	11	815
12	1 200	12	826
13	1 224	13	753
14	1 198	14	726
15	1 487	15	745
16	2 493	16	789
17	5 935	17	942
Total	3 4931	Total	22 873

Source: Department of Home Affairs

Table 56: Refugee beneficiaries receiving Foster Child Grant per province

Province	2012/13	2013/14	2014/15	2015/16
Eastern Cape	0	0	0	0
Free State	0	0	0	1
Gauteng	3	2	1	3
KwaZulu-Natal	11	8	10	8
Limpopo	0	0	0	0
Mpumalanga	0	0	0	0
Northern Cape	0	0	0	0
North West	0	0	0	0
Western Cape	6	7	7	7
Total	20	17	18	19

Source: SASSA, SOCPEN; Data note: 2012/13 to 2015/16

Table 57: Statistics of babies in DCS from January 2012 to July 2016

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
2012	72	70	66	66	50	44	64	63	73	76	78	46
2013	91	93	98	103	97	90	98	89	87	89	92	87
2014	93	85	93	81	89	85	86	86	85	82	86	81

2015	83	83	89	98	104	101	81	81	84	99	91	92
2016	94	84	92	95	90	80	79					

Source: Department of Correctional Services

Table 58 Consolidated information of trafficking in persons for 2014/15

CONSOLIDATED INFORMATION OF TRAFFICKING IN PERSONS FOR 2014/15						
Province	Place	No	Categories of delegates	Topics covered during training	Involvement of NGOs	
Gauteng	NPA Offices, Jhb	50	JCPS Sensitisation Workshop	Sensitisation on TIP Act and regulation framework	IOM & National Freedom Network	
		300	Community members, CBOs FBOs etc.			
	Orange Farm Community Hall	250	CPF, community members etc.	Awareness raising on TIP	None	
	Bronkorspruit: E-Kangala			Awareness raising on TIP	None	
	Kagiso Magistrate Court	500	Community members, SAPS, EMS, Mogale City Metro Police & CPF & NPA	Tip Act & Constitution Act	IOM, National Freedom Network	
	Public awareness campaigns					
	Regional Office: JHB	100	Internal DoJ&CD staff members		All aspects on prevention & combating of human trafficking	IOM & National Freedom Network
	Orlando Community Hall: SOWETO	300	Community members		Awareness raising on TIP	None
	Daveyton: Rhoo Hlatshwayo Community Hall	350	Community members		Awareness raising on TIP	None
	Chief Mogale Community Hall	350	Community members		Awareness raising on TIP	None
	Rabasothe Community Hall: Tembisa	350	Community members		Awareness raising on TIP	None
	Sebokeng Hout Kop Precinct	250	Community members		Awareness raising on TIP	None
	Saul Tsotetsi Community Hall	300	Community members		Awareness raising on TIP	None
	Public awareness at malls					
	Maponya Mall (Greater Soweto)	500	Community members		All aspects on human trafficking	None
	Kagiso Mall (Lufhereng, Slovoville, Mathole and Kagiso)	500	Community members		All aspects on human trafficking	None
	Protea Glen Mall: Greater Protea Glen, Protea North and Glenridge	500	Community members		All aspects on human trafficking	FBOs, CPF
	Schools' Outreach					
	Khaselihle Comb: Kagiso	300	Teachers & learners		Basics of Human Trafficking & Constitution Act	National Freedom Network
	I-Bhongo Secondary	200	Teachers & learners		Basics of Human Trafficking Constitution Act	National Freedom Network
	Protea Glen High	250	Teachers & learners		Basics of Human Trafficking Constitution Act	National Freedom Network

CONSOLIDATED INFORMATION OF TRAFFICKING IN PERSONS FOR 2014/15					
Province	Place	No	Categories of delegates	Topics covered during training	Involvement of NGOs
	Mandisa High	200	Teachers & learners	Basics of Human Trafficking Constitution Act	National Freedom Network
	Sedimosang Primary School: Mohlakeng Randfontein	150	Teachers & learners	Basics of Human Trafficking Constitution Act	National Freedom Network
	Ahmed Timol Secondary: Azzadville	100	Teachers & learners	Basics of Human Trafficking Constitution Act	National Freedom Network
	Jan Viljoen High: Randfontein	120	Teachers & learners	Basics of Human Trafficking	National Freedom Network
	Botsebo-tsebo High	300	Teachers & learners	Basics of Human Trafficking	National Freedom Network
	Tembisa High	250	Teachers & learners	Basics of Human Trafficking	National Freedom Network
	Kusasa High	200	Teachers & learners	Basics of Human Trafficking	National Freedom Network
Grand total	Training conducted	4			
	Number of people	1 100			
	School outreaches	10			
	Number of learners	2 070			
	Number of malls	3			
	Number of people	1 500			
	Number of NGOs	4			
	Total of people reached	4 670			
	Budget	R80 000.00			
Limpopo	Training				
	Polokwane(26 – 28/2/14)	30	Judiciary, NPA, DoJ&CD, BCOC, SARS, IOM, DSD, DHA, FBP, SAPS and DoL	Basic Migration and basics of human trafficking	IOM was leading the training
	Delegates trained	30			
	Expenditure	R16 155			
	Schools outreach				
	Nebo area: Jane Furse, Ga-Moloi, Eensaam, Mare, Rietfontein, Ngwaritsi, Mmotwaneng, Magopheng, Phatantsoane	5 000	Learners and teachers	All aspects on human trafficking	None
	Border Post Outreach				
	Musina Beitbridge Border Post (14 & 24/07/2014)	300	Community members	Basic migration and basics of human trafficking	IOM was involved in the presentations
	Awareness Programmes				
	Bela-Bela (25/6/2014)	400	Community members	Basic migration and basics of human trafficking	IOM was involved in the presentations
	Musina (14 & 24/7/2014)	300	Community members		
	Northam (12/9/2014)	170 households	Community members		

CONSOLIDATED INFORMATION OF TRAFFICKING IN PERSONS FOR 2014/15						
Province	Place	No	Categories of delegates	Topics covered during training	Involvement of NGOs	
	All days (26 – 28/11/2014)	370	Community members			
Grand Total	Training conducted	1				
	Number of people	30				
	Number of awareness	4				
	People reached	1 270				
	School's outreach	9				
	Number of learners	5 000				
	Community members reached	1 540				
	Total people reached	7 840				
Budget	R96 220					
KwaZulu-Natal	Metro Training College: Springfield (31 July 14)	30	Task team members			
	Metro Training College: Springfield (20 – 21/08/14)	40	Stakeholders, task team members			
	Himevile (27 – 28/08/14)	20	Port coordinators, government departments			
	Metro Training College: Springfield (02/10/14)	30	Task team members			
	Pongola (20/11/14)	50	Stakeholders, task team members			
	Metro Training College: Springfield (27/11/14)	30	Task team members			
	Total: delegates trained	200				
	: Expenditure	R18 863				
	Awareness Programmes					
	Chatsworth (03/10/14) 300		Community leaders and members		All aspects of human trafficking	Attendees
	Horseshoe Area Kokstad (28/11) 350					
	KwaNongoma 02/12/14 350					
	Total : Community members	1 000				
	: Expenditure	R80 592				
	School awareness programmes					
Bunyabethu High: Msinga (28/05/14)	150	Learners and teachers		Human trafficking aspects	None	
Mfulamhle High :Umzimkhulu 29/5/14	150					
Ethembeni school for visually impaired and physically challenged (23/06/14)	255			Human trafficking aspects	None	
Buffelsdale Secon. (Tongaat) 22/07/14	60					
Woodhurst Sec (Chatsworth) 23/07/14	60					
Emyazeneni High (Mooi River) 24/07/14	60					

CONSOLIDATED INFORMATION OF TRAFFICKING IN PERSONS FOR 2014/15					
Province	Place	No	Categories of delegates	Topics covered during training	Involvement of NGOs
Grand Total	Number of training	6			
	Number of People	200			
	School outreaches	6			
	Total learners and teachers	735			
	Number of awareness campaigns	3			
	Number of people reached	1 000			
	Total number of people covered	1 935			
	Budget	R99 455			
Free State	Outreach campaigns				
	(26 – 30/05/2014		Youth/learners and teachers	Basic aspects of human trafficking	Nicro Angel Brigade
	Memel	155			Gold field
	Reitz	311			Family Advice Centre
	Hobhouse	542			Love Line
	Bethulie	377			
Brandfort	143				
	Grand Total people covered:	1 528			
	Expenditure:	R37 156,50			
Northern Cape	Protea Hotel :		Different stakeholders	All Aspects on human trafficking	Attendees
	Upington	30	SAPS, NPA and SAHRC		Attendees
	Dessert Place:		SAPS and NPA Officials		None
	Upington	42	SAPS, NPA and SAHRC		Attendees
	Kokerboom Lo:				
	Sprinbok	17			
	Horseshoe Mo:				
	Kimberly	50			
	Total	139			
	Schools outreach				
	Narvalspont:	57	Learners	Victims' Charter	None
	Colesberg			Sexual offences	
	Monwabisi High:	215		Domestic violence	
	De Aar			Trafficking in persons	
	Kuilsville High	507			
Danielskuil					
Groblershoop High	411				
Barkley West High	40				
Total students	1 230				
Border post outreach					
Twee Rivieren border	15	People going through	Human trafficking; Justice service	None	
Door-to-door campaigns					
Askham: Welkom	145	Community members	Human trafficking; Justice services	None	
Grand Total	Budget expenditure		R62 348,92		
	Training & awareness		11		
	Training workshops		3		
	Schools training and awareness		5		
	Border awareness		1		
	Door-to-door campaign		1		
	Number of people covered		1 529		
North West	NO TIP TRAINING OR AWARENESS CONDUCTED BECAUSE FORUM NOT YET ESTABLISHED				
Western Cape	Public Awareness Campaigns				
	Phillipi, 09 Aug	600	JCPS Cluster, NGOs	Maintenance, DV, NGOs	

CONSOLIDATED INFORMATION OF TRAFFICKING IN PERSONS FOR 2014/15					
Province	Place	No	Categories of delegates	Topics covered during training	Involvement of NGOs
	2014			LGBTI, TIP, S/O	involved in vulnerable groups, including TIP
	Malmesbury, 11 Aug 2014	400	JCPS Cluster, NGOs	Maintenance, DV, LGBTI, TIP, S/O	NGOs involved in vulnerable groups, including TIP
	15 Aug 2014, Steenberg	300	JCPS Cluster, NGOs	Maintenance, DV, LGBTI, TIP, S/O	NGOs involved in vulnerable groups, including TIP
	21 Aug 2014, Mitchells Plain	450	JCPS Cluster, NGOs	Maintenance, DV, LGBTI, TIP, S/O	NGOs involved in vulnerable groups, including TIP
	23 Aug 2014, Clanwilliam	300	JCPS Cluster, NGOs	Maintenance, TIP, S/O	NGOs involved in vulnerable groups, including TIP
	26 Aug 2014, Knysna	600	JCPS Cluster, NGOs	Maintenance, TIP, S/O	NGOs involved in vulnerable groups, including TIP
	17 Nov 2014, Delft	600	JCPS Cluster, NGOs	TIP, S/O	NGOs involved in vulnerable groups, including TIP
	28 Nov 2014 (Pamphlet drive at Grand Parade, Cape Town)	1 000	SAPS / DOJCD	DV, LGBTI, TIP, S/O	No NGO involvement
	10 Dec 2014 Pamphlet drive at Paarl Mall, Paarl)	900	DoJ&CD/ SAPS	LGBTI, TIP, S/O	No NGO involvement
	Grand total		Number of public awareness Number of people covered Schools reached Budget	9 5150 2 R130 000.00	
Mpumalanga	Training sessions, education and stakeholder relations				
	04 – 08/05/2014 Promenade Hotel Nelspruit	80	Task team members, border officials, traditional leaders	Trafficking in relation to unaccompanied minors	NGOs and CBOs attended
	13 – 16/10/2014 Nelspruit Hotel	60	Forensic nurses, child justice clerks and intermediaries	Human trafficking and forensic investigations	None
	23 – 24 October 2014 Kruger Lodge Hazyview	56	DoE, DSD, DoH, SAPS, NPA	DoJ&CD directives and regulations on TIP	NGOs and CBOs attended
	01 and 24 March 2015 Nelspruit SANDF Offices	50	SANDF	TIP legislation Training	None
	26 Mach 2014 Nelspruit	45	Delegates organised by the Office of Mpumalanga Premier	TIP as a modern day slavery	None
	Public education and awareness campaigns				
10 – 14 March 2014 Vosman Community Hall	320	Civil society and community members including elders and taxi operators	TIP awareness and service fair from various	NGOs attended	

CONSOLIDATED INFORMATION OF TRAFFICKING IN PERSONS FOR 2014/15							
Province	Place	No	Categories of delegates	Topics covered during training	Involvement of NGOs		
	Witbank			departments			
	Schools outreach programmes						
	10 – 14 October 2014 schools around Nkomazi i.e. Sikhahlane, Sidlemu, Legidlane, and Zibokwane, Chief Makunyula, Tonga View Primaries, Gebhuza, Shinyukane, Nkomazi, NJ Mahlangu, Dlamadoda, Sigweje, Idlangamabala Sec, Shayaza, Thanda, Ndindane, DD Mabuza Com, Thikuni High School, Mahuhushe Agric High,	10 000	Learners and educators	Updating community and stakeholders about TIP Bill before Parliament	BCOCC and SARS, NGOs, SASSA, Municipalities Traditional Leaders and DCSSL among the leaders		
	18 – 22 October 2014	717	Learners and educators	Awareness on TIP aspects	None		
	Grand total Expenditure	11 328 R30 594,88					
Eastern Cape	Blue Lagoon Hotel: East London (09 – 10/07/14)	30	NPA, DoJ, SAPS, DSD, DoL, DOE, DoH,	Trafficking in persons, social context, Act and regulations, Task Team TOR	Attendees, IOM facilitated		
	Schools awareness campaigns						
	Upper Mphako High	400	Learners and Teachers	Dialogue on TIP (22/10/2014)	None		
	Kwaimaan A/A(Mqanduli)						
	Total budget	Training workshops		R47 674,60			
		Awareness events		R50 450			
Grand total budget			R98 124,60				

Source: Department of Justice and Constitutional Development

CHILD JUSTICE

Table 59: Number of children legally represented by Legal Aid South Africa during preliminary inquires

Year	2012/13	2013/14	2014/15
Number of children legally represented	1 612		3 336

Source: Department of Justice and Constitutional Development

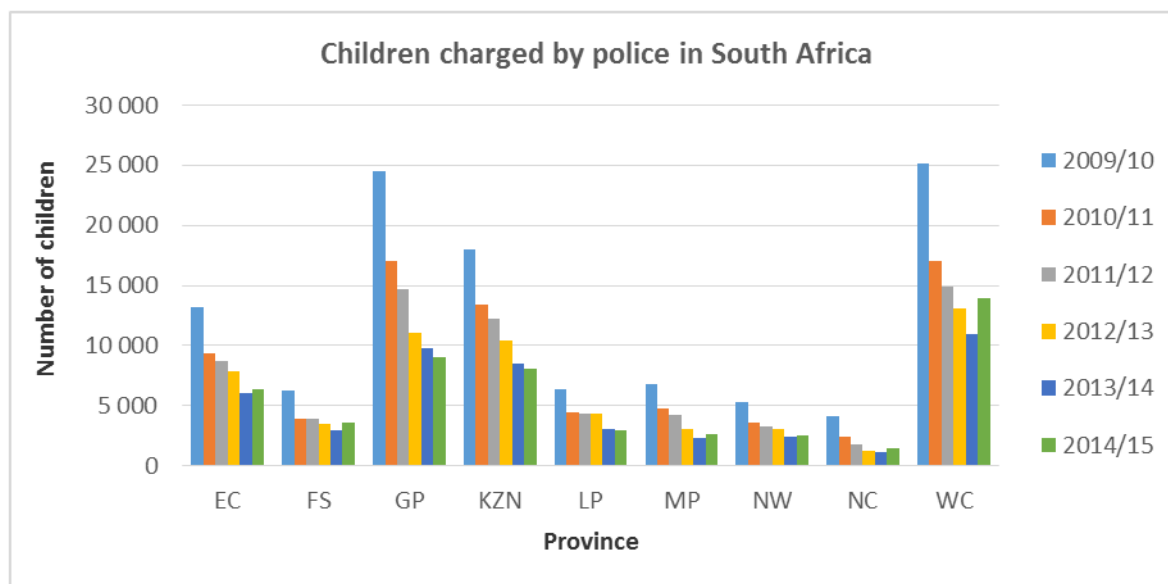
Table 60: Reported cases of children charged by the SAPS

Province	2009/10	2010/11	2011/12	2012/13	2013/14	2014/15
Eastern Cape	13 242	9 312	8 738	7 825	6 069	6 375
Free State	6 284	3 971	3 879	3 500	2 967	3 554
Gauteng	24 538	16 993	14 735	11 036	9 788	8 984
KwaZulu-Natal	17 940	13 407	12 232	10 390	8 537	8 027
Limpopo	6 328	4 417	4 311	4 353	3 079	2 977

Mpumalanga	6 838	4 759	4 211	3 081	2 364	2 627
North West	5 288	3 549	3 311	3 038	2 399	2 581
Northern Cape	4 184	2 385	1 774	1 264	1 136	1 449
Western Cape	25 169	17 004	14 889	13 128	10 935	13 961
Total	109 811	75 797	68 080	57 615	47 279	50 535

Source: South African Police Service; Data note: 2009/10 to 2014/15

Figure 10: Reported cases of children charged by the South African Police Service per province



Source: South African Police Service; Data note: 2009/10 to 2014/15

Table 61: Number of children in secure care centres

ACTIVITY	2012/13	2013/14	2014/15	2015/16
Overall admission	15 474	17 843	17 557	17 323
Monthly admission	6 888	6 453	5 453	5 148
Overall releases	5 464	6 664	5 462	4 713

Source: Department of Social Development

Table 62: Provincial breakdown of numbers of children in secure care centres

Provinces	Admission / releases	2012/13	2013/14	2014/15	2015/16
Mpumalanga	Overall admission	359	572	606	655
	Monthly admission	149	139	139	147
	Overall releases	122	130	123	137
Free State	Overall admission	904	552	537	522
	Monthly admission	321	249	159	181
	Overall releases	324	296	148	135
Gauteng	Overall admission	3 445	3 796	3 663	3 504
	Monthly admission	2 056	2 188	1 696	1 609
	Overall releases	2 256	2 502	1 900	1 433
KwaZulu-Natal	Overall admission	829	907	768	690
	Monthly admission	655	646	561	486
	Overall releases	619	550	479	476
Limpopo	Overall admission	1 764	1 906	1 641	1 798
	Monthly admission	509	383	364	352
	Overall releases	424	314	333	274
Eastern Cape	Overall admission	1 042	1 462	1 830	1 781

	Monthly admission	400	568	548	521
	Overall releases	317	464	475	443
Northern Cape	Overall admission	1 709	1 849	1 595	1 495
	Monthly admission	493	472	362	398
	Overall releases	425	465	373	375
North-West	Overall admission	1 246	1 092	1 291	1 518
	Monthly admission	230	259	271	312
	Overall releases	249	238	273	276
Western Cape	Overall admission	5 622	5 714	5 626	5 360
	Monthly admission	1 900	1 591	1 353	1 142
	Overall releases	1 875	1516	1358	1164

Source: Department of Social Development

Table 63: Preliminary inquiries

Preliminary inquiries 2010 – 2014				
2010/11	2011/12	2012/13	2013/14	2014/15
14 471	17 822	25 517	21 563	19 640
TOTAL	84 542			

Source: Department of Justice and Constitutional Development

Table 64: Bail and placement of children alleged to have committed offences

Period	In care of parent/guardian/appropriate adult	Bail	In prison	In child and youth care centre	Police lockup
2011/2012	4 664	261	565	1 534	174
2012/2013	4 582	283	733	1 721	110
2013/2014	5 314	327	789	1 440	76
2014/2015	5 668	187	569	1 621	148

Source: Department of Justice and Constitutional Development

Table 65: Number of crimes against children reported to the police

Period	2013/14	2014/15
Murder	1 542	804
Attempted murder	1 626	868
Assault (GBH)	16 872	8 413
Common assault	20 302	10 140
Sexual offences	44 696	21 177
TOTAL	85 038	41 402

Source: South African Police Service 2014 / 2015 Annual Report

Table 66: Outcome of trials in the child justice courts

Period	New matters	Postponed during trial	Guilty	Not guilty/acquitted	Withdrawn	Struck off the roll
2011/12	7 750	7 570	1 128	794	1 637	1 000
2012/13	10 821	8 623	1 443	628	1 384	1 123
2013/14	12 199	9 583	1 179	650	1 179	949
2014/15	11 358	8 855	637	328	1 295	999

Source: Department of Justice and Constitutional Development

Table 67: Types of sentences

Type of sentence	2011/12	2012/13	2013/14	2014/15
Community-based sentences	795	687	753	543
Restorative justice sentences	405	508	402	179
Fines or alternatives to fines	37	Fines: 34 Alternatives: 44	Fines: 43 Alternatives: 50	18 47
Correctional supervision	302	179	188	81
Compulsory residence in a child and youth care centre	353	335	381	245
Postponement or suspension of passing of sentence	Not yet available	296	206	190
Imprisonment	94	98	49	39
TOTAL	1 986	2 181	2 072	1 342

Source: Department of Justice and Constitutional Development 2014/2015 Departmental Annual Report on the Implementation of the Child Justice Act, 2008

Table 68: Average number of sentenced children in correctional facilities

Year	April 2010	2010/11	2011/12	2012/13	2013/14	2014/15
Sentenced children	717	635	538	367	281	234

Source: Department of Correctional Services

Table 69: Children: Top crimes as the only charge

Crimes	144 cases for 106 children		113 cases for 106 children		124 cases for 103 children	
	31-Mar 2015	%	30 June 2015	%	30 Sept 2015	%
1. Rape	22	15,28%	18	15,93%	13	10,48%
2. Murder	20	13,89%	17	104%	31	25%
3. Economic crimes & other	15	10,42%	24	21,24%	39	31,45%

Snapshots analysis of RD children: Top crimes as the only charge

Source: Department of Correctional Services

Table 70: The top four crime charges for all the remand detainee children including all their cases for the three snap shots

	144 cases for 106 children		113 cases for 106 children		124 cases for 103 children	
	31-Mar-15	%	30 Jun-15	%	30 Sep-15	%
Robbery (common and aggravating)	32 (1)	22,22%	26 (1)	23,02%	27 (2)	21,78%
Rape	24 (2)	16,67%	18 (2)	15,93%	13 (3)	10,48%
Murder	22 (3)	15,28%	17 (2)	15,04%	31 (1)	25%
Assault(common, intentional and serious)	12 (4)	8,33%	4 (3)	3,54%	8 (4)	6,45%

Snapshots Analysis of RD Children: Top crimes for all cases

Source: Department of Correctional Services

Table 71: Number of children legally represented

Year	2010/2011	2011/2012	2012/2013	2013/2014	2014/2015
	25 586	22 376	15 295	11 689	11 652

Source: Department of Justice and Constitutional Development

Table 72: Summary of the training interventions in South African Police Services

	2013/2014	2014/2015	2015/2016	2016/2017
Vulnerable Children Course	6719	4345	3744	467
First Responder to Sexual Offences Learning Programme	7708	4899	3836	457
Domestic Violence Learning Programme	9090	6325	4553	533
Victim Empowerment Training Programme	4162	3452	2230	487
Children and Youth at Risk Learning Programme	2081	2152	1566	263

Source: South African Police Services

Maintenance Turnaround Strategy

The DoJ&CD introduced the Maintenance Turnaround Strategy in 2011, to reduce the turnaround times in the maintenance system. This project seeks to improve the pre-order maintenance services to ensure that the maintenance system is faster, easily accessible, and effective. In this regard, there are additional appointments of maintenance personnel. Every financial year the DoJ&CD appoints maintenance officers and maintenance investigators progressively to improve service delivery in maintenance. In the past four financial years, the department has increased the human capacity in maintenance services by employing 247 personnel. In 2015/16, 29 additional maintenance officers and 20 maintenance investigators have been employed. The additional appointments were spread over all regions according to their needs.

Section 4 (1) (a) of the Maintenance Act also provides that public prosecutors are deemed to have been appointed as maintenance officers of the Maintenance Court. As part of the Maintenance Turnaround Strategy, the DoJ&CD must install a directional signage system within the courts to prevent wrong queuing, which often leads to waste of time. The signage system is standardised to ensure uniformity throughout the courts. It is intended to assist maintenance clients to navigate their way in the court building easily.

Electronic Fund Transfer (EFT) was initiated by the DoJ&CD for maintenance payments to the beneficiaries. This system allows the beneficiary to receive the maintenance monies via their bank accounts. The introduction of this system received the overwhelming support of the beneficiaries; as a result, currently 394 courts are on the EFT system. In essence, 98% of maintenance beneficiaries are now receiving maintenance payments on a monthly basis via the EFT and bank system. During the period 1 April 2015 to 31 March 2016, a total of R1 727 247 171 was paid via EFT payments to 2 352 322 beneficiaries. Those who are not on the EFT system yet are usually the non-nationals and people who do not have IDs and other documentation required by banking institutions to qualify for a bank account. Some beneficiaries still rely on cash as a means of payment due to the lack of access to banking facilities in rural communities, high withdrawal costs, and the convenient location of courts versus bank locations.

The DoJ&CD is continually engaging with the DHA and the banking institutions to assist these clients. The benefits of the EFT payments can be numerated as follows: fast payments where payments are made within four days of the receipt of money or the schedules of payment from the employer (in case of garnishee orders). This means that food is brought faster to children; saves beneficiaries time and costs of travelling to courts; saves beneficiaries from taking unpaid leave from work; and reduces maintenance queues in court.

Since 2013, the DoJ&CD has introduced the direct payment of maintenance monies by the respondent into the bank account of the beneficiary. This approach is available upon the consent of the beneficiary. It brings payment faster to the beneficiary as it cuts out the court as the point of payment or the intermediary in the process of payment. Upon failure to make payment, the complainant beneficiary is

expected to alert the court as soon as possible. The approach is encouraged where there is trust between the parties. The improved Maintenance Integrated Case Management System (ICMS) already makes provision for the direct payments as the possible payment option for consideration by the Maintenance Court.

The DoJ&CD embarks on ongoing public education campaigns to educate members of the public about the Maintenance Act and the services offered at courts. During 2014/15, the DoJ&CD conducted five national public education and awareness-raising events. Through these public education interventions, 2 370 community members were reached, including school-going children. During 2015/16, the DoJ&CD held five national public education and awareness-raising events to educate members of the public about the Maintenance Act, the Turnaround Strategy, the Maintenance Enforcement Strategy and the new Maintenance Amendment Act as well as the services offered by the department in this regard. Through these public education interventions, approximately 1 430 community members were reached. These figures exclude the education initiatives held by the regional office of the DoJ&CD on the Maintenance Act.

In addition, the DoJ&CD in partnership with the Government Communication and Information System, developed radio, TV and newspaper advertisements to popularise maintenance service to the members of the public. Articles on maintenance were published in the local and national newspapers: *The Star*, *Cape Times*, the *Mercury*, *Isolezwe*, *Sunday Independent*, *Sunday Tribune*, *Sowetan*, *Daily Sun*, and *New Age*. Nine radio interviews on maintenance were conducted by the following radio stations: SA FM, Lesedi, Voice of the Cape, Radio Riverside, Phalaborwa FM, Ikwekwezi FM, Ligwalagwala FM, Phalaphala FM, Mogale FM.

The DoJ&CD further developed a radio advert was based on the *Letter to my son* maintenance awareness message, which was aired on 65 community radio stations and other commercial radio stations. The *Letter to my son* advertisement was also aired on SABC and e.tv to educate fathers and parents in general to be responsible and to pay maintenance. Two TV interviews on maintenance issues were also aired on SABC 2 Lehlo la Sechaba, and Morning Live.

During 2014/15, the ICMS) was rolled out to 208 courts countrywide. This data management system provides for, among other things, the automation, and tracking of business processes from the registration of the application to the issuing of a court order, thus leading to faster delivery maintenance services. It is also intended to establish a paperless system in maintenance progressively.

The DoJ&CD appointed 10 complaints managers, one in each of the nine regions, and one at the national office. The main objective of these appointments is to deal with complaints relating to maintenance services. If a client is not satisfied with the service rendered at a maintenance court and feels aggrieved, he/she can approach the Court Manager at the court with the complaint. If the complaint has not been dealt with satisfactorily, the Area Court Manager can also be approached for intervention. Members of the public are also encouraged to report any corrupt activities and/or maintenance service related complaints at court level to the complaints managers and the Service Delivery Unit of the DoJ&CD to investigate the complaint and to report to the complainant. After investigations, the department will take steps against the particular individual who is implicated, if applicable.

Access to minor children and the payment of maintenance are two separate issues and access cannot be denied to one parent because that parent is not paying maintenance. Where a parent is denied access to his or her child he or she can approach the Children's Court or the Family Advocate's Office for assistance. The Family Advocate or Children's Court will investigate the complaint and will assist, where necessary, taking into account the best interests of the child.

The Maintenance Enforcement Strategy

Government introduced the Maintenance Enforcement Strategy aimed at reducing the increasing numbers of maintenance defaulters and ultimately eliminates maintenance default from courts. The strategy promotes the use of civil remedies for the recovery of maintenance and states that criminal sanctions should be used as a measure of last resort. For instance, where the person does not comply with a maintenance order issued by the court and that particular person has formal employment, the maintenance officer will request the court to issue an attachment of an emoluments order to recover the maintenance from the defaulter. The court can also order the attachment of the property of a maintenance defaulter or the attachment of debt (money) due to the maintenance defaulter.

The Maintenance Enforcement Strategy also envisages investigations into other innovative ways to recover maintenance from maintenance defaulters, such as investigating the possibility with the South African Revenue Service, to be informed when tax money are due to be paid to a defaulter to enable the DoJ&CD to obtain an attachment of debt court order to attach such payment for the purposes of recovering arrear maintenance money. This investigation will also include other government departments such as the DoL, which will involve the attachment of UIF due to defaulters. Another investigation relates to the viability of obtaining clearance certificates for emigrants to stop defaulters from leaving the country before settling their maintenance debts.

In cases where there are no prospects to recover the maintenance from the defaulter through the civil recovery remedies, the defaulter may be prosecuted and upon conviction for the failure to comply with a court order, may be sentenced to imprisonment, depending on the circumstances of the case. The DoJ&CD embarks on continuous training for all the maintenance officers and maintenance investigators countrywide so that they can implement and use the Maintenance Act and the Maintenance Amendment Act to the fullest.

The Maintenance Amendment Act, 2015 (Act 9 of 2015) was signed into law by the President on 7 September 2015. The aim of the Amendment Act is to amend the Maintenance Act in order to improve the maintenance system in South Africa.

This will alleviate the complaints of maintenance cases postponed several times for further investigations or any other reasons, which results in delayed payment maintenance orders. It will therefore ensure that children receive maintenance to provide for their basic needs pending the finalisation of the application for maintenance.

HUMAN TRAFFICKING CASE STUDIES

Court case 1

Date of conviction: November 2014

Court: Mpumalanga

An Mpumalanga man asked his female worker to look for young girls who can work for him, the female worker recruited three young girls from Mozambique (14, 15 and 16), the girls were exploited both in sexual and labour exploitation by the man. After the whistle blower called the police, the girls were rescued. Both the man and female were arrested and charged. After a good investigation, they were convicted and sentenced to serve eight life sentences.

Court case 2

Court: Pretoria

Fact summary:

A Cape Town girl who owed a Nigerian drug dealer money was sold to a Nigerian man in Pretoria for R5 000 as payment. The girl was then forced to prostitute herself so that she could pay back the R5 000, which was given to a drug dealer. After the Pretoria Nigerian man was arrested, the girl did not want to continue with case, therefore the other Cape Town man could not be arrested. The arrested man was only charged with contravening migration laws. He was sentenced to six months imprisonment, suspended for two years.

Court case 3

Court: Western Cape Town

Fact summary:

A Cape Town 35-year-old man married a 14-year-old girl from her grandmother and uncle against her will. The girl stopped schooling and was expected to be a wife. With the help of neighbours, the accused was arrested and sentenced to 25 years imprisonment.

Court case

Court: Eastern Cape

Fact summary: STUTTERHEIM CAS 73/01/2014

In January 2014, three young girls between ages of 13 and 15 years were recruited by a 35-year-old African woman for sexual exploitation with her boss. The woman was working as a domestic worker for the accused who is a 59-year-old white male. The woman was getting money for the girls to have sex with her boss. One of the victims happened to be the recruiter's biological daughter. A docket was registered and was allocated to FCS unit for investigation, which later was discovered that it must be investigated by Organised Crime Unit. Both suspects were arrested. Both accused found guilty on 28 counts on sexual offences charges. The male was sentenced 52 years imprisonment; the sentence runs concurrently and is serving 15 years imprisonment. The female was sentenced 22 years imprisonment, the sentences run concurrently, and she is serving 12 years imprisonment.

Court case-5

Court: Eastern Cape

Fact summary:

A Mozambican woman took a four-year-old girl from her home in Mdantsane, Eastern Cape to Mozambique and demanded a R5 000 ransom in exchange for the girl from the girl's parents. The case was reported to DPCI. The case was investigated and the child was found after a month in Mozambique still in good health and the nanny (Mozambican woman) was arrested in Vosloorus, Gauteng. She was found guilty and sentenced to 20 years imprisonment.

Court case 6: over 18 – adult trafficking and not applicable

Court: KwaZulu-Natal

Fact summary: Newlands East 266/01/2011 and Bellair 165/10/2010

Two victims were taken to Pretoria on false pretences that they were to be given employment to safe guard the house while the owner was overseas. Upon arrival in Pretoria, they were both sexually exploited as sex slaves to conduct prostitution from which the accused gained the proceeds. One victim was a white female of 18 years old from Bellair and the other was a black female of 19 years from Newlands East. All the accused were arrested in Pretoria and Durban.

C1. Trafficking in Persons

C2. Sexual Assault

C3. Rape

C4. Kidnapping

C5. Trafficking in Persons

C6. Kidnapping

C7. Assault GBH

C8. Keeping a brothel

S1. 30 years imprisonment

S2. Two years imprisonment

S3. Two years imprisonment

Running concurrently

Court case 7

Court: Western Cape

Fact summary:

Cape Town Central 776/03/2015

On 2015-02-22, Simphiwe Ngetho arrived in Cape Town. She was picked up by Mbali and an unknown Nigerian male and taken to an unknown address. She is a 15-year-old Grade 10 female scholar at Mabuya Secondary School, Daveytown. She alleged she was contacted by a friend. Mbali offered her a job opportunity in Cape Town. She replied that she had no money. Mbali informed her that she would pay her bus ticket. She was then told by Mbali and the Nigerian male that she was going to work as a prostitute and realised her friend lied to her about work. She told them she wanted to go home. Her friend and the Nigerian male told her that she could go home at the end of the month as soon as she paid her bus ticket. On the day of her arrival, she was taken to Long Street, Cape Town. She was told by the Nigerian that she should ask the clients R100 an hour. On Sunday night 2015-03-01, she had a client and was dropped off at c/o Wale and Long Streets, Cape Town. As soon as she was left alone, she just started running until she was picked up by a motorist who, after hearing her story, took her to SAPS Woodstock. On 2015-03-11 at approximately 23:55, the victim was taken out on investigation. While doing patrol in the CBD area the victim pointed out both suspects.

SPORT AND RECREATION

The National Sport and Recreation Act, 1998 (Act No. 110 of 1998 as amended) provides, amongst others, for the promotion and development of sport and recreation and the co-ordination of the relationships between SRSA and the Sports Confederation, National Federations (NFs) and other agencies; provides for measures aimed at correcting imbalances in sport and recreation; provides for dispute resolution mechanisms in sport and recreation; to empower the Minister to make regulations; and provides for matters connected therewith.

The key responsibility placed on SRSA as a result of this Act: To ensure that sport and recreation from a national perspective are administered and governed in the best interests of all participants and stakeholders in sport and recreation in the Republic.

The National Development Plan (NDP) recognizes that sport plays an important role in promoting wellness and social cohesion, and treats sport as a cross-cutting issue, with related proposals in the chapters on education, health and nation building. The National Development Plan sets out five long-term nation building imperatives for South Africa. These are as follows:

- a) Fostering constitutional values
- b) Equal opportunities, inclusion and redress
- c) Promoting social cohesion across society
- d) Active citizenry and leadership
- e) Fostering a social compact

It is acknowledged that sport and physical education are an integral part of a child's development and with this in mind the Department of Basic Education (DBE) and SRSA have taken important steps to reintroduce sport in schools. The National Development Plan recommends that this should be expanded so that all schools develop and maintain infrastructure for at least two sports.

One of the key priorities highlighted in the National Sport Plan is the creation of opportunities for the youth to participate in school sport. A cornerstone of transformation is the roll-out of school sport. Evidence exists that sport and physical activity can benefit education immensely, and that sport presents the child at school with life skills in a way unsurpassed by any other activity. School sport remains the bedrock for mass participation and talent identification programmes.

School Sport the bedrock for Sport Development

Since the signing of the Memorandum of Agreement (MoU) in November 2011 between SRSA and the Department of Basic Education, SRSA established the National Steering Committee and Provincial Sport Structures whose responsibility is implementation of the undertakings of the MoU.

The Department funds provincial departments of sport for the roll out of the mass participation programme to an amount of approximately R480 million per annum in 2013/2014. 40% of these funds disbursed are dedicated to the implementation of the school sport strategy. The Department developed the guidelines that govern the use of these funds and monitors expenditure against set deliverables. Each province started localized leagues that started in February 2012; these leagues culminate in a

national competition for top schools scheduled for December, which is the South African Schools Sport Championship.

The South African Schools Sport Championship staged in December 2012 was a resounding success, where approximately 8, 000 participants from all provincial school teams participated in 12 different sporting codes from under 13 to under 19 age groups, boys and girls, including learners with disabilities.

This Championship and lead up events to the National Championship at District and Provincial levels of the competition has increased the opportunity for learners from all schools to participate in a national multi coded sport event. 28 Talented athletes were identified by National Federations and are now supported through the Ministerial School Sport Bursary to pursue their sport aspirations whilst pursuing their studies. The Sport Bursary is provided to learners at Grade 8 until their finish their schooling years.

The Department supports schools by providing sports equipment and playing attire on an annual basis. The provision of attire is linked to the training of officials. At end 2013/2014 approximately 650 schools have benefited from this initiative.

The 2013 National School Sport Championships was held in Bloemfontein from 10 to 15 December in 12 codes of sport. During the Championships held from 10 to 15 December 2014, there was a total of 10 915 direct participants, with 8 307 of them been learners. Of these learners, 4 165 were males and 4142 were females. Successful summer and autumn school national championships were hosted in Pretoria, Port Elizabeth and Bloemfontein. In total for all events, 10 106 technical officials and learners participated.

Minister's School Sport Bursary Fund

In an effort to intensify the Minister's School Sport Bursary Fund, 28,000 Learners with talent were identified by the codes at the 2013 championships, to benefit from this school sport bursary.

By February 2014, the narrowed 40 athletes had been awarded with the R100 000 per annum Ministerial bursary. The bursary programme started in 2012 and all bursary recipients are provided with support until they complete Grade 12. A further 12 athletes were identified during 2014 championships bring the total number of athlete benefit to 52.

National Indigenous Games

The Indigenous Games were re-positioned as a family festival with a vibrant carnival atmosphere. 1 600 Participants from 9 provincial teams competed in 9 different disciplines of Indigenous Games in September 2013 as part of the heritage celebrations and in celebration of Africa's cultural diversity. These games encourage social cohesion and provide a platform to reinforce our South African identity and cultural heritage. Since 2013, the festival provided recreational opportunities for young children with the provision of a play park, fun rides and games.

Big Walk

The Big Walk takes place on the first Sunday in October annually to align it with TAFISA's (Trim and Fitness International and Sport for All) world walking day. TAFISA encourages and lobbies countries to walk by creating advocacy and awareness during October. SRSA is an affiliated member of TAFISA. Provincial Departments were encouraged to conduct similar walks around their cities on the same day. Young children and learners are also active participants of this programme.

National Youth Camps

The youth of our country remains an important focus area in creating an active nation. In this regard SRSA successfully launched the Youth Camp project in 2012 that focuses on nation building, social cohesion, life-skills, character and leadership development as well as community services.

The target group is youth between the ages of 14 to 25 from all nine provinces participating in activities in the provinces during the same period.

Sports Facilities

The Department has constructed 24 multipurpose sports facilities, 21 football/rugby fields, 4 children's play parks and 14 outdoor gyms. This equipment allows easy access to communities to exercise within their communities. It also provides a positive diversion to the social ills that plague our society. The outdoor gyms will be rolled out also in other provinces and will be handed over in the new financial year.

SRSA, in partnership with the Sports Trust, installed 54 multipurpose sports courts in schools around the country. This facility provides access to participation in sport and recreation activities to children at schools.

Sports kits and equipment, like soccer balls; rugby balls; netball balls; volleyball balls; ball pumps; whistles; first aid kit; tackle bags (6 juniors and 6 seniors); flat cones; speed ladders; bibs; soccer kits (4 juniors and 4 seniors); sets of netball kits (4 juniors and 4 seniors) were also provided to the sports committees.

THE VIEWS AND VOICES OF CHILDREN

The Nelson Mandela Children's Parliament 2015

Declaration

We the children and young people from all nine provinces of South Africa have, in this 5th NELSON MANDELA CHILDREN'S PARLIAMENT on "*Claiming our Rights to Safety and Protection*", through much discussion and debate learned many things about the conditions and circumstances of children and young people in our country.

We acknowledge the much work that our government has done through legislations to protect children as well as increasing access to services. However we believe that more still needs to be done and we Children, Government, Civil Society and Private Sector all have a role to play in shaping our country for the better.

Through much debate, discussions and resolutions our resolutions for this 2015 parliament are as follows;

Commission 1: Forced Child Marriage

We realise that forced child marriages is still an issue for the many children that leads to high rate of school dropout, teenage pregnancy, HIV/AIDS as result a child's life will be changed from that of a full functional member in society to that of poverty, child underdevelopment and child death. Forced child marriages deprive children of a childhood that is loving, nurturing and supportive in their lives because they assume the role of mother, wife and prisoner at an early age. Children forced into child marriages are likely to be physically abused, emotionally abused and sexually abused.

- We recommend that communities should unite against forced child marriages in order to protect the rights of young girls
- We strongly urge that all children that have been forced into child marriages be removed in those circumstances by the department of Social Development, Safety and Security and the Police.
- We acknowledge that some cultural beliefs are used to suppress children as helpless victims in the matter, thus we advice that any child who has been forced into child marriages be removed immediately, and those responsible for the infringement of the child life be arrested and convicted harshly.

Commission 2: Corporal Punishment

Corporal punishment has lead to a high rate of homeless children; it has also led to a high rate of child mortality. In schools it is one of the main causes of poor academic performance and learner dropout,. Corporal punishment has a great influence in drugs and alcohol abuse among children and youth.

- We recommend that parents and teachers need to find a better way to provide discipline because we believe that as children; we continuously need to be encouraged and mentored properly.
- We strongly believe that children need to show respect to elders regardless of whether it is your parent or not,
- We acknowledge the ethos, "It takes a village to raise a child" which is a strong message that still needs to be taught in our communities to raise children that know who they are in homes, communities and the country.
- We realise that corporal punishment is harmful to children, therefore we would like to urge teachers that they are parents too and they need to exercise care, love and nurturing when disciplining us as children.

Commission 3: Safety in Schools

The lack of proper security in schools is a serious issue for us, this is because the increase of gang violence has made our schools war zones and thus learners are exposed to more violence,

- We realise that gang members find our schools more accessible because they easily hide their criminal activities in schools through children who have joined gangs.
- We acknowledge that discrimination of students coming from poor backgrounds, low academic performance can also lead to more violence in schools
- We realise that children that lack discipline tend to be bullies and end up vandalizing our schools, libraries because of the pain they feel of not being able to fit in and sometimes being made to feel like they are stupid in the classrooms
- We realise that corruption in school management also leads to schools not getting proper learning facilities from the state and this increases gang violence because children stop caring about school and learning when they see what corrupt teachers do.
- We believe that teachers, members of the community can help end gang violence when they work together,
- We strongly recommend that at least 1-2 police officers, a community care worker, a nurse and emergency services can be present in the schools to assist learners and teachers in making the school environment a safe places of learning,
- We acknowledge that the Learner Representative Council is important in helping manage the school and working together with learners to make schools safe.

Commission 4: Access to Rights and Services

It has been now 21 years since the liberation of the country; however, the rights that we have as children are still not accessible by all children of the country.

- We request that the food that is being provided for in schools, by the feeding scheme, should meet the nutrition requirements and be something that is edible.
- Love is a birth right that we need to access on a daily basis from our parents and teachers.
- We appreciate the rights and services that we able to access and pledge we shall be responsible for them.
- We recommend that the state should also take into consideration the children living with disabilities when building child-friendly facilities within our communities.

Commission 5: HIV/AIDS amongst children and youth

We as children have realised that even today people lack knowledge about HIV/AIDS. We still find people that are HIV/AIDS positive and believe that it is the end of the world for them and therefore, make sure that they spread the virus before they 'die'. Children who are HIV positive are less likely to perform well at school due to the discrimination and lack of knowledge from both other learners and their teachers; furthermore resorting to alcohol and substance abuse as a way of comforting themselves.

- We recommend that every school should have a child-friendly clinic where they would be able to test for HIV/AIDS without being discriminated.
- Campaigns such as 'It Begins with You' should be initiated to educate more people about the disease and to help ensure that the society can accept and live freely with people who are HIV/AIDS positive.
- We urge the state to increase the production of the HIV/AIDS treatment and also educate the pregnant mothers about the mother to child infection.

Child speaker of parliament



Hon. Jean Claude

Speaker of the legislature



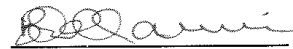
Hon. Motlagomang Qabathe

Nelson Mandela Children's Fund



Ms. Sibongile Mkhabela

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Hon. Bathabile Dlamini





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