

DEPARTMENT OF WOMEN, YOUTH AND PERSONS WITH DISABILITIES

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**ANNUAL PROGRESS REPORT ON
IMPLEMENTATION OF THE WHITE PAPER ON
THE RIGHTS OF PERSONS WITH DISABILITIES**

2017 - 2020

APPROVED BY CABINET, MAY 2022

Minister's Foreword

Following the general elections in May 2019, a new Cabinet was announced together with the new Ministry for Women, Youth and Persons with Disabilities. This announcement resulted in the relocation of the function for Rights of Persons with Disabilities from the Department of Social Development to the new Department of Women, Youth and Persons with Disabilities. .

Within the current term of office, it is critical to reflect on the set milestones in the fight for disability equality and inclusion.

South Africa's National Development Plan (2012) states, 'Disability and poverty operate in a vicious circle. Disability often leads to poverty and poverty, in turn, often results in disability.' In response to this, the Disability-Disaggregated National Development Plan was published in 2015 and provides a roadmap for an inclusive society envisioned by 2030, in line with the provisions of the Constitution. This represents government's commitment and continued national effort to promote the equal and active participation of all persons with disabilities in key sectors of society.

The White Paper on the Rights of Persons with Disabilities was approved by Cabinet in 2015, together with its attendant Implementation Matrix 2015 – 2030. At that point, the Cabinet requested annual progress reports to track government-wide commitment to disability inclusion. The institutionalization of disability mainstreaming in all state and non- state institutions is key to the transformation we seek.

On the 10 December 2017, the Cabinet approved the First Annual Progress Report on the Implementation of the White Paper on the Rights of Persons with Disabilities which covered a reporting period of January – December 2016. In 2018, this report with its recommendations was distributed widely in order to raise awareness on the status of disability inclusion and inform planning among government departments. The delay in publishing this report was attributed to the slow response rate of government departments as well as the deficit quality of reporting. This process reflected the unresponsiveness of planning, implementation, budgeting and performance reporting systems that still remain a challenge. This created a lag in producing subsequent reports.

The delay in reporting was also a challenge experienced with the compilation of the 2013 Baseline Country Report on the Implementation of the UN Convention on the Rights of Persons with Disabilities which was due for depositing in 2010. The report was subsequently deposited in 2014.

In August 2018, South Africa appeared before the UN Committee on the Rights of Persons with Disabilities. The Concluding Observations resulting from this engagement was widely distributed and is in the public domain. It is attached to this report for ease of reference. The prominent issues included but is not limited to the domestication of the UN Convention on the Rights of Persons with Disabilities, prevention and combating discrimination, violence and abuse against women and children with disabilities; enforcing inclusive education, legislating supported decision- making; reasonable accommodation; and universal access and design. It is envisaged that these concluding observations will inform government's planning going forward which must be reflected in all compliance reporting.

In its 2019 Election Manifesto, the African National Congress recommitted to the needs of persons with disabilities with emphasis on compliance with the revised broad-based black economic empowerment programme; improved targeting for social grants; introduction of laws to combat hate crimes; and disability mainstreaming in all facets of planning, budgeting, monitoring and accounting, including performance indicators and targets in government programmes.

South Africa hosted Ms. Ikponwosa Ero, UN Independent Expert on the enjoyment of human rights by persons with albinism for her country visit on the 16 – 26 SEPTEMBER 2019. She engaged with government, UN agencies, SAHRC and disability sector stakeholders to:

- Identify, exchange and promote good practices relating to the realisation of the rights of persons with albinism and their participation as equal members of society;
- Promote and report on developments towards and the challenges and obstacles to the realisation of the enjoyment of human rights by persons with disabilities in South Africa;
- Gather, request, receive and exchange information from relevant sources, including persons with albinism and their representative organisations, and other civil society organisations, on violations of the rights of persons with albinism; and
- Raise awareness on the rights of persons with albinism and to combat stereotypes, prejudices and harmful traditional practices and beliefs that hinder their enjoyment of human rights and participation in society on an equal basis with others.

A preliminary report on the rights of persons with albinism in South Africa was shared with Ms Ero in preparation for her engagements. She released her country report with recommendations in 2020.

Ms Ero noted a myriad of positive initiatives undertaken by South Africa, including the adoption of the 2013 Ekurhuleni Declaration on the Rights of Persons as a key achievement. However, she emphasised the challenge with availability of data on persons with albinism. She also highlighted the continued stigmatisation and discrimination against persons with albinism that must be systematically addressed.

This combined annual progress report reflects government's performance in the implementation of the WPRPD for the years 2017 – 2020.

It is clear that the development of the Disability Rights Bill must be expedited in order to strengthen accountability and enforcement of the rights of persons with disabilities, notwithstanding therecourse currently available through PEPUDA, other legislative measures and the South African Human Rights Commission for short to medium term relief.

Minister
Women, Youth and Persons with Disabilities

Deputy Minister's Overview

The White Paper on the Rights of Persons with Disabilities is a pre-cursor to the development of national legislation which will domesticate the UN Convention on the Rights of Persons with Disabilities and its Optional Protocol, ratified without reservations by South Africa in 2007.

After ratifying the Convention, as a country we noted that the state machinery was not in readiness to implement or report against the Convention's articles or the Pillars of the WPRPD.

The Baseline Country Report to the UNCRPD, approved by Cabinet in April 2013, acknowledged that the *“weaknesses in the governance machinery of the State, and capacity constraints and lack of coordination within the disability sector, have detracted from a systematic approach to the implementation of the UNCRPD. The continued vulnerability of persons with disabilities, particularly children with disabilities as well as persons with psychosocial disabilities, residing in rural villages, requires more vigorous and better coordinated and targeted intervention”*. This remains true for the combined annual progress report on the WPRPD as well.

The good practices of disability inclusion can be found in the Early Childhood Development, Higher Education and Training; and Transport sectors where the seeds of reasonable accommodation; universal design and access; disability-rights budgeting have been planted and is consistently advancing even though it is still at early stages. It is clear that it has been business as usual since the introduction of the WPRPD. This has resulted in a lack of strategic thinking and application in the disability mainstreaming approach at the highest levels.

In 2017, Cabinet endorsed the government-wide disaggregation of data sets by disability, gender and age. In 2018, Cabinet approved the disability mainstreaming of the MTSF and APPs. My department has embarked on various interventions to support the implementation of the WPRPD, including the mainstreaming of the MTSF 2019 – 2024. This next term of office provides an opportunity to ensure that disability mainstreaming is embedded in national planning, budgeting, implementation and reporting.

I invite all leaders at all levels and across sectors to establish and strengthen partnerships and collaborations that ensures that our transformation project realises equality for persons with disabilities.

Deputy Minister
Women, Youth and Persons with Disabilities

Director-General's Message

In the absence of all state and non-state actors translating the White Paper on the Rights of Persons with Disabilities (2015) into departmental and sector-specific mainstreaming strategies and implementation plans that is guided by the Implementation Matrix 2015 – 2030, the overall tracking of progress towards the targets is fragmented and incoherent as a collective effort. The inputs from contributing institutions rarely contextualise their performance in relation to targets. There is therefore an adhoc nature of performance without the necessary institutional interpretation of the current state of disability inclusion and how much more needs to be done within the given timeframes to meet our goals.

There are serious compliance challenges overall in terms of disability-inclusion in all departmental strategies and annual performance plans (APPs). Together with the chronic lack of designated capacity and budget to implement mainstreaming, the state has not met the mid-term targets set in the Implementation Matrix. It is therefore necessary to realign and recalibrate planning and resourcing in order to meet the 2030 targets.

To date, most lead and supporting departments have not reported significant progress against the recommendations of the First Annual Progress Report on the Implementation of the WPRPD. The Department of Women, Youth and Persons with Disabilities supported DPME in embedding the mainstreaming of women, youth and persons with disabilities in the Medium Term Strategic Framework (2019 – 2024). This represented a significant shift in integrating and acknowledging the needs of persons with disabilities in high-level planning in government. The remaining challenge is programmatic commitment by all implementing departments and spheres of government to the full realisation of rights of vulnerable groups through attendant allocation of budgets, human capacity, disaggregation of performance information and timeous reporting to the DWYPD.

Therefore, the following recommendations from the First Annual Progress Report, which was approved by Cabinet, remains relevant. For ease of reference, these are listed below:

1. In 2018, Cabinet approved the following recommendations in the First Annual Progress Report on the Implementation of the WPRPD, which are still relevant: Executive authorities must strengthen efforts to champion implementation of the WPRPD within their respective departments/institutions.
2. Accounting officers must ensure that the WPRPD policy directives are embedded in departmental/institutions' annual performance plans, operational plans, standard operating procedures, budgets, performance management and reporting systems.
3. Accounting officers must ensure that each institution has an approved WPRPD Implementation Plan, inclusive of organisational design, reasonable accommodation support provisioning for both staff as well as external programme participants, budgets, departmental skills plans, departmental employment equity plans, entity oversight etc.
4. The Department of Public Service and Administration (DPSA) must prioritise the development of guidelines for formalising and strengthening the designation/appointment of disability rights coordinators in all public institutions, inclusive of organisational design.

5. The DPSA must expedite the process of formalising compulsory disability inclusion training for all public servants, commencing with incorporating a module on disability inclusion in the compulsory induction programme for public servants.
6. The NSG must prioritise the development of credit bearing and non-credit bearing contact, as well as online universal design and disability inclusion courses, contributing towards the implementation of the WPRPD and UNCRPD.
7. All forums of South African Directors General (FOSAD) clusters must establish a Disability Equity Work Group that will take responsibility for coordinating the implementation of specific pillars.
8. The DoLE must give consideration to the establishment of a Statutory Committee to develop a more coherent understanding of the downward trend in employment equity for persons with disabilities. This should culminate in the development of a more comprehensive costed employment support strategy for accelerated access to decent work for persons with disabilities.
9. The Department of Health (DoH) must develop a more responsive system to eradicate backlogs of assistive devices, expand the range of assistive devices to all persons with disabilities, and improve on turnaround times for issuing of assistive devices.

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Executive Summary

1. Introduction

In 2015, when Cabinet approved the White Paper on the Rights of Persons with Disabilities and its Implementation Matrix, it also requested annual progress reports to be tabled so that Cabinet can closely track trends in the inclusion of persons with disabilities.

Over the recent years the quality of institutional reporting and submission rate has declined, putting at risk the quality and regularity of reporting on the realisation of rights of persons with disabilities. The compliance reporting is intended to represent the country's performance in its entirety on service delivery for persons with disabilities. The lack of responsiveness from reporting institutions can be attributed to non-responsiveness to deadlines, unsigned submissions, incomplete reporting against milestones, lack of evidence on performance information and gaps in information reported.

This is a combined report that covers the period of 2017 to 2020. The report includes information provided by institutions as well as analysis of department's annual reports. The information has been consulted and validated by government institutions and the disability sector.

South Africa appeared before the UN Committee on the Rights of Persons with Disabilities in August 2018 in response to the UN List of Issues based on the Initial Country Report on the Implementation of the UN Convention on the Rights of Persons with Disabilities. The Concluding Observations were received from the Committee and has since been distributed to all National and Provincial Director-Generals and relevant HODs. The Concluding Observations are attached as Annexure "A" to this report for ease of reference.

2. General Observations

This report is designed to be an instrument of accurate reflection for institutional planning, budgeting, programmatic implementation and performance reporting. It is clear from this report that disability performance reporting in many departments is an event rather than a sustained effort to fully realise legislative obligations for persons with disabilities, with some key departments not having reported at all.

Most recommendations in the First Annual Report remain relevant during this period. Additionally, the observations and recommendations made by the UN Committee is echoed in this report through the lack of information on key areas.

This report sees the introduction of case studies where best practices have been observed and can be replicated in similar sectors.

3. Highlights

- During the period under review, the DoT developed norms and standards for road vehicles and facilities through piloting universal design standards in new road-based public transport vehicles and facilities in the 13 IPTN municipalities. These were further developed into national technical requirements (NTR) which were subsequently used in the 13 IPTN municipalities.
- The SAPS installed panic buttons at schools to report to Umlazi Police Station in case of intruders in the dormitories.
- In 2017, the SAPS partnered with Albinism Society of South Africa (ASSA) in conducting albinism awareness campaigns in Manguzi, Northern Part of KwaZulu-Natal
- The Gauteng Office of the Premier developed and ran the disability rights awareness programme for most of GPG Departments during February 2017 which continues to be implemented to date.
- The Gauteng Provincial Government established its Gauteng Universal Design and Access Programme which comprises of Gauteng Department of Infrastructure Development and the Gauteng Treasury. A reference group with representation of the disability rights civil society organisations and experts contributed multi-disciplinary professional advice to officials of the Gauteng City Region.
- The Mpumalanga Provincial Government customised the National Norms and Standards for infrastructure design to improve compliance for reasonable accommodation policy and access to services for persons with disabilities.

4. Challenges

- There is a culture of late submissions despite official periodic reminders. This compromises the timeframes for Cabinet approval.
- Where Departmental disability mainstreaming strategies exist, they are not aligned with the WPRPD and its Implementation Matrix.
- The 2019 targets will not be met and the implementation plan will be reviewed and revised.
- Planning must be the driving force behind disability inclusion, not monitoring.
- There is a general weakness in providing timeous signed-off reports with evidence.

5. Recommendations

1. All 2019 targets will be adjusted to be implemented by 2024.
2. The UN Committee on the Rights of Persons with Disabilities' Concluding Observations (Annexure A) on SA's 2013 Baseline Country Report on the Implementation of the UN CRPD, echoed a number of issues that are evident in this report. Therefore, all relevant government institutions must draw up intervention plans and urgent practical measures to address the UN Committee's Concluding Observations (Annexure A), as South Africa must submit the

country response in June 2022.

3. South Africa ratified the UNCRPD in 2007. The SALRC must accelerate the process of domesticating the UN CRPD as well as the supportive-decision making legislation.
4. The Disability Rights approach is a systematic approach, as demonstrated by the Gauteng Case study, and therefore should not be treated as a special project. It is evident that the majority of departments do not have disability mainstreaming strategies or WPRPD Implementation Plans. At a strategic level, all departments must ensure that disability inclusion is integrated into their 5 year MTSF in substantive measurable ways that reflect the mandate and external programmes of the Department. Therefore, internal disability rights monitoring mechanisms should be strengthened for this purpose.
5. All Departments must disaggregate performance reporting by gender, disability and age.
6. The STATS SA must urgently standardize administrative data to improve disability data collection and performance reporting.
7. The success of the SAVE model is evident for people with intellectual and psychosocial disabilities. The Justice Cluster must therefore roll out this model to enhance access to justice for persons with disabilities.
8. The DBE must, as a matter of urgency, regulate age limits for learners with disabilities as provided for in the SA Schools Act of 1996.
9. The DBE must review and revise implementation of White Paper 6, with a view to mainstreaming children with disabilities to the greatest appropriate level possible.
10. The DBE and the DoT must publish a plan for implementation of the National Learner Transport policy as it pertains to learners with disabilities.
11. The DoH must put measures in place to ensure that the Orientation & Mobility Services System in place in Mpumalanga is replicated in all other provinces.
12. The DoH should take measures to ensure that the national policy on assistive devices is implemented with clear minimum norms and standards, timelines and resourcing strategies.
13. The Department of Public Service and Administration as well as the Department of Employment and Labour must develop a recruitment plan for persons with disabilities outlining how the 7% target will be met by 2030. This must include a disability disclosure campaign across the public sector.
14. The NSG must ensure that any training or capacity building of public servants are inclusive of a disability dimension, and that greater use be made of trainers with disabilities (equity).
15. In terms of strengthening coordinating mechanisms at a national and provincial level, an IGR task team, led by DPSA, with provincial participation, must be established to develop guidelines on disability, gender and youth focal points. This must include disability focal person's/mainstreaming officer's job descriptions, professionalisation, capacitation and budgeting of disability inclusion or as well as the issue of location.
16. The recommendations of the First Annual Progress Report on the Implementation of the WPRPD still remain relevant and should be used for planning and reporting purposes for the next annual report.
17. No centralised financial tracking of government's support to the disability sector. National

Treasury should track government's funding to disability sector.

18. All reporting institutions must submit their WYPD programmatic mainstreaming strategy to the DWYPD by June 2021.
19. Review of Implementation Matrix of the WPRPD as midterm milestones were not met.
20. Review of White Paper 6 – Inclusive education must be fast-tracked.
21. Reporting on the JOB ACCESS Strategy must be aligned with Annual reporting on the WPRPD.
22. All national and provincial DG's/HODs must submit quarterly reports on the implementation of the WPRPD by the end of the subsequent month after each quarter, namely; July, October, January and April.
23. All district-based projects must demonstrate inclusion of persons with disabilities in planning budgeting and reporting.

Acronyms and Abbreviations

WPRPD	–	White Paper on the Rights of Persons with Disabilities
UN CRPD	–	UN Convention on the Rights of Persons with Disabilities
MTSF	–	Medium Term Strategic Framework
APPs	–	Annual Performance Plans
DPSA	-	The Department of Public Service and Administration
DPME	-	Department of Planning, Monitoring and Evaluation
NSG	–	National School of Government
FOSAD	-	Forums of South African Directors General
DoEL	-	Department of Employment and Labour
DoH	–	Department of Health
NDSD	–	National Department of Social Development
SAPS	–	South African Police Services
ASSA	–	Albinism Society of South Africa
GPG	–	Gauteng Provincial Government
DPW	–	Department of Public Works
NDP	-	National Development Plan
IPTN	–	integrated Public Transport Network
NTR	–	national technical requirements
DCS	–	Department of Correctional Services
DIRCO	–	Department of International Relations and Cooperation
NDRM	–	National Disability Rights Machinery
CAA	-	Civil Aviation Authority
SAHRC	–	South African Human Rights Commission
GTIP5	–	Gauteng: 5-Year Transport Implementation Plan
DoT	–	Department of Transport
Epilepsy SA	–	Epilepsy South Africa
DEAFSA	–	Deaf South Africa
ICASA	-	Independent Communications Authority of South Africa
DTPS	-	Department of Telecommunications and Postal Services
PRASA	-	Passenger Rail Agency of South Africa
RSR	-	Railway Safety Regulator
ICT	–	Information and Communications Technology
ETDP	-	Education, Training and Development Practices
SETA	-	Sector Education and Training Authority
SASL	-	South African Sign Language
PEPUDA	-	Promotion of Equality and Prevention of Unfair Discrimination Act
SIAS	-	Policy on Screening, Identification, Assessment and Support
DoJ&CD	-	Department of Justice and Constitutional Development
NGO	–	Non-governmental organisations
NPO	–	not for profit organisation
DBE	-	Department of Basic Education
SPCHD	-	Social Protection, Community and Human Development
SRSA	-	Sport and Recreation South Africa
COGTA	–	Department of Cooperative Governance and Traditional Affairs

IUDF IP	-	Integrated Urban Development Framework Implementation Plan
NUA	-	New Urban Agenda
NUA-LF	-	New Urban Agenda Localisation Framework
IP	-	Implementation Plan
PSS	-	Psychosocial Support Programme
SAFMH	-	SA Federation for Mental Health
NDMAF	-	National Disaster Management Advisory Forum
NDMC	-	National Disaster Management Centre
GPDMC	-	Gauteng Provincial Disaster Management Fire and Rescue Services
ADR	-	Alternative Dispute Resolution
QuadPara SA	-	Quadriplegic and Paraplegic South Africa
LSEN	-	Learners with Special Education Needs
MINMEC	-	Ministers and Members of Executive Councils Meeting
DHS	-	Department of Human Settlements
CAPS	-	Curriculum and Assessment Policy Statement
	-	ECD
	-	Early Childhood Development
SNE	-	Special Needs Education
CET	-	Community Education and Training
ABET	-	Adult Basic Education and Training
DHET	-	Department of Higher Education and Training
CLCs	-	CET Learning Centres
DSBD	-	Department of Small Business Development

1. Introduction

“...with targeted interventions, sound strategies, adequate resources and political will, even the poorest countries can make dramatic and unprecedented progress”.
(The Millennium Development Goals Report 2015, p.4)

The relevance of this quote rings true for the disability sector globally and mainly in South Africa. The Millennium Development Goals is an example of a global initiative that despite its merit as a developmental agenda, excluded people with disabilities. Therefore, the victories of the MDGs were bitter sweet. However, subsequently the Sustainable Development Goals as a developmental agenda, did not repeat that mistake.

The WPRPD (2015) represented a milestone in South Africa’s history, in that through multi-sector consultation, a roadmap was developed in the form of the Implementation Matrix 2015-2030 that mirrors the trajectory of the National Development Plan Vision 2030 (NDP). THE WPRPD was the outcome of many lessons learned in the exclusion of persons with disabilities.

If we are to ensure that history never repeats itself, we must have sound strategies, adequate resources and political will to drive the change that the disability sector has been long awaiting.

1.1. Purpose

The purpose of this document is to report on the implementation measures and progress made by government departments at national and provincial levels in the realisation of the WPRPD.

1.2. Reporting Period

This Report covers the period 2017 to 2020.

1.3. Focus

The combined second, third and fourth Annual Progress Report focuses predominantly on the national and provincial spheres of government.

The Report furthermore focuses on selected disability inclusive case studies that are setting precedent in inclusive systemic implementation within public service delivery.

1.4. Process Followed in Compiling the Annual Progress Report

The WPRPD was officially launched at the National Disability Rights Summit in March 2016. Cabinet approved the WPRPD and its implementation matrix in December 2015 and directed that progress reports on its implementation be submitted to Cabinet on an annual basis.

Accounting officers of all national government departments, as well as provincial Directors-Generals (and in some instances, the Heads of Departments of provincial departments of Social Development), were provided with an outline of the reporting process and requirements for periodic reports since November 2017. The deadline for submissions was set for 31 March 2018 for National Departments

and 30 April 2018 for provinces and has since been extended in order to strengthen the quality of reports.

In preparation for the Combined Second, Third and Fourth Annual Progress Report on the Implementation of the White Paper on the Rights of Persons with Disabilities, the Governance and Compliance component of the National Disability Rights Coordination Mechanism provided technical support to all national departments and provincial departments (that requested assistance), namely; Department of Correctional Services (DCS), South African Police Services (SAPS), Department of Social Development (DSD), Department of International Relations and Cooperation (DIRCO) and the following provinces: Eastern Cape, Northern Cape, Mpumalanga and Western Cape.

In 2018, out of the forty two reports that were requested from national departments and their respective entities, only nineteen (19) reports were received and 23 departments did not submit. Only four out of nine provinces submitted reports. This revealed a 49% compliance rate for national departments, including entities and a 40% compliance rate for provinces. The status of received reports is attached herein as Annexure B.

The preliminary assessment of performance against the WPRPD Implementation Matrix mid-term(2015–2019) targets was done against five levels as follows:

1 – fully compliant; 2 – work in progress; 3 – no action taken;
4 – insufficient information; and 5 – no evidence provided.

The primary reporting template is a compliance framework, based on the King III Report approach of comply or explain.

The National Disability Rights Machinery (NDRM), which convened from 23 – 24 April 2018, provided a platform for engagements on the progress made in the implementation of seven out of the nine pillars of the WPRPD. Selected national departments were invited to share their progress and were further requested to outline their obligations on the implementation. This process enabled robust and frank discussions, debates and proposals for accelerated implementation of the WPRPD.

In 2019, the NDRM focused on consulting on a disability-inclusive MTSF 2019 – 2024. These deliberations informed the finalisation of the imperatives contained in the current MTSF.

The NDRM provided a key platform for discussions on the implementation of the WPRPD. The salient discussions and recommendations have been captured in this report.

In the year 2019, the National Disability Rights Coordination Mechanism was relocated to the newly established Department of Women, Youth and Persons with Disabilities through the NMOG process.

2. PROGRESS ON THE IMPLEMENTATION OF PILLARS

2.1. Pillar 1 - Removing Barriers to Access and Participation

The WPRPD isolates the following six dimensions to remove barriers to access and participation for persons with disabilities:

- Changing attitudes and behaviour
- Access to the built environment
- Access to transport
- Access to information and communication
- Universal design and access
- Reasonable accommodation measures.

In the main, very few of the departments that submitted reports were able to provide evidence that the measures taken during the year flowed from the WPRPD policy directives. Action was therefore more of a continuation of existing initiatives, with insufficient alignment between the WPRPD directives, plans, budgets and reports.

Indicator 1.1 - Changing attitudes and behaviour

There is currently no coherent targeted awareness-raising strategy or plan that measures that provides guidance on disability rights awareness-raising campaigns for impact. The National Disability Rights Coordination Mechanism started the process of developing a national framework in this regard to coordinate, standardise and measure impact of campaigns whilst at the Department of Social Development and will finalise this framework in 2021/22.

The National Disability Rights Awareness Month remains the pillar initiative through which stereotypes, prejudices and harmful practices relating to persons with disabilities is addressed. From 3 November to 3 December 2016, the Department of Social Development successfully coordinated the 2016 Disability Rights Awareness Month, which promotes the human and socio-economic rights of persons with disabilities. The national launch on 3 November coincided with the handing-over of the MTN SA Foundation Multi-Purpose Media Centre for Deafblind learners at the Sibonile School for Visually Impaired Learners in Meyerton. On 3 December, the National Day of Persons with Disabilities, a commemoration took place to honour the lives lost in the Esidimeni Tragedy. South Africa's pioneering work in promoting and protecting the rights of persons with disabilities continues to elevate its international profile. The Department was able to showcase its products and approaches through participating on international platforms such as the United Nations Conference of States Parties to the Convention on the Rights of Persons with Disabilities (UNCRPD). This led to South Africa (represented by the Department) being invited to participate in two high-level panels during the 2016 UN Social Forum, which focused on the 10th anniversary of adoption of the UNCRPD by the General Assembly, in Geneva in October 2016.

The Esidimeni tragedy is a poignant reminder that much more still needs to be done to raise awareness regarding persons with disabilities throughout society, including at the family, community, policy and practice levels, and to foster respect for the rights and dignity of persons with disabilities. The Department of Social Development welcomed the Health Ombudsman's report and recommendations into this matter. The DSD initiated consultations with provinces to ensure speedy implementation of the Ombudsman's recommendations.

The Department continued to fast-track the implementation of the WPRPD and the UN Convention on the Rights of Persons with Disabilities (UNCRPD). In this regard, International Solidarity in Advancing the Rights of Persons with Disabilities African Union Protocol on the Rights of Persons with Disabilities was approved by the AU Heads of States. This process led to South Africa's appearance before the UNCRPD in August 2018. During the reporting period, the Department held a round table on Social Protection and Disability (Pillar 5 of WPRPD). The round table was attended by, among others, the Global Disability Advisor of the World Bank. This was one of the Department's efforts to embed the WPRPD Policy Directives in Outcome 13.

As part of the Department's contribution towards National Albinism Awareness Month, a national round table on the Rights of Persons with Albinism was convened in September 2018 to explore synergies, resolve tensions in the sector and agree on the process towards the development of a National Strategy on the Rights of Persons with Albinism. The strategy is informed by Pillar 2 of the WPRPD and will be finalised in 2019/20. The user-friendly English version of the WPRPD will enable persons with disabilities and their families to use the WPRPD in self-advocacy efforts. This version will be translated into all official languages as well as South African Sign Language in 2019/20.

During the reporting period, the Department engaged with other structures to strengthen disability inclusion in the 2019-2024 MTSF. In this regard, the President pronounced in his 2019 State of the Nation Address that the 2020-2025 MTSF should mainstream disability across all government departments and programmes. Furthermore, the Presidential Working Group on Disability (PWGD) was also convened at the end of February 2019, bringing together the Executive of Government and leaders in the disability sector. Five national priorities were identified to accelerate and deepen disability inclusion in the next MTSF. A Ministerial Task Team was established following engagement between the Minister and sector leaders, culminating in a cessation of hostilities between the disability sector and government.

During the year under review, the Department led South Africa's presentation of the Country Report on the Convention on the Rights of Persons with Disabilities (CRPD). A number of other Country Reports were tabled before various International Committees in the UN and the AU. Building on the momentum and South Africa's successful election as a non-permanent member of the UN Security Council, the Department vigorously participated in annual sessions of the UN such as Commission for Social Development, Commission on Population and Development, and the Conference of State Parties to the CRPD. South Africa is an active member and serves as Secretary of Partners in Population and Development (PPD). Cooperation engagement with partners in BRICS and India-Brazil-South Africa (IBSA) were

also maintained. The Department actively participated in the 22nd International AIDS Conference which was convened in Amsterdam. The Department also participate in the Disability Summit held in London.

For the reporting period, the national broadcaster launched a disability rights platform in November 2016. The SABC Disability 360 Campaign aims to empower persons with disabilities by providing ongoing disability related content on-air, online and on the ground (events) through SABC various platforms, which provide the sector with information about job opportunities, training opportunities and pertinent disability content, in all 11 official languages. The Disability 360 Campaign further aims at creating an online “community” where persons with disabilities can engage and access any disability related Information.

The campaign ensured disability content for a total of 10,102 minutes (168 hours) of across the radio stations run by the South African Broadcaster between the period January 2017 and March 2018, and 7,427 minutes (123 hours) of podcast disability content.

In 2017, the SAPS partnered with Albinism Society of South Africa (ASSA) in conducting albinism awareness campaigns in Manguzi, Northern Part of KwaZulu-Natal. The awareness events took place at all the towns of Manguzi, two border gates (Bay Border gate and trading border gates to Mozambique.) The campaign commenced from the 21 to 23 November 2018.

Furthermore, Awareness campaigns were conducted to sensitise communities about crimes against women, children, the elderly and people with disabilities. These campaigns were conducted at provincial and police station levels, in support of calendar events. The campaigns, included door-to-door campaigns, roundtable discussions/community dialogues, school visits, school and community outreach programmes, community imbizos and women in law enforcement operations, led by women.

The SAPS acknowledges the rights of people with disabilities, as enshrined in the South African Constitution, 1996 and the White Paper on the Rights of People with Disabilities, 2015. In 2018, the SAPS compiled the first Disability Action Plan. The Plan will enhance the SAPS's efforts to address the challenges faced by people with disabilities and provides mechanisms, to ensure that all employees of the SAPS understand and respect the rights of people with disabilities, as well as to ensure continuous service to the community, in accordance with the SAPS Act, 1995 (Act No 68 of 1995). The SAPS intends to promote, protect and ensure full and equal enjoyment of all human rights and fundamental freedom by all persons with disabilities. A Guideline for the Policing of Persons with Disability was also developed, with particular reference to the UN Convention on the Rights of Persons with Disabilities. The aim of the guideline is to assist SAPS members in fulfilling their obligations, with regard to people with disabilities in South Africa.

Guidelines on the policing of older persons and persons with disabilities were developed, with the input from organisations dealing with disabled persons, including Chapter 9 Institutions and approved by the then Acting National Commissioner. Subsequently, 50 000 booklets of the guidelines were procured and 40 500 copies were issued to all nine provinces.

The Department of Arts and Culture hosted the The Zwakala Awards (2017/18), designed to recognize the abilities of children with hearing disability. The event serves as a tool to create awareness of the silent minority that is cut off from the hearing world due to prejudice, and lack of tolerance and understanding. The hosting of the annual national performing arts competition for learners with hearing disability on 27 October 2017 at the M1 Studio, SABC and Radio Park. Every effort was made to ensure that the competition reached out to all schools for the deaf in South Africa, to provide a platform where the deaf youth can express their feelings, their fears, and their hopes through performing arts.

In 2018/19, DAC committed to addressing the plight of people with disabilities especially people with albinism. On 13 June 2018, the Minister launched International Albinism awareness Day under the theme SHINE YOUR LIGHT. The launch was held in Hlalakahle in Mpumalanga where two (2) girls were killed and their body parts disembodied. The Minister also had the opportunity to meet with the affected family. There was also a performance on the DAC funded drama: "MAMA I WANT TO BE THE BLACK THAT YOU ARE" featuring issues affecting people with albinism. Legends with disabilities host workshops and events in various theatres and at special schools nationally. The project also empowers people with disabilities including people with albinism to express their artistic abilities, liberation from stigma and rejection. The "I Can Campaign Programme" is implemented through dialogues and workshops in all special schools.

In 2017/18, the Department of Health's non-communicable disease (NCD) sub-programme focused on the reduction of risk factors, the improvement of health systems and services for early detection, and improvement of the service delivery platform for PHC-focused eye care, oral health, care of the elderly, rehabilitation, and care of persons with disability and mental health. The interventions have been implemented in collaboration with other sectors to increase public awareness regarding health, to reduce stigma and discrimination associated with mental illness, and to scale up decentralisation of integrated primary mental health services.

In managing NCDs, there must also be focus on disability. If not attended to appropriately, disability has implications for optimal functioning, potentially excluding people from gainful employment and/or financial independence. This situation exacerbates the risk of out-of-pocket expenditure, impacting negatively on the development of individuals, families, and communities. Mental disorders continue to be a major and growing cause of disability-adjusted life years (DALYs). Importantly, DALYs for mental disorders are highest during youth and mid-adulthood, accounting for 18.6% of total DALYs among people aged 15-49 years; this has a critical impact on social and economic development.

In 2019/20, during the November Disability Rights Awareness Month, the Department of Transport's Community outreach programme conducted for Rivoni Special School learners (Vhembe, Limpopo) to raise awareness on sector opportunities particularly to learners with disabilities.

In driving transformation imperatives within the Department of Agriculture, Forestry and Fisheries; various awareness sessions (e.g. Disability awareness and disclosure, HIV-AIDS

awareness, financial-wellness, gender-based violence awareness, motivational speaking, etc.) were successfully facilitated in various provinces in commemoration of the “16-Days of Activism against Women and Child Abuse” under the Theme: “Achieving 17 Goals for the Future We Want”.

The DIRCO conducted a Roundtable Discussion on “Reasonable Accommodation for Persons with Disabilities” on 20 October 2017 • A “Disability Awareness” Workshop on 17 November 2017.

In the **dti**, Internal Consultations were conducted with the Organisation for Persons with Disabilities on guidelines, advice and services in support of employees with disabilities i.e. telephonic consultation was conducted with South African Anxiety and Depression Group (SADAG) on support groups for employees with Psychosocial Disabilities; and Gauteng Provincial Association for Persons with Disabilities (GPAPD) conducted a Disability Awareness Workshop.

SARS made specific efforts to focus on the needs of the disabled community. We took part in information sharing sessions with the South African Disability Development Trust (SADDT) and the South African Disability Organisation (SADO) to further highlight SARS’s commitment to be accessible and accommodating to all taxpayers.

The DBE also prioritises the safety of the physically disabled officials and therefore trained officials in evacuation chair training in order to assist them during an emergency evacuation. SHE representatives are responsible to conduct a monthly inspection in their areas of responsibility and report to the SHE supervisors if there any health or safety hazards. First Aiders alert the OHS supervisors in advance if there is a need to supply them with first aid material.

In 2017/18, the Department of Justice and Constitutional Development, hosted disability awareness events where 420 employees participated through disability rights month, such as the International Day of People with Disabilities. A total of 2 741 employees attended proactive psychosocial services, and 119 supervisors were trained.

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Stats SA hosted an enthusiastic group of delegates from different statistical institutions, universities and representatives for persons with disabilities from around the world for the 16th annual meeting of the Washington Group on Disability Statistics in December 2016. This comes after South Africa celebrated National Disability Rights Awareness Month and International Day of Persons with Disabilities between 3 November and 3 December 2016. The Washington Group on Disability Statistics (WG) is a UN City Group established under the United Nations Statistical Commission to address the urgent need for cross-nationally

comparable population-based measures of disability.

JICA annually in partnership with the Department with Social Development, annually conducts disability mainstreaming programme relating to training for officials and people with disabilities, monitoring and evaluation, and networking activities. To date, there has been more than 1 403 participants. In Limpopo, JICA team conducted a team-building workshop and disability mainstreaming training and established a self-help group of persons with disabilities and peer counselling.

The DSD continued to fast-track the implementation of the WPRPD and the UN Convention on the Rights of Persons with Disabilities (UNCRPD). In this regard, International Solidarity in Advancing the Rights of Persons with Disabilities African Union Protocol on the Rights of Persons with Disabilities was approved by the AU Heads of States. This process led to South Africa's appearance before the UNCRPD in August 2018. During the reporting period, the Department held a round table on Social Protection and Disability (Pillar 5 of WPRPD). The round table was attended by, among others, the Global Disability Advisor of the World Bank. This was one of the Department's efforts to embed the WPRPD Policy Directives in Outcome 13.

As part of the Department's contribution towards National Albinism Awareness Month, a national round table on the Rights of Persons with Albinism was convened in September 2018 to explore synergies, resolve tensions in the sector and agree on the process towards the development of a National Strategy on the Rights of Persons with Albinism. The strategy is informed by Pillar 2 of the WPRPD and will be finalised in 2019/20. The user-friendly English version of the WPRPD will enable persons with disabilities and their families to use the WPRPD in self-advocacy efforts. This version will be translated into all official languages as well as South African Sign Language in 2019/20.

In this regard, the President pronounced in his 2019 State of the Nation Address that the 2020-2025 MTSF should mainstream disability across all government departments and programmes. Furthermore, the Presidential Working Group on Disability (PWGD) was also convened at the end of February 2019, bringing together the Executive of Government and leaders in the disability sector. Five national priorities were identified to accelerate and deepen disability inclusion in the next MTSF. A Ministerial Task Team was established following engagement between the Minister and sector leaders, culminating in a cessation of hostilities between the disability sector and government.

The Gauteng Office of the Premier developed and ran the disability rights awareness programme for most of GPG Departments during February 2017 which continues to be implemented to date.

The Northern Cape Province developed its Disability awareness plan, guiding the districts on what to budget and how to make provision for reasonable accommodation. The Province conducted training at various departmental platforms to ensure the determination of the

disability status and support schemes that are grounded on a human rights-based approach to disability. There were 160 Advocacy programmes conducted for persons with disabilities. Training on the White Paper on the rights of persons with disabilities was conducted in all 5 districts.

A consultative session on the psychosocial model on protective workshops was held with persons with disabilities

The Provincial Department of Social Development (Mpumalanga) reported the development of a Disability Awareness Plan which is reflected in the Annual Performance Plan 2018/19. The plan also addresses issues of correct disability terminology and was costed with budget allocation.

Indicator 1.2 - Access to the built environment

The Department of Public Works (DPW) is the lead agency for the coordination of access to the built environment. The DPW reported that out of the 89 031 utilised immovable assets that were assessed by March 2016 during Phase 2 of the Immovable Asset Register Enhancement Programme, 87 972 (99%) were found to have some of the basic facilities for persons with disabilities. The basic facilities for persons with disabilities include signage, parking, toilet facilities, ramps, lifts and warning signals. 1 059 immovable assets do not have the basic facilities for persons with disabilities.

Projects are currently in progress to install facilities for persons with disabilities in 50 of the 1 059 immovable assets. The installation of facilities for persons with disabilities in the remaining 1 009 immovable assets will be undertaken in the next financial years based on available budgets.

An amount of R15 320 000.00 was approved by the Infrastructure Budget Committee (IBC) for the installation of facilities for persons with disabilities in State-owned buildings in 2018/19. The projects will be funded from the Department of Public Works (DPW) capital budget.

The Department is a member of the SABS Disability Task Team for SABS/TC 059/SC 04: Universal access and universal design in the built environment. The team is currently reviewing the SANS10400 -2011 to align it with the Universal design and universal access in the built environment. The Department is also a panel member in the current reviewing processes of the National Building Regulations Act of 1977.

The Department is also participating in the development of the Universal Design and Universal Access Framework led by the Department of Social Development.

The SAPS reported in its 2018/19 annual report that the infrastructure of 14 police stations was developed to improve access for persons with disabilities. This is an indication that the SAPS is progressive in its approach to policing, by ensuring that all police stations can be accessed by all victims and complainants, including clients with a disability. The SAPS aims to deliver quality policing to persons with disabilities, by ensuring that they have equal access to the full range of services, information and facilities of the SAPS. It is further aimed at addressing

barriers faced by persons with disabilities, as this will further encourage participation by persons with disabilities in public life.

The Gauteng Provincial Government established its Gauteng Universal Design and Access Programme which comprises of Gauteng Department of Infrastructure Development and the Gauteng Treasury. A reference group with representation of the disability rights civil society organisations and experts contributed multi-disciplinary professional advice to officials of the Gauteng City Region.

The province hosted the inaugural Universal Design and Access Dialogue on the Built Environment on 6th February 2018, which included inputs from experts in universal design from national, provincial and local government, the private sector and representatives from civil society.

The Mpumalanga Provincial Government customised the National Norms and Standards for infrastructure design to improve compliance for reasonable accommodation policy and access to services for persons with disabilities.

The Western Cape Government focused on empowering officials in DPW in understanding Part S of the South African National Building Regulations Act. The norms and standards were developed are based on Part S. The contractors procured are obliged to comply with these norms and standards, thereby saving the taxpayers money in terms of correcting errors. This has become a good practice to ensure accessibility of buildings.

The Department of Tourism has ensured destination enhancement initiatives which will include universal accessibility are:

- Shangoni Gate Tourism Development, Kruger National Park
- Phalaborwa Wild Activity Hub, Kruger National Park

Universal Access projects at:

- Blyde River Canyon Tourism Site in Mpumalanga
- Hilltop Rest Camp at Hluhluwe Game Reserve, KZN
- Gariiep Nature Reserve in Free State
- Dwesa Cwebe Nature Reserve in Eastern Cape

In 2016/17, the Department of Defence prioritised the Pretoria Air Defence Artillery Group for upgrades to improve access to members with disabilities. This construction was reported as completed in the Department's annual report.

Indicator 1.3 – Access to Transport

The DoT facilitated a national consultation on the Rural Transport Strategy which was published in 2017. This strategy document contains disability access as one of its key objectives.

During the period under review, the DoT developed norms and standards for road vehicles and facilities through piloting universal design standards in new road-based public transport vehicles and facilities in the 13 IPTN municipalities. These were further developed into national technical requirements (NTR) which was subsequently used in the 13 IPTN municipalities. Implementation in these selected IPTN cities was compulsory through the receipt of the public transport network development grant. The IPTN cities test the processes for the implementation of standards throughout the travel chain in new public transport systems before it becomes regulations. This process has been on-going from 2010 to 2017.

The standards for infrastructure on rail were developed in 2015 and have been used in rail upgrading programmes since then. No audits were carried out during the year under review. The PRASA launched its new rolling stock in May 2017, and unfortunately did not consider implementing universal design standards properly in rolling stock development, despite advice received from DoT from 2013 onwards, resulting in a non-alignment of standards in rolling stock in different rail services. This is now being addressed by DoT, RSR and PRASA.

The NTR 1 for pedestrian crossings were approved by the Acting DG and published in March 2017 for circulation to roads and rail. These were used for auditing the implementation of universal access standards on pedestrian facilities in the IPTN municipalities. However, it proved difficult for traditional engineering processes to adapt to the introduction of the new standards, and as such these have not yet been incorporated into the standards for engineers.

Licences are issued for all forms of transport i.e; road, rail, aviation and maritime transport. No operator should, in terms of the Constitution and equality legislation, discriminate against people with disabilities; although this is not the daily experience for people with disabilities.

With regards to Aviation; regular complaints throughout 2017 were received from passengers with disabilities on their accommodation in Aviation services. The Civil Aviation Authority is in the process of amending CAA regulations in line with non-discriminatory practice.

All 13 IPTN municipalities are obliged to accommodate persons with disabilities in new service licences. No new services operated in 2017, and therefore only four with accommodating operating licences continued to operate throughout the country.

In 2018/19, DOT conducted a total of ten (10) Community Outreach Campaigns as targeted. These campaigns focused on Gender, Disability, Youth and Children.

The South African Human Rights Commission (SAHRC) investigated a case on the inability of Metrobus services to accommodate persons with disabilities with equity and respect. Whilst there is some response from the operator to the immediate problems raised through the SAHRC in 2017, the commitment to implement a plan to upgrade services over time is not forthcoming, despite the legal obligation to do so. This SAHRC case is significant for the upgrading of all other existing public transport services throughout the country, whether they receive grant funding from the Government or not.

At a provincial level, the Gauteng: 5-Year Transport Implementation Plan (GTIP5) provides for universal access and states that persons with disabilities should have equal access to transport facilities and services available to the general public, to the greatest extent possible, in rural and urban areas; under the section on Principles and Departure Points for GTIP5.

The NDRM plenary noted that DoT is exploring and engaging with all forms of accessible public transport systems, inclusive of the private sector (e.g. Uber), however, the inaccessible built environment remains a challenge.

The Plenary also noted the development of the draft program of action on universally accessible minibuss taxis and taxi services which was circulated within the DoT prior to distribution for public comment.

Epilepsy SA indicated that a position paper on Persons with Epilepsy and Driving was submitted to the DoT. This is still pending response.

Indicator 1.4 – Access to Information and Communication

On 21 November 2017, braille promotional material on breaking the silence to domestic violence, sexual offences, children's rights, child justice, rights of older persons were officially launched by SAPS at Lincoln Special School in Umlazi, Durban. Nine hundred (900) braille public education booklets were provided to the school. The SAPS translated brochures on Children's Rights and Child Justice into braille booklets and 500 copies of each were distributed at special schools.

The SAPS worked with DeafSA and other role-players on Deaf access to the 10111 call centre. It is envisaged to be operational in 2018.??

Furthermore, the Department of Telecommunications and Postal Services (DTPS) is collaborating with the Independent Communications Authority of South Africa (ICASA) and operators on reducing costs and enabling access to emergency services for persons with disabilities.?? (Should these 2 paragraphs not speak in past tense?)

The Vodacom launched an emergency SMS service to connect Deaf people to emergency services. The interface was developed as one of the products of the Disability ICT Chamber of the DTPS.

The Department of Communications and Digital Technologies participated in the 34th Session of the SCCR of the WIPO conference which continued the discussions on the following issues: the Broadcasting Treaty – protection of broadcasting organisations; exceptions and limitations for libraries and archives, expectations and limitations for educational and research institutions, and persons with disabilities.

A report on the recommendations from the Public Broadcasting Review Colloquium was developed and incorporated in the White Paper on Audio-Visual and Digital Content Policy for South Africa Bill. The department regarded the colloquium as a process which would contribute

to the finalisation of the draft White Paper on Audio-Visual and Digital Content Policy for South Africa and happening parallel to the submissions related to the gazetted public broadcasting policy review published in June 2018.

One of the key recommendations incorporated into the White Paper was that Government must fund implementation of disability requirements, early childhood development programming and universal roll-out of infrastructure.

The Department of Communications and Digital Technologies supports Public information and social development through social action campaigns such as Raising Babies 101: A talk series for first time parents and every caregiver in South Africa. It covers every issue that affects parents – from scolding toddlers the correct way, raising babies with disabilities and screening ECD centres.

SARS implemented the **Assistive Solutions for Persons with Disabilities** (Internal Policy-approved on the 7 Sep 2017 and published on the 11th Dec 2017), aimed at improving accessibility to systems and information for both SARS employees and taxpayers. The aim is to ensure all hardware and software purchased and/or developed adheres to international standards of accessibility. It further ensures consistency in the procurement, upgrade, design development and maintenance of all software, hardware, applications and solutions to cater and ensure systems availability and accessibility for Persons with Disabilities.

The SARS **eFiling MobiSite** was the first application (2017- Filing Season) that complied with the SARS adopted standards and practices relating to disabled employees and taxpayers. Blind taxpayers who rely on screen-reading software were able to navigate the mobisite on their mobile devices, PC or laptop. Visually impaired taxpayers also benefitted by using the SARS eFiling MobiSite as it offered improved contrast that adapted to the user's choice of screen colour (for example, high contrast black which displays white text on a black background). This means that blind and visually impaired taxpayers were able to complete and submit their Income Tax Returns (ITR12) in 2017 Filing Season, while previously this may have been challenging without assistance.

In 2019/20, the Independent Police Investigative Directorate?? through community outreach programmes continued to access the most vulnerable parts of the community which includes women, children and persons with disabilities. Through these programmes IPID was able to educate and create awareness in respect to its constitutional mandate.

The dti observes the availing accessible format in an alternative manner (i.e braille) to persons with visual impairment.

The dti observes and supports the Marrakesh Treaty through its Intellectual Property (IP) and Copy-right Policies.

With regard to making different formats of communication available, the Mpumalanga Provincial Department of Social Development purchased a braille printing machine which will be centralised for use by all provincial departments. However, it was noted that one braille

printing machine is not sufficient to cover Mpumalanga provincial-wide braille printing requirements.

In the Northern Cape Province, approximately seven public libraries were identified and equipped with devices to access reading materials in all accessible formats. Librarians are currently undergoing training on how to utilise the devices.

The Mpumalanga Province also highlighted the scarcity of qualified sign language interpreters as a challenge and planned to increase the number of sign language practitioners in the Province.

The Limpopo Provincial Government reported that ETDP SETA organised a sign language interpretation skills programme. Within the context of its partnership with the Northwest Department of Arts and Culture, the Province conducted a study visit on SASL.

In keeping with providing accessible emergency and disaster management information, the Mpumalanga Provincial Department of Cooperative Governance and Traditional Affairs approved the provincial disaster management plan. All staff members were capacitated on the implementation of the plan and the Occupational Health and Safety Act.

In Gauteng, 2017 saw the standardisation of the practice of all GPG public events having an SASL interpreter for Deaf participants.

Indicator 1.5 – Universal Access and Design

The DWYPD is in advanced stages of finalising the National Framework on Universal Access and Design. This framework will guide the development of new legislation with the review of existing legislation and instituting minimum norms and standards for this critical area of work. The approval is anticipated in 2021/22.

The National Regulator for Compulsory Specifications (NRCS) and South African Bureau of Standards (SABS) as agencies of **The dti** are mandated to enforce compliance with the National Building regulations and building standards and it embraces reasonable accommodation for persons with disabilities.

When **The dti** embarks on awareness raising campaigns, there is provision for reasonable accommodation for persons with disabilities. The departmental Supply Chain Management Policy also provides for such services to be procured from within the locality where the campaign is being implemented.

Indicator 1.6 – Reasonable Accommodation Measures

The *Strategic Policy Framework on Disability in the Post School Education and Training System* was gazetted on 6 April 2018. This policy framework guides all institutions in this sector on what is required from them to provide support to students with disabilities. The National Student Finance Assistance Scheme has broadened its reasonable accommodation support measures to colleges and universities to be inclusive of personal assistance.

Sunscreen is available free of charge at clinic level to indigent persons with albinism as part of the Essential Drug List for Primary Healthcare, and the Albinism Care Pack in one province thus far has been extended to include protective clothing and sunglasses, among others.

Additionally, the Department of Justice and Constitutional Development (DoJCD), appointed 151 permanent intermediaries to assist children and persons who are under the mental age of 18 to give testimony in court. Control measures were put in place through the National Operations Centre to ensure that appointed intermediaries are suitably qualified. Other support measures include in-camera facilities for children with disabilities who experience trauma or high levels of stress when testifying, as well as Court Preparation Services for child victims and witnesses with disabilities, where the victims and witnesses are prepared for court to eliminate secondary victimisation.

The WPRPD has a specific focus area directing action towards extending reasonable accommodation consistently across all sectors. A national Framework on Reasonable Accommodation for Persons with Disabilities has been finalised and is awaiting Cabinet approval in 2019.

The Mpumalanga Provincial Department of Social Development customised and implemented the National Norms and Standards for Residential Facilities for persons with disabilities. For the reporting year, the standards were implemented at seven residential facilities, 66 protective workshops and 55 stimulation care centres for children with disabilities.

The Eastern Cape Provincial Department of Cooperative Governance and Traditional Affairs used the existing Service Charter to address reasonable accommodation measures and issues.

2.2. Pillar 2 - Protecting Persons with Disabilities at Risk of Compounded Marginalisation

The WPRPD isolates the following four dimensions for specific protective measures to be taken to ensure that the rights of persons at risk of compounded marginalisation are protected and upheld:

- The right to life;
- Equal recognition before the law;
- Access to justice; and
- Freedom from torture or cruel, inhuman or degrading treatment or punishment, exploitation, violence and abuse.

The Justice, Crime Prevention and Security (JCPS) Cluster is responsible for overall coordination of Pillar 2.

Indicator 2.1 - The right to life

The National Department of Health (DoH), in collaboration with Gauteng Province, is in the process of implementing all the recommendations of the Health Ombud as well as the Arbitration Award in relation to the Life Esidimeni tragedy. Progress on the implementation of the 18 recommendations was reported to the Health Ombud in the form of the report dated 26 May 2017, as follows -

- Former Life Esidimeni Users were relocated from unlawful NGOs within 45 days from the release of the report to appropriate health establishments in Gauteng Province as recommended by the Health Ombud.
- The Minister of Health requested the South African Human Rights Commission (in a letter dated 9 February 2017), in line with recommendation 9 of the Health Ombud's report, to undertake a national systematic and systemic review of human rights compliance and possible violations related to mental health.
- The Life Esidimeni Arbitration process was established in line with recommendation 17 of the Health Ombudsperson's Report. The Arbitration agreement was entered into by parties on 8 September 2017. The Arbitration proceedings started on 9 October 2017 and ended on 9 February 2018. The Arbitration award was made on 19 March 2018.
- General Regulations, Norms and Standards Regulations Applicable to Different Categories of Health Establishments were published in the Government Gazette No. 41419 on 2 February 2018.
- The Policy Guidelines for the Licensing of Residential and/or Day Care Facilities for Persons with Mental Illness and/or Severe or Profound Intellectual Disability were published in Government Gazette No. 41498 on 16 March 2018.

The Health Ombud's Report into the Life Esidimeni tragedy recommended that an Alternative Dispute Resolution (ADR) process be followed. The Life Esidimeni ADR hearings, under the stewardship of retired Deputy Chief Justice Dikgang Moseneke, were held between October 2017 and February 2018 over 45 days. A total of 60 witnesses were called, inclusive of 19 government officials, 31 family members of both deceased and surviving victims, six experts and four Not-for-Profit institutions.

Justice Moseneke made a binding award on 19 March 2018 due to the death caused of 144 healthcare users and the pain and suffering and torture of 1 480 mental healthcare users who survived and their families. The government of the Republic of South Africa was ordered to, with respect to the 135 claimants who were part of the ADR hearings:

- Pay R 20,000 to families of 67 deceased in respect of funeral expenses no later than 19 June 2018;
- Pay R 180,000 to 67 families of deceased as well as 68 survivors in respect of general damages for shock and psychological trauma no later than 19 June 2018;
- Pay R1 million to 67 families of deceased as well as 68 survivors as appropriate relief and compensation for the Government's unjustifiable and reckless breaches of the Constitution of the Republic of South Africa (Section 1 A and C and D of Section 7,

Section 10, Section 12(1) D, Section 12(1) E, Section 27(1) A, Section 27(1) B, Section 195(1) A, B, D, E, F and G), multiple contraventions of the National Health Act 61 of 2003 as well as the Mental Health Act 17 of 2002 no later than 19 June 2018;

- Within 30 days, make available the services of qualified mental health care professionals who must assess the counselling and support needs of each of the 135 claimants and up to three members of each claimant's family. Those who require support must be provided with such services immediately after the needs assessment, except if any of the claimants or their family in writing decline the counselling and support;
- A remembrance monument be erected within 12 months;
- A recovery plan must be developed within six months and implemented.

The Gauteng Office of the Premier paid a total sum of R159.46m to all the 134 claimants who were part of the alternative dispute resolution process. All payments were concluded by June 13 2018, meeting the deadline set by Justice Moseneke.

The Premier's Mental Health Advisory Panel was appointed to assist in taking action over the next two years to restore the dignity and human rights of mental health patients and all vulnerable groups.

The Gauteng Province has instituted systematic and wide-ranging inspection of the condition of all centres that care for the elderly, people with disabilities and children irrespective of whether they are operated by the public sector, private sector, NGOs or non-profit-organisations. These inspections will give regular reports on the assessment of each entity's compliance to the norms and standards specified in their licences to carry out the work that they purport to be doing for people.

The Ntirhisano Service delivery teams also pay periodic unannounced visits to all facilities to assess that the services that they provide to children, older persons, and people with physical and psycho-social disabilities are up to standard and compliant with the established norms and standards.

In the social sector, the Mpumalanga Provincial Department of Social Development monitored the standard of services in funded NPOs to improve quality of life and investigated reported deaths on a monthly and quarterly basis.

With regards to the North West incident in which three deaf learners lost their lives, the SAHRC instituted an investigation, during which the North West Department of Basic Education (DBE) was summoned to provide evidence, and a report with findings and recommendations was released in January 2018. The Department of Education in North West was given three months to respond.

The NDRM plenary noted the Life Esidimeni tragedy, the death of the three deaf learners at the North West School for Deaf learners and the increase in the attacks, murders, abductions and desecration of graves of persons with albinism, clearly illustrate the relevance of inclusion

of this protection Pillar in the WPRPD.

It further noted that persons with disabilities are dying daily and no one seems to care, as persons with disabilities are 'medicalised' and called patients, not human beings.

The QuadPara SA, during the NDRM plenary, repeatedly called for stricter interventions and investigations into the high mortality rate among wheelchair users (predominantly quadriplegics and paraplegics) in South Africa due to the lack of professional and appropriate health care services outside of the main metropolitan areas.

The SAHRC, during the NDRM plenary, indicated that a provincial hearing for all special schools in North West was instituted during which dormitories were evaluated for skilled and experienced human capacity. The report is currently being compiled with recommendations.

Indicator 2.2 - Equal recognition before the law

Although South Africa ratified the UNCRPD without reservation, the alignment of supported decision-making mechanisms is still outstanding. The South African Law Reform Commission finalised its Report on Assisted-Decision Making. The report is currently under executive consideration for a decision.

In terms of mental health involuntary admissions, there were 24,032 admissions in 2014, 28,326 admissions in 2015, 33,057 admissions in 2016 and 43,504 admissions in 2017.

Additionally in the social sector, the Mpumalanga Provincial Department of Social Development's indicated that its current Admission Policy to Regulate Admission for Persons with Disabilities at Residential Facilities enables people with disabilities to give consent to living in residential facilities.

Indicator 2.3 - Access to justice

According to the Equality Court Statistics from 2012/13 to 2017/18, there were a total number of 384 complaints lodged with only 5 (1.3%) complaints from persons with disabilities.

Measures taken to create awareness on the right of persons with disabilities to access justice included the finalisation of The Strategy on Provision of Police Services to Persons with Disabilities by SAPS.

The SAPS installed panic buttons at schools to report to Umlazi Police Station in case of intruders in the dormitories.

Indicator 2.4 - Freedom from torture or cruel, inhuman or degrading treatment or punishment, exploitation, violence and abuse

In order to ensure that ALL child welfare services are equally accessible to children with severe disabilities who have been subjected to abuse and neglect, the DSD has made efforts to improve access to partial and full-time care facilities under Social Development as follows:

- Registration of the care centres as partial care facilities for children with disabilities was effected by provinces. Measures to work incrementally on this issue is being considered.
- A database of care centres was developed to guide the development of programmes and provision of services and support to children in partial facilities.
- Collaboration with the DBE in the provision of education support programmes for children of school going age, currently outside the schooling system.
- An interim working committee between DSD & DOH was established to work around the roles and responsibilities of both departments with regard to persons with intellectual disabilities. The team collaborated with the Limpopo Esidimeni facility to work on roles and responsibilities of key departments.
- Whilst there are systemic issues that exist in addressing transversal issues and the constitutional mandates of national and provinces, a need for a well-defined national strategic direction and legislation on collaborative work focusing on service to Persons with Intellectual disabilities was identified.

Additionally, under this area of work, the Eastern Cape Provincial DBE conducted train-the-trainer workshops on the consequences of corporal punishment for educators.

Furthermore, the Mpumalanga Provincial DSD developed monitoring tools for the Norms and Standards on Residential Facilities. The funded NPOs were monitored monthly and quarterly to ensure that persons with disabilities were not abused.

The NDRM plenary noted the measures that the SAPS continues to put in place to strengthen protection for persons with disabilities and expressed concern about how little has changed on the ground for the majority of communities where SAPS commanders are unaware that albinism is a disability and the majority of police stations refuse to open cases or take action when abuse of children with disabilities in school hostels are reported.

2.3. Pillar 3 - Supporting Sustainable Integrated Community Life

The WPRPD isolates the following five dimensions for specific measures to be taken to support sustainable integrated community life:

- Building socially cohesive communities and neighbourhoods;
- Building and supporting families;
- Accessible human settlements/neighbourhoods;
- Access to community-based services supporting independent living; and
- Protection during situations of risk and disaster.

The FOSAD Social Protection, Community and Human Development (SPCHD) Cluster is responsible for coordination of implementation of Pillar 3.

Indicator 3.1 - Building socially cohesive communities and neighbourhoods

Sport and Recreation South Africa (SRSA) reported that the School Sport Winter Championships features 9 sporting codes and 2 Indigenous games. These sporting codes have learners participating in different age groups. Of the different sporting categories, 43% of these categories are for participation by persons with disabilities. During the School Sport Summer Championships there are also 9 sporting codes and 2 indigenous games codes. Of these different sporting categories, 39% is meant for participation by persons with disabilities

The total budget for more than 60 national federations supported by the Department is R97 524 000. A budget of R3 700 000 is set aside for disability programmes over and above the mainstreamed programmes and projects. The School Sport grant is meant for provision of organising championships at the district, province and national. It is also used to provide sports attire and equipment to participating schools, including the employment of school sport coordinators. In all these efforts, LSEN schools are being supported and catered for with equipment and attire, including participation of learners with disabilities in sports.

The Department provides financial support to the following institutions established specifically to cater and advocate for persons with disabilities:

South African Sport Association for the Physically Disabled
 South African Sport Association for the Intellectually Impaired
 South African Deaf Sport Federation

The Department continued to ensure that South Africa was well represented at identified multi-lateral fora, and that it played an active role in the African Union Sports Council (AUSC) Region Five during the period under review. South Africa was represented on: the Executive Committee; the Council of Ministers Meeting; the Sports Development Commission; the Finance and Marketing Commission; the Women and Sport Commission; and the Commission for People with Disability. In addition, South Africa was represented on the Association of National Olympic Committees of Africa (ANOCA) and the Confederation of Southern African National Olympic Committees (COSANOC).

- 418 scholars participated at the National Schools Championships from all 9 Provinces of which 127 scholars have a disability
- Anne Vermaak is a member of the FIG Disability working group.

In 2017/18, the review of the Domestic Tourism Strategy brought new appreciation for visiting friends and relatives (VFR). Consideration and inclusion of VFR, including the capacity building of emerging tour operators, will assist in increasing the domestic tourism numbers. Through the social tourism programme in 2017/18, a special focus was on the designated groups, namely, youth, women, elderly and persons with disabilities to encourage them to travel their country.

The Gauteng Provincial Government hosted a Provincial Sports Day for 522 persons with disabilities at the Vaal University of Technology Stadium. Additionally, a Provincial Eisteddfod / Talent Show was held for 656 people with disabilities at the Saulsville Stadium to promote awareness of the capabilities and the rights and dignity of persons with disabilities.

The following are the programmes and events that the Gauteng Province was also involved in that achieved participation of persons with disabilities:

1. The Provincial Table Tennis Games on 23rd September 2017 at the Joni Bach Sports Centre (Tshwane) benefitted 91 learners without disabilities and 17 learners with disabilities (13 boys and 4 girls).
2. The "Gauteng Women in Sport Dialogue 2nd Edition" themed: "Together Building the Toolkit for Her Excellence" facilitated the participation of the 281 attendees, 12 of whom were sports persons with disabilities.
3. Team Gauteng consisted of 367 learners, 162 boys (49 boys with disabilities) and 205 girls (80 girls with disabilities) were supported to participate in the National School Sport Competitions from 9th – 15th July 2017 at Durban, Kwa-Zulu Natal.
4. Out of a total of 659 athletes that was supported by the Sport Academies with Sport Science Testing on 8th July 2017, only 1.52% were athletes with disabilities. There were ten (12?) athletes with disabilities (8 males and 4 females) from Kwa-Thema Disability Club.

In 2018/18, The Department of Correctional Services (DCS) provided land to be used by CWP for agricultural purposes. The produce from the land was provided to vulnerable households and a disability centre. There were 10 parolees who were recruited into the CWP. This has assisted in the reintegration of the parolees into the community, as well as to receive a stipend to prevent them from re-offending.

Indicator 3.2 - Building and supporting families

The Gauteng Provincial Government's Poverty Alleviation and Sustainable Livelihoods programme reached 66 people with disabilities which made up less than 1% of people reached by the programme.

Additionally, the Gauteng Province hosted South African Sign Language Training at High Hopes for parents with Deaf children from 4 - 8 September 2017 for 14 persons.

Indicator 3.3 - Accessible human settlements/ neighbourhoods

The COGTA is reviewing the Integrated Urban Development Framework Implementation Plan (IUDF IP) which will be aligned with, and informed by the New Urban Agenda (NUA). The revised IUDF IP will act as the New Urban Agenda Localisation Framework (NUA-LF). The current IUDF IP does not specifically identify action for persons with disabilities in the urban space, as it was largely at an overarching level. This will be rectified in the revised Implementation Plan (IP) where engagements with stakeholders will inform action planning in the new IP, in order to correctly identify priority needs and interventions.

In 2017/18, the cities were implementing Integrated Public Transport Networks carrying a combined total of over 100 000 passengers per weekday, this facilitated the procurement of nearly 1 000 vehicles worth over R3 billion, that are universally accessible for all users, especially the elderly and people with disabilities. These cities constructed over 110 km of dedicated lanes and have committed over R2 billion to supporting affected minibus operators.

The Department of Human Settlement (DHS) reflected the number of houses delivered to persons with disabilities in the table below:

Provinces	2015/16	2016/17	2017/18	Grand Total
EC	54	50	34	138
FS				
Vision	1			1
Walking	2	4		6
GP	26	71	61	158
KZN	7	19	3	29
LP	20	15	20	55
MP	38	111	161	310
NC	6	35		41
NW	25	1	4	30
WC	228	262	217	707
Grand Total	407	568	500	1475

In March 2019, the National Assembly and the National Council of Provinces approved the Property Practitioners Bill. This step was preceded by intensive nation-wide stakeholder consultation sessions that were spearheaded by the Department, in partnership with the Estate Agency Affairs Board. The passing of the Bill by Parliament was a ground-breaking accomplishment, as the Property Practitioners Bill advances the transformation of the property sector as a whole. The Bill provides for measures that promote the participation of young

persons, black women and people living with a disability, in order to reflect the demographics of South Africa in the sector.

The NDRM Plenary noted the slow delivery of decent shelter to persons with disabilities and their families despite increased vulnerability factors.

The Plenary further emphasized that the poor routine maintenance of side-walks, bulk infrastructure, parks, open manholes, low-hanging tree branches, building rubble and such posed serious safety risks and mobility limitations for persons with disabilities.

Indicator 3.4 - Access to community-based services supporting independent living

The DSD concluded the consultative process directed at the development of the transformation plan for Protective Workshops which provide skills and recreation programmes for persons with severe and profound disabilities. The transformation plan redefines the focus, services and programmes for protective workshops, and commits key departments to deliver on their key mandates. A draft Psychosocial Support Programme (PSS) was developed between DSD and the SA Federation for Mental Health (SAFMH) to guide the process.

The Gauteng Provincial DSD continues to implement an Independent *Living Pilot Project* in partnership with JICA and the Japanese NGO Human Care Society in Soweto and Germiston. The focus of the pilot is strengthening community living options and quality standard of living for persons with predominantly mobility disabilities. The evaluation of the pilot resulted in an extension and continued funding acquired by *Human Care Society*. In 2017, three workshops were conducted on the Gauteng Assisted Living policy and Guidelines which was attended by 13 people.

The NDRM plenary noted that the SA Human Rights Commission intervened in 2017 to expedite processing of the Policy on Group Housing Support for Persons with Disabilities, which resulted in a commitment by the Department of Human Settlements (DHS) to have it finalised in 2018/19. The policy is currently under consideration by the Human Settlements MINMEC. The implementation guidelines were developed to expedite implementation by provinces and the housing support institutions following the approval of the policy.

Indicator 3.5 - Protection during situations of risk and disaster

The Disaster Management Act, 2002 (Act No. 57 of 2002) was amended in 2015 to include representatives of national umbrella organisations for women, children, the elderly and people with disabilities in the National Disaster Management Advisory Forum (NDMAF). The Forum is a body in which national, provincial and local government, and a host of other disaster management role players consult one another and coordinate their actions on matters relating to disaster management.

The Act was also amended so that the disaster management plans developed by organs of state across the spheres of government must include specific measures taken to address the needs of people with disabilities during the disaster management process.

Guidelines on inclusion of persons with disabilities in the development and structure of a Disaster Management Plan during a disaster were issued by the NDMC in 2017. Disaster Management Plans submitted to the NDMC are assessed against this criteria and the relevant organ of state is then required to improve its planning where these matters are not adequately addressed.

The Western Cape Provincial Government, as a part of the Disaster Relief Response, utilised the services of the Go- George transport services to rescue vulnerable people in emergency situations such as fires.

The Victim Empowerment programme of the The Gauteng Provincial DSD reached 458 victims with disabilities making up only 1% of the 80,802 able-bodied persons.

The Gauteng Provincial Disaster Management Fire and Rescue Services (GPDMC) were approached to assist with evacuation plans for employees with disabilities of the GPG as well as the accommodation of people with disabilities when a disaster occurs but has not sent any assistance to date.

2.4. Pillar 4 - Promoting and Supporting the Empowerment of Persons with Disabilities

The WPRPD isolates the following five dimensions for specific measures to promote and support the empowerment of persons with disabilities throughout their lifecycles:

- Early childhood development;
- Lifelong education and training;
- Social integration support;
- Access to healthy lifestyle support; and
- Supported decision-making.

The FOSAD Social Protection, Community and Human Development (SPCHD) Cluster is responsible for coordination of implementation of Pillar 4.

Indicator 4.1 – Early Childhood Development (ECD)

In the area of ECD, there are continued consultations on the use and benefit of the ECD grant to children with disabilities and policy is being championed by the National Department of Social Development (DSD). The costing of ECD for children with disabilities is underway.

In the Limpopo Province, more than 2000 ECD practitioners were trained on Screening, Identification, Assessment and Support (SIAS) Policy.

The Gauteng Provincial government hosted the South African Sign Language Training at the High Hopes for parents with Deaf children from 4 - 8 September 2017 which was attended by 14 people.

The Gauteng Department of Social Development created a programme to facilitate the process of admission of children with disabilities at the (50) fifty ECD sites in all 5 regions of Gauteng

at 10 ECDs per region. Furthermore, fifty ECD practitioners were trained on the START (Strive Towards Achieving Results Together) by the Sunshine Centre.

Indicator 4.2 – Lifelong Education and Training

The institutionalisation of the SIAS Policy and Curriculum Differentiation provides a mechanism for early identification of learning barriers with the view of developing solutions to overcoming these barriers through curriculum delivery and assessment. The policy seeks to improve access to quality education for vulnerable learners and those who experience barriers to learning, including learners in ordinary and special schools who are failing to learn due to barriers of varying nature (family disruption, language issues, poverty, learning difficulties, disability, etc.), children of compulsory school-going age and youth who may be out of school or have never been enrolled in a school due to their disability or other barriers.

To date the progressive rollout of SIAS Policy and Curriculum Differentiation has reached eighty two thousand two hundred and nineteen (82 219) teachers from twenty two thousand six hundred and twelve (22 612) schools (88%) and four thousand two hundred and fifteen (4 215) officials from all districts. The training of officials is transversal and includes Curriculum, EMGD and Inclusive Education at Provincial and District Levels. The training also extended to **school principals and therapists**.

Specialised knowledge and skills teacher training programmes for disabled learners have resulted in **1 596** teachers being trained in Braille, **1 029** teachers were trained on South African Sign Language (SASL), **3 925** teachers were trained in Autism and **1 987** teachers trained in Inclusive Programmes.

There are challenges in the management and governance of some special schools. The DBE is implementing a turn-around strategy to improve the functionality and quality of education in special schools. In addition, as part of the turnaround strategy, the DBE is providing twenty-two schools for the visual impaired with assistive devices and additional teachers.

In relation to the court order relating to the provisioning of LTSM for learners with visual impairments, the Minister appointed an Advisory Committee to advise the Minister and DBE on all matters pertaining to the education of learners with visual impairments.

Two (2) weeks of training was conducted for teachers and Deaf Teaching Assistants for Senior Phase and Grades 11-12 between February and March 2017. A total of thirty-seven (37) schools participated with fifty-one (51) teachers and thirty-eight (38) Deaf Teaching Assistants for Senior Phase as well as twenty-four (24) teachers and eighteen (18) Deaf Teaching Assistants for Grades 11-12 participating in the training.

The DBE reported in its annual report that NEEDU evaluated schools (115), districts (24) and provinces (9) to establish the type of education learners receive in special schools that cater for different forms of disabilities. Specifically, this investigation sought to address the following issues:

- How accessible are special schools to learners with special needs?
- How is the National Curriculum Statement implemented in special schools?

- Do learners in special schools have access to quality education?
- What programmes are offered to learners with different disabilities?
- What support is provided to learners at Special Schools?
- Does the use of LTSM and assistive devices enhance the quality of teaching and learning?
- Are all staff at special schools appropriately trained to teach and support learners with special needs?
- Where do learners go after finishing school? (Opportunities after school).

Data collection from schools, districts and PEDs was completed in June 2016. Data analysis is currently underway, and the report will be submitted to the Minister in December 2017.

This report was not shared with the NDRCM.

The DBE distributed compact discs (CDs) of the Department of Social Development (DSD) Child Services Directory containing contact details of the organisations providing services to children in the country, to assist with referrals. Each provincial coordinator for Inclusive Education and/ or Psychosocial Support received a copy (8 provinces in total) during the Inclusive Education workshop on Accommodations and Concessions on 20 September 2016. A further eighty (80) copies were distributed during the Minister's meeting with District Directors on 02 December 2016. Seventy-five (75) CDs were distributed during the school readiness visits through the Branch officials and through the School Improvement Support Co-ordinator (SISCO) for the south circuit of Gauteng East.

The DBE supported the PEDs on five (5) conditional grants allocated during the 2017/18 Financial Year. This support was extended to the new Learners with Severe to Profound Intellectual Disabilities (LSPID) Conditional Grant, by facilitating the setup of relevant structures to integrate it into the planning, co-ordination, reporting and evaluation cycle and systems of the sector. Some of the outputs include the appointment of all nine (9) LSPID Provincial Co-ordinators, and a total of 105 Transversal Itinerant Outreach Team Members who were appointed in different PEDs.

The DBE supported the implementation of all conditional grants with extra support afforded to the new Learners with Severe to Profound Intellectual Disabilities (LSPID) Conditional Grant, by facilitating the setup of relevant structures to integrate it into the planning, co-ordination, reporting and evaluation cycle and systems of the sector. To this end, monitoring and support visits to unblock bottlenecks that inhibited implementation were undertaken in all Provincial Education Departments resulting in a noticeable improvement of performance as challenges around the appointment and remuneration of itinerant teams and supply chain management were addressed.

The National Curriculum Statement Grades R-5 for Severe Intellectual Disability (SID) is being piloted in 176 SID Schools in all PEDs. The CEM approved the publication of the curriculum for public comment in March 2018. Training plans for Gauteng and Free State were submitted to ensure that the monitoring takes place.

Only 104 of the 155 transversal itinerant outreach team members were appointed by PEDs. Of the 104 members appointed, 99 of them as well as nine (9) provincial co-ordinators and nine (9) DBE officials were trained on the Learning Programme for LSPID in February 2018. Data has been collected from 220 of the 320 targeted care-centres with an enrolment of 8 124 children with severe to profound intellectual disability.

CONTINUES ON PAGE 258 OF BOOK 3

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The system for monitoring and supporting the implementation of the Curriculum and Assessment Policy Statements (CAPS) for South African Sign Language (SASL) curricula for Grades R–12 was prepared for the first NSC Examination in November 2018. The National catalogue for Grades 4-12 was released in January 2018. Circular S1 of 2018 on the prescribed SASL literature texts for the FET phase was released in February 2018.

The draft Guidelines on Resourcing of Inclusive Education was approved by the Minister for public comment in February 2018.

The process of public consultations on textbook evaluation by the Ministerial Task Team (MTT) that evaluates textbooks and other LTSM for the promotion of diversity, started on 2 August 2017 and was finalised in October 2017. Some of the findings include, among others, stereotypes in respect of sexual and gender identities as well as disabilities.

Training of teachers and officials (capacity building)

- Provision of an accredited training programme for identified teachers and caregivers of children with SPID;
- Training of 155 outreach officials to provide outreach services as part of the District-Based Support (DBS) teams to care centres as well as to ordinary, full-service and special schools;
- Training of teachers from 31 special/full-service schools to support the special care centres and implement the learning programme;
- Training of teachers at 155 identified schools to support children with SPID enrolled at these schools by delivering the learning programmes; and
- Capacity-building of caregivers at 280 centres contributing towards their professionalisation.

Outreach services provided:

- Assessment of children with SPID in schools and centres by outreach officials;
- Children with profound intellectual disabilities at 280 centres and 31 designated schools introduced to the learning programme;
- Therapeutic services provided to learners at 280 centres and 31 schools; and
- Psycho-social support services provided to learners at 280 centres and 31 schools.
- Database of selected schools and care centres (national and provincial responsibilities)
- Baseline information available of 280 care centres, 31 selected special/full-service schools and 155 other schools that provide support and services to children with SPID

Actual outputs achieved

- All PEDs have appointed their LSPID Provincial Project Managers
- A total of 105 Transversal Itinerant Outreach Team Members have been appointed in different PEDs
- Blended course made of 2 Modules developed and used for training Transversal Itinerant Outreach Team Members and LSPID Provincial Co-ordinators
- 134 participants trained on Module 1: the DBE Moodle online learning platform and the LSPID Policy on December 2017 and January 2018.
- 117 trained on Module 2: The LSPID Learning Programme in February 2018

- 324 care givers from 144 care centres in KZN, LP, MP and WC, 291 teachers from 36 schools in KZN, LP, MP and NW and 309 provincial and district officials from KZN, GP, LP and MP were orientated on the Policy and Learning Programme for Children with Severe to Profound Intellectual Disability (CSPID)
- Although the delay in recruiting transversal itinerant outreach team members has contributed to delays in the provision of outreach services, the FS, GP, WC and MP provided some outreach services to targeted care centres and schools. These include assessment of Children with Severe to Profound Intellectual Disability (CSPID) and providing therapeutic services
- As the second respondent to the Western Court Case of 2010 the WC has been and continued to implement the Learning Programme for CSPID and provision of therapeutic services to 47 care centres
- A total of 221 of the 280 care centres were audited. Preliminary data show that as at 31 March 2017 there were 8,124 CSPID enrolled in the 221 care centres
- Tool kit specification approved in October 2017 and forwarded to PEDs to use to procure while waiting for the establishment of the National Tool kit Transversal Tender
- All PEDs procured LTSM and toolkits for care centres and targeted schools
- DBE is working with National Treasury to establish a transversal tender that will be used by PEDs to procure LTSM and tool kits for LSPID in targeted care centres and schools
- All PEDs submitted approved 2018/19 Business plans, compliance certificates were issued and first tranche paid to all PEDs as per payment schedule.

Amount per amended DORA R72 million Amount transferred (R'000) R 66 million Reasons if amount as per DORA not transferred. The last tranches for Eastern Cape (R 988 000); Free State (R 2 929 000) Limpopo (R 1 731 000) and Northern Cape (R 329 000) were withheld due to under-expenditure Amount spent by the

Department/ Municipality (R'000) R 48 million

Reasons for the funds unspent by the entity

- Delay in the appointment of Transversal Itinerant Outreach Team Members, who are a scarce skill, by PEDs. This delay had a ripple effect on expenditure on other Grant activities such as, procurement of tools for trade, LTSM and toolkits and provision of outreach services, as these are dependent on their recruitment. Monitoring mechanism by the transferring Department.
- Monthly analysis of provincial expenditure against the allocated budget to identify risks.
- Letters signed by the DG requesting HODs to intervene in fast-tracking the implementation of the Grant activities.
- Monthly and quarterly reporting
- Weekly follow-up on implementation by PEDs
- Bilateral on-site meetings held between the DBE and PEDs to unlock blockages and expedite implementation.

DBE Committee Meetings 2017/2018

Date Committee Topic for Discussion Matters Raised by the Committee How the Department addressed the matters raised

12 September 2017

PC on BASIC EDUCATION

Vuwani Unrest

Exam Readiness for 2017

Vuwani Unrest Catch up plan

The Committee kept asking for a differentiation for learners with disabilities. Is there a way that mathematical literacy could be taught in a vernacular language?

Progression Policy for lower grades

Schools would be assisted to draw a compacted timetable to cover ground lost in teaching and learning. A timetable for trial examinations and other third term formal assessment tasks would be drawn up for all grades. Implementation would have to be monitored and support provided on site. Noted and attention is being given to special schools.

Noted. The DBE had taken note of the recommendation to have the Progression Policy applied to lower grades, and not only the Further Education and Training (FET) phase of schooling.

2018 – 19**Inclusive Education**

National Curriculum Statement (NCS) Grades R-6 for Severe Intellectual Disability (SID): The NCS Grades R-6 for

SID was piloted in the 177 targeted special schools and this number has since increased to 190 schools as interest grew. 616 teachers were trained on the curriculum in preparation for the implementation of the pilot.

Section 1 of the policy document has been versioned into 11 official languages and an audit tool was developed and sent to PEDs to carry out the audit to inform preparations of the system for implementation from 2019 onwards.

Oversight visits were conducted in two (2) schools per province (18 in total) to support the implementation of CAPS

Grades R-6 for learners with SID. Targeted schools in seven (7) PEDs (EC, FS, GP, KZN, LP, NC and WC) out of nine (9) are implementing the curriculum.

North West trained 180 teachers and the curriculum was introduced to therapists from 25-28 September 2018 on the learning programme for C/LSPID training.

13 out of 177 schools targeted for piloting the NCS Grade R-5 for SID have so far been monitored by subject advisors, as some subjects are new.

Management of the implementation of the Screening, Identification, Assessment and Support (SIAS) Policy and

Curriculum Differentiation: The progressive rollout of the SIAS Policy and Curriculum Differentiation has reached 95 089 teachers and 4 999 officials from 24 442 schools. The training of teachers on subject-specific differentiation in Mathematics and English for Grades R-9 is underway.

Policy on Home Education: The Policy on Home Education was promulgated on 16 November 2018. The registration

tools were developed and uploaded on the DBE website to support the implementation of the Policy.

Engagement with key stakeholders: The DBE made inputs into a number of reports as indicated below:

- 2017/2018 Half Year Report on the implementation of the Child Justice Act 2008 was submitted to the

Department of Justice and Constitutional Development.

- The country report was presented to the United Nations Committee on the Rights of People with Disabilities.

- A case study was submitted on the implementation of the policy on Inclusive Education as part of the United

Nations programme to highlight good practice internationally.

Connectivity in special schools: MTN completed piloting in schools in Limpopo and have been allocated a further

100 schools. Vodacom completed their pilot schools in the Eastern Cape and has been provided a further 100 schools to commence with the roll-out. Cell-C and Liquid Telecoms have not yet completed their pilot schools.

Specialised teacher training to improve access to quality education: The teachers have been trained in specialized areas as follows: 1 118 in Braille; 1 302 in SASL as LoLT, 2 243 in Autism and 9 441 in Attention Deficit Hyperactivity Disorder (ADHD), Augmentative and Alternative Communication (AAC) and different forms of dyslexia. The collaborative partnership between the Department of Basic Education and Department of Higher Education and Training has led to the development of specialised university qualifications in the education of learners who are deaf, and those who have hard-of-hearing, visual impairment and neuro-developmental conditions.

Technical Occupational Pathway

The Ministerial Task Team was established to make recommendations on the introduction of the Technical Occupational Stream. The Task Team established work streams to address different areas, namely, Policies and Legislation and Qualification Structure.

Access for learners with severe to profound intellectual disability: The C/LSPID Learning Programme was introduced to 7 080 children, and 265 transversal itinerant outreach team members and therapists were trained on the Policy and Learning Programme for the C/LSPID. 28 transversal itinerant outreach team members were trained on the DBE Modular Object-Oriented Dynamic Learning Environment (MOODLE) platform.

Delays in the appointment of transversal itinerant outreach team members in EC, FS and NW, procurement in most PEDs, and misallocations of grant expenditure in GP, KZN and LP contributed to the under-spending. Chief Financial Officers (CFOs) and Grant managers were alerted to the under-expenditure and its implications on governments' response to the Court Order and provision of services to C/LSPID. To address the situation, on site provincial monitoring and support for the conditional grant on the C/LSPID was conducted in seven (7) out of nine (9) PEDs. 168 transversal itinerant outreach team members and 11 officials were trained on SA-SAMS and how to use it to capture data from special care centres. Data from 423 special care centres was captured on SA-SAMS. However, not all the data for special care centres has been captured on SA-SAMS as anticipated due to incomplete learner records.

A roundtable was held on 26 November 2018 to reflect on the implementation of the Western Cape High Court Order Regarding Children with Profound Intellectual Disability and to agree on a way forward on how to ensure the implementation of the court order in a co-ordinated sustainable manner. The roundtable took a decision to establish task teams whose responsibility is to refine

recommendations of the commissions into practical concrete steps with realistic time frames.

2.7. Ensure that Learners with Severe to Profound Intellectual Disabilities access quality publicly funded education and support

2.7.1. Number of Children/Learners with

Severe to Profound Intellectual Disability (C/LSPID) who utilise the learning programme for C/LSPID 3 327 (Annually)

6 416 +3 089 Increase in the number of special care centres

2.7.2. Number of Children/Learners with Severe to Profound Intellectual Disability (C/LSPID) with access to therapeutic and psycho-social support services that will enable them to improve their participation in learning 3 327 (Annually) 6 416 +3 089 Increase in the number of special care centres

Data Driven Districts Dashboard Project: DDD Programme has been implemented in eight (8) provinces, with Northern Cape being the eighth Province to implement, having 571 schools currently on the DDD Dashboard and 5 districts already being trained. The inclusion of the Western Cape schools using SA-SAMS is already underway. 11 million learners were uploaded to the DDD Dashboard in 2018. The number of active users on the Dashboard grew by 79% and active users by more than 240%, with Eastern Cape contributing the highest number of repeat users.

The duplicate learner report was created to assist in realising the various levels in which learners are duplicated across schools, districts and provinces. A Special Needs report was created to assist Dashboard users to ascertain the types of schools across their entities with disabled learners. This assists in providing Inclusive Education with a consolidated view of their environment and ascertain support required by schools and learners.

Actual outputs achieved

- All Provincial Education Departments (PEDs), with the exception of Free State, have appointed and retained their C/LSPID Provincial Co-ordinators
- A total of 174 Transversal Itinerant Outreach Team Members have been appointed in different PEDs
- 28 Transversal Itinerant Outreach Team Members were trained on data management, while 143 were
- trained on the Learning Programme for C/LSPID
- 168 outreach team members have been trained on how to use SA-SAMS to capture data from special care centres information, care givers and C/LSPID data
- Data for 500 special care centres, with 9 620 learners with severe to PID have been captured on SASAMS
- LTSM Toolkits for special care centres have been procured and delivered
- All PEDs submitted approved 2019/20 business plans, certificates of compliance issued and the first tranche was paid to all PEDs

05 June 2018

PC Basic Education

Fourth Quarterly Report Underspending on crucial grants that affect the most vulnerable of learners Underspending for learners with profound disabilities was due to a lack of personnel that were able to work permanently for this; grants for these positions were allocated for staff that would be able to

work permanently for two years under this contract

2019 – 2020

The Department has created opportunities in the system, through the Children/ Learners with Severe to Profound Intellectual Disability (C/LSPID) Conditional Grant, for the inclusion of learners with severe and profound intellectual disabilities. We will continue to improve the spending, quality of instruction and support of all Learners with Special Educational Needs (LSEN). Human resource provisioning specific to Inclusive Education is at the heart of this work. Through this programme, 8 855 learners were supported in the 2019/20 financial year.

A **Comprehensive Plan to deliver LTSM on devices** was approved by the Minister. The plan was also presented at SMM, BMM, HEDCOM and CEM meetings and to the Portfolio Committee on Basic Education. The plan will guide the sector on deployment of devices to all learners by the end of the sixth administration, starting with schools for learners with disabilities. The audit of all 477 schools for learners with disabilities was completed and presented to the Minister at a Ministerial Roundtable on 8 November 2019 to which the Minister invited all the Mobile Network Operators (MNOs) as well as tech companies in South Africa. The Minister mobilised the MNOs to provide a basic ICT package and assistive devices basket to these schools. The DBE also shared ICT guidelines for schools for learners with disabilities, developed in consultation with DTPS, ICASA and all relevant inclusive education stakeholders. The Roundtable was followed by one-on-one meetings between the Director-General and Vodacom, MTN and Telkom.

Funding for ICT Roll-out: The DBE hosted a meeting with Infrastructure, ICT, LTSM and MST managers from provinces to discuss identification of funding sources. The following budget sources were identified: Workbook, Operation Phakisa, MST Conditional Grant, Norms and Standards, Children/Learners with Severe to Profound Intellectual Disabilities (C/LSPID) Grant, PEDs Equitable Share, EIG Grant and the private sector.

Inclusive Education

Monitoring the implementation of Inclusive Education: Conducted oversight visits in Eastern Cape, Gauteng, KwaZulu-Natal, North West and Northern Cape to provide support on the implementation of the Education White Paper 6. Four (4) institutions were sampled from two (2) districts (except for Northern Cape) for each province, namely: a special care centre; special school; full-service school and a public ordinary school. Findings included the following: Some visited schools reported that they received support from the **District-based Support Teams** (DBSTs), although for many, this support was largely from Inclusive Education Programme.

School-based Support Teams (SBSTs) had been established in the schools visited, some SBSTs were not functional and there is minimal or no involvement of the BSTs with the implementation of the Conditional Grant on Children/Learners with Severe to Profound Intellectual Disability (C/LSPID).

Management of the implementation of the Technical Occupational Stream: Exploratory visits were made to two (2) Schools of Skill in each of the four (4) Provincial Education Departments, namely, Gauteng, KwaZulu-Natal, North West and Western Cape. The intention was to assess the implementation of the Technical Occupational Stream in the Schools of Skill and to prepare for

developing a framework or guideline on how Schools of Skill must be located within the Three-Stream Model.

Management of the implementation of the Policy on the Quality of Education and Support for Children/ Learners with Severe to Profound Intellectual Disability (C/LSPID):

Provision of outreach services to special care centres: 186 transversal itinerant outreach team members were appointed; eight (8) provincial C/LSPID Grant Managers facilitated the provision of a range of outreach services to 476 special care centres and 8 371 learners enrolled in these special care centres in all provinces. The 2016 Learning Programme for C/LSPID was repackaged into the 2019 Learning Programme. 182 officials, consisting of transversal itinerant outreach team members, provincial C/LSPID Grant Managers and district officials were trained on the revised Learning Programme. A total of 4 308 learners with profound intellectual disability benefited from the learning programme for C/LSPID.

The **2020/21 C/LSPID Conditional Grant Framework and Provincial Business Plans** were developed and approved by the Director-General and used by PEDs to develop eight (8) Provincial 2020/21 C/LSPID Business Plans. Provincial annual evaluation of the C/LSPID Conditional Grant, reporting template and data collection tool were developed and shared with PEDs to use when evaluating the 2019/20 grant performance in provinces as required by the 2019 Division of Revenue Act (DoRA). Monitoring the implementation of the Screening, Identification, Assessment and Support (SIAS) Policy and Curriculum Differentiation: Monitoring of the implementation of the SIAS policy was conducted every quarter. The progressive roll-out of SIAS Policy and Curriculum Differentiation for 2019/20 reached 113 204 teachers and 5 821 officials.

Guidelines on Resourcing of an Inclusive Education and Training System: In order to escalate the implementation of the inclusive education system, the draft guidelines for resourcing an Inclusive Education system were developed. Two-phase sessions of analysing and integrating public submissions into the Guidelines were held on 22–23 July and 4–6 September 2019, respectively.

The development of the National Curriculum Statement Grades R–5 for Learners: with Severe Intellectual Disability (SID):

The DBE developed mark schedules for Grades R–5 learners, to support schools who are struggling to develop mark schedules. A total of 4 547 learners with severe intellectual disability are utilising the curriculum for SID.

Monitoring and strengthening of Special Schools through the provision of ICT platforms and specialised Assistive Devices: The roll-out of connectivity and specialised devices to Special Schools is underway. Vodacom and MTN have both completed their pilot schools. The DBE together with the Independent Communications Authority of South Africa (ICASA) and the Department of Telecommunications and Postal Services (DTPS) visited Bartimea School for the blind and deaf in Free State on 5 August 2019 to support Liquid Telecoms to complete their assessment. Three of the four (4) pilot schools were completed in quarter 3, namely Halen Franz (Limpopo) which was completed by MTN, St Thomas School for the Deaf (Eastern Cape) which was completed by Vodacom and Bartimea School for the Deaf and Blind (Free State) which was completed by Liquid Telecoms. DBE, ICASA, DTPS and the Telecoms companies visited six (6) provinces (EC, LP, MP,

FS and NC) to engage with Special School principals, therapists, provincial ICT and e-learning, and Inclusive Education special school coordinators at province and district level.

Designation, conversion, and resourcing of full-service schools: Circular S4 of 2019 was sent to PEDs to provide guidance on the implementation of the recommendations of the Auditor-General of South Africa. In addition, Standard Operating Procedures for the Designation, Conversion and Resourcing of Full-Service Schools were developed and the document is being prepared for approval and distribution to provinces.

Strengthening Communication in the Basic Education Sector:

Inter-sectoral Steering Committee for Child Justice: The DBE submitted the 2018/19 Annual Report on Child Justice for further processing in preparation for presentation to Cabinet. The DBE collaborated with the Departments of Social Development and Health to develop a draft project and implementation plans and submitted this to the Centre for Child Law (CCL) and the SA Federation of Mental Health (SAFMH) as required and in accordance with implications of Case No. 73662/16 of the High Court of South Africa, Gauteng Provincial Division, Pretoria.

Specialised Teacher Training - Development of an Inclusive Education Curriculum for Universities (Teaching for All): Inclusive Education collaborated with the British Council, DHET and MIET Africa on the Teaching for All project, to finalise the curriculum for Inclusive Education that will be taught at second-year BEd degree level at 12 universities. This has also led to the drafting of a CPTD training course for in-service teachers.

Strengthening stakeholders' collaboration in providing services to C/LSPID: Collaborated with the DoH, DSD and Department of Transport (DoT) to develop a consolidated plan to strengthen the provisioning of services to learners with profound intellectual disability. The DBE participated in the Joint Special Expanded Public Works Programme (EPWP) Social Sector National Steering Committee Meeting with the DSD Coordinating Forum, introduced the intervention in special care centres and explored the possibility of special care centres, caregivers and school class assistants participating in the EPWP.

VVOB and DBE Collaboration: The DBE and VVOB held a planning session on activities for 2020, in which it was agreed that the Inclusive Education symposium must continue as this benefits teachers in the system. IE and VVOB, together with NW University and other organisations, will work together to ensure the continuation of the symposium in 2020.

International Forum on Inclusion and Equity in Education: The DBE attended and presented at the Forum, held on 11–13 September 2019, at Valle del Pacifico Convention Centre, Cali, Colombia. Among others, the Forum was attended by policymakers, education practitioners, civil society organisations, non-governmental organisations, United Nations agencies, development partners and the private sector.

2.7. To ensure that learners with severe to profound intellectual disabilities access quality publicly funded education and support.

2.7.1 Number of Children/ Learners with Severe to Profound Intellectual Disability (C/LSPID) using the CAPS Grade R–5 for SID and Learning Programme for C/LSPID.

6 416 3 327 annually

8 855 Profound Intellectual Disability

(PID): 4 308 Severe Intellectual Disability

(SID): 4 547 +5 528 Support provided to the PEDs and database management

Approval of Conditional Grants Business Plans for 2020/21: The DoRA requires that PEDs implementing conditional grants should submit business plans and be issued with compliance certificates by the national transferring officer, should the business plans be approved. To this end (although Free State's business plan for C/LSPID was delayed and thus not submitted within the given timeframe), a total of 44 conditional grants business plans for HIV and AIDS Life Skills Education Programme, Children/ Learners with Severe to Profound Intellectual Disability (C/LSPID), Mathematics, Science and Technology (MST) and National School Nutrition Programme (NSNP) for all nine PEDs were approved and submitted to National Treasury in compliance with the prescripts of the DoRA. Certificates of Compliance were subsequently issued by the national transferring officer to certify to the PEDs that the various institutional arrangements, including their procurement processes and human resources assigned to the grant, were compliant with the prerequisites for the implementation of the grants.

Quarterly Performance Reports for Six Conditional Grants submitted to National Treasury:

The Department submitted performance reports for the conditional grants for each of the four quarters of the financial year, for the Education Infrastructure Grant (EIG), HIV and AIDS Life Skills Education Programme, Learners with Severe to Profound Intellectual Disability (LSIPD), Mathematics, Science, and Technology grant (MST), School Backlogs Infrastructure Grant (SBIG) and National School Nutrition Programme (NSNP) grants.

Provincial Education Departments

To provide the necessary support, resources and equipment to identified care centres and schools for the provision of education to children with severe to profound intellectual disabilities (SPID).

Human resources specific to inclusive education through the provision of key additional staff on a permanent basis, such as:

- Nine (9) deputy chief education specialists as provincial grant managers.
- 230 transversal itinerant outreach team members, to provide curriculum delivery and therapeutic support in special care centres and targeted schools.

Database of selected schools and care centres:

- Information of 500 special care centres that support children with severe to profound
- Intellectual disabilities.
- Disaggregated data on caregiving staff in care centres.
- Disaggregated data of C/LSPID enrolled in targeted special care centres and schools and are
- Using the Learning Programme for C/LSPID.
- Disaggregated data on C/LSPID from special care centres who have been placed in schools.

Transversal itinerant outreach team members, caregivers, teachers, in-service therapists and officials trained on the Learning Programme for C/LSPID, and other programmes that support the delivery of the Learning Programme. This will entail training of:

- 230 transversal itinerant outreach team members;
- 1 500 caregivers;
- 919 special school teachers;
- 160 in-service therapists;
- 585 officials.

Outreach services provided will include:

- Facilitating the use of the Learning Programme by 8 000 children/learners with severe to profound intellectual disabilities in 500 care centres and 104 schools.
- Provision of psychosocial and other therapeutic services.
- Providing LTSMs to 500 care centres and 104 schools.
- Providing assistive devices to C/LSPID when required.

Human resources specific to inclusive education through the provision of key additional staff on a permanent basis.

• Eight (8) of the targeted nine (9) deputy chief education specialists were retained to manage the grant provincially. Free State did not fill the post that has been vacant since 2 July 2018. The Mpumalanga and Western Cape grant managers are appointed in permanent posts. However, the Mpumalanga grant manager resigned on 30 August 2019 and the post was filled and the new manager will resume duty on 1 April 2019:

- 186 of the targeted 230 transversal itinerant outreach team members were recruited and provided curriculum delivery and therapeutic support in special care centres and targeted schools.
- Gauteng could not fill three posts due to budget constraints.
- 14 posts were not filled in Eastern Cape, five (5) in Free State, seven (7) in KwaZulu-Natal, two (2) in Northern Cape and one (1) in Western Cape.
- During the year, a number of transversal itinerant outreach team members resigned in Eastern Cape, Free State, Gauteng, KwaZulu-Natal, Mpumalanga, North West and Western Cape. Free State, Gauteng, Mpumalanga and North West filled in posts left vacant by staff that resigned during the year, Eastern Cape, KwaZulu-Natal and Western Cape did not fill in the posts.
- All outreach team members in Mpumalanga were appointed to permanent posts. Except for the Free State, KwaZulu-Natal and Western Cape, all PEDs have initiated the appointment of transversal itinerant outreach team members to permanent posts.

Database of selected schools and care centres:

- Database of 482 special care centres and 9 809 learners enrolled in these special care centres was captured.
- Database of 5 365 C/LSPID enrolled in 382 of the targeted 482 special care centres that were serviced during the year and five special schools are using the Learning Programme for C/LSPID was captured.
- Database of 453 C/LSPID from special care centres placed in schools was captured.

Transversal itinerant outreach team members, caregivers, teachers, in-service therapists and officials trained on the Learning Programme for C/LSPID and other programmes that support the delivery of the Learning Programme.

- 186 transversal itinerant outreach team members;
- 2 467 caregivers;
- 1 089 special school teachers;
- 210 in-service therapists; and
- 279 officials.

Outreach services provided

- 5 365 C/LSPID enrolled in 382 of the targeted special care centres and five (5) schools used the Learning Programme for C/LSPID. Mark schedules and report cards were generated for these learners.
- 4 308 C/LSPID were provided with psychosocial and other therapeutic services.
- 482 Special care centres and 58 schools were provided with LTSMs.
- Of the 482 special care centres, only data of C/LSPID from 476 was captured by PEDs.
- 174 C/LSPID were provided with assistive devices for individual use in Gauteng, Limpopo and Western Cape. In addition, assistive devices for group use were provided in 184 special care centres in nine provinces.

The last tranche (R8.460 million) was not transferred due to the Free State not complying with the requirements of the DoRA in as far as reporting is concerned by not submitting the 2018/19 Annual Grant Evaluation Report, the first, second and third quarterly performance reports to the DBE.

The following monitoring mechanisms were put in place by the DBE monitor the grant implementation.

- Monthly and quarterly analysis of reports on grant implementation, including expenditure by PEDs and on-site and online monitoring was conducted.
- Challenges were identified and support provided to PEDs.
- Support included advising PEDs to use existing transversal tenders, request for deviations from their business plans and utilise under-expenditure from the compensation of employees (CoE) to supplement other grant output.
- Supporting PEDs to develop turnaround procurement plans to expedite the implementation of grant activities and monitoring the implementation of these procurement plans.
- Participated in meetings led by Provincial Budget Monitoring and Support Directorate, with CFOs, senior managers and Grant Managers, in which progress on the implementation of the grant was discussed and PEDs assisted in addressing challenges they were experiencing in the implementation of grant activities.
- Letters from the Director-General were mailed to Provincial Heads of Education Department requesting them to intervene and support the fast-tracking the implementation of the grant activities.

30 October 2019

Portfolio Committee on Basic Education

Inclusive Education

Status update

Management of waiting lists for learners with special needs to be admitted in various schools.

The management of waiting lists is still a challenge for DBE – as of April 2019, 2 352 children with disabilities were on waiting lists across the nine provinces. The provinces have their own strategies for managing waiting lists. For example, the Eastern Cape opened four new special schools to accommodate learners on waiting lists. In Gauteng, children who are waiting for a placement are enrolled in public ordinary schools, full-service schools and special classes. DBE has been battling for a long time with giving children with autism access to education.

The DHET has convened workshops in all provinces to train post school education and training (PSET) sector stakeholders on the new PSET policy.

The introduction of the Guidelines for Resourcing an Inclusive Education System is designed to support the realisation of the principles embodied in the SIAS Policy at three levels: human resource provisioning (including districts Guidelines), non-Personnel Non-Capital provisioning (NPNC) and provisioning of infrastructure and transport.

The DBE has developed a Three Stream Model Approach, where learners are able to access secondary education by enrolling in Technical Occupational subjects. In 2016, 26 Draft Technical Occupational subjects were completed and are currently being piloted in 74 Schools of Skill with a view of full implementation in 2019.

The implementation of South African Sign Language (SASL) Curriculum and Assessment Policy Statement (CAPS) was approved to policy in July 2014 and a phased-in implementation commenced in January 2015 in Schools for the Deaf across Provinces. SASL has been implemented in 43 schools since 2015 and 2018 year will see the first cohort of grade 12 deaf learners writing the National Senior Certificate. There are seventeen (17) schools for the Deaf that offer Grade 12. 44 learners from 8 of the 17 schools will be writing the NSC examination in SASL Home Language in 2018. Winter school classes were organised for learners who will be writing the NSC 2018.

The DBE called for submissions of the South African Sign Language (SASL) resources for screening in 2016 and 2017 academic years. Only 4 service providers submitted materials for screening. The SASL material was screened in 2017 for Intermediate, Senior and FET phases. Subsequently the catalogue was forwarded to provinces for procurement.

The DBE collaborated with the DHET in EU Funded Teaching and Learning Development Capacity Improvement Programme (T & LDCIP) over three years since 2017. The programme aimed at setting standards for improving competences of all teachers to implement inclusive education strategies in practice. The programme also includes the introduction of specialised university qualifications in education of learners who are Deaf and Hard-of-hearing (WITS), with visual impairment (UP) and neuro-developmental disorders such as Autism (UCT and UJ).

The DBE completed the draft National Curriculum Statement (NCS) Grades R-5 for learners with severe intellectual disability (SID). This curriculum consists of 21 subjects which have already gone through the public comment process. The subjects are currently being piloted in 177 schools for learners with SID.

The introduction of the Conditional Grant (R649m) for 2017-2021 for the implementation of the Policy and Learning Programme for Children with Severe to Profound Intellectual Disability (CSPID) was set up to realise children's right to basic education. This grant will provide educational services to 320 care centres across all provinces.

During the past two years the DBE has provided all the Special Schools with Book 1 of Grade R, Grades 1-6 Home Language, Grade 1-9 Mathematics Braille workbooks and Toolkits in all 11 languages to schools for the visually impaired. All Braille workbooks provided are accompanied by Teachers' Guides.

A National Strategy for Autism is currently being drafted. A total of 177 schools for Severe Intellectual Disability (SID) created Autism units to improve access to education for this group.

CURRENT FACILITIES TO ACCOMMODATE LEARNERS WITH SPECIAL NEEDS

Province	Number of SNE Schools	Number of Special School Resource Centres	Number of Full Service Schools	Number of Full Service Schools with Hostels
EC	43	19	30	2
FS	21	5	175	8
GT	149	17	19	0
KZN	72	16	100	0
LP	34	5	17	2
MP	20	8	140	2
NC	11	5	12	0
NW	32	8	182	1
WC	83	25	40	2
National	465	108	715	17
<i>Source: SNE SNAP Survey, 2016</i>				

A new grant framework for Support to Learners with Severe to Profound Intellectual Disabilities was drafted and all consultative processes seeking buy-in from all stakeholders was undertaken. This included tabling it twice for discussion at the HEDCOM Subcommittee on Finance as well as a consultative forum with PED representatives in the Inclusive Education spheres. The new framework and its attendant MTEF allocations were approved within the timeframe indicated in the Division of Revenue Act.

The DBE held discussions with DHET, Umalusi and Quality Co-ordinating Team (QCT) in January 2017 on the General Certificate Education (GCE) to place it within the broader discussion on the introduction of the Three Stream Model. The Technical Task Team met on 21-22 February 2017 to discuss and consolidate public comments on the Policy and Learning Programme for Severe to Profoundly Intellectually Disabled (PID) children.

A Business Plan was developed for PEDs for the R477 million Conditional Grant for the 2017 MTEF for implementing the PID Policy and Learning Programme.

Training Manuals for each of the twenty-six (26) Technical Occupational subjects were developed on 16-20 January 2017 and National Training Team (NTT) Orientation Programme was held on 27 February to 03 March 2017 to strengthen the pilot of the subjects in the sixty-seven (67) Schools of Skill that are piloting in 2017.

The audit data from the sixty-seven (67) Schools of Skill was collated and consolidated. A preliminary analysis was done, and findings were presented to the Portfolio Committee on 14 February 2017 as part of progress made in the introduction of the Three Stream Model.

The implementation of the SIAS Policy, Curriculum Differentiation, and the South African Sign Language (SASL) CAPS was monitored through reports from PEDs at the Inter-provincial meeting on Inclusive Education held on 14-15 March 2017.

NEEDU evaluated schools (115), districts (24) and provinces (9) to establish the type of education learners receive in special schools that cater for different forms of disabilities. Specifically, this investigation sought to address the following issues:

- How accessible are special schools to learners with special needs?
- How is the National Curriculum Statement implemented in special schools?
- Do learners in special schools have access to quality education?
- What programmes are offered to learners with different disabilities?
- What support is provided to learners at Special Schools?
- Does the use of LTSM and assistive devices enhance the quality of teaching and learning?
- Are all staff at special schools appropriately trained to teach and support learners with special needs?
- Where do learners go after finishing school? (Opportunities after school).

Data collection from schools, districts and PEDs was completed in June 2016. Data analysis is currently underway, and the report will be submitted to the Minister in December 2017.

Higher Education and Training

In 2016, the Department of Higher Education and Training (DHET) established a new branch called Community Education and Training (CET), which includes ABET and skills training. CET Learning Centres are spread across all Provinces. Over and above reading, writing and numeracy skills, the students learn useful business skills such as computer skills, dress-making, baking, cooking, bricklaying, ECD and many other skills.

CET Established in April 2016		
College Name	List of CLC 1	Proposed List of CLC2
Eastern Cape CET College	304	880
Free State CET College	203	210
Gauteng CET College	47	313

KwaZulu-Natal CET College	1 097	784
Limpopo CET College	780	732
Mpumalanga CET College	251	252
Northern Cape CET College	191	119
North West CET College	148	282
Western Cape CET College	254	250
NATIONAL	3 275	3 822

The Limpopo Province reported that the Inclusive education directorate established forums on the education of learners with various disabilities. There are learnerships and skills programmes with various SETAs and service providers which include sign language interpretation skills programme, ICT learnership and youth development learnerships. There was a study visit to Northwest to learn more about access to TVET by deaf learners. The Capricorn TVET has registered 20 visually impaired learners.

With regards to Lifelong Education and Training, the NDRM plenary noted that the DBE meets with the provincial Inclusive Education teams on a quarterly basis to track progress and provide a platform for peer learning and information sharing. In respect of basic education for children with autism, two national autism engagements within the curriculum workshops were convened in 2017, and a plan of action was developed to expand access to and improvement of quality of education for learners with autism.

The NDRM Plenary noted that no parents/parents organisations were trained on the SIAS. Also, the number of schools trained on the Policy of Severe to Profound Intellectual Disabilities is unknown.

The Plenary further noted the poor quality of education in the 22 specialised schools for the visually impaired learners has been a recurring issue for years. These concerns include but are not limited to; non-specialised teachers that cannot teach basic life skills; late/non issuing of braille textbooks; no equipment or stationery to take notes; lack of braille machines and other assistive devices. In response to this, the DBE developed an implementation plan for the 22 schools, which included provision of assistive devices and additional supportive teachers, however, the implementation remains the responsibility of provinces.

The White Paper 6 on Inclusive education is overdue. This has urgent consequences for access to education for children with disabilities.

The SAHRC was informed that many nurses working in special schools and the boarding facilities attached to special schools are unregistered and do not have any supervision. The registration is the responsibility of practicing professionals and employers (schools) are obliged to demand registration certificates on an annual basis.

It was noted that the DHET convened workshops in all provinces to train Post School Education and Training (PSET) sector stakeholders on the new PSET policy. Furthermore, the DHET Transformation Managers Forum, represented by universities, meets quarterly, where issues

of disability and social inclusion are discussed. A similar platform is being put in place with Students Support Services Managers of TVET Colleges. It was noted that much needs to be done by the DHET regarding the Community Learning Centres to transform attitudes of management in these centres and to put in place student disability support mechanisms.

Indicator 4.3 – Social Integration Support

The DSD drafted a Policy on Social Development Services to Persons with Disabilities that identified the Departments' services to persons with disabilities from a life cycle approach. The policy was widely consulted, peer reviewed and is currently at finalisation stages. A service provider was appointed to develop a costing model, fast track streamlining and the implementation of uniform standards on service provision, as well as ensure consistencies in provinces on funding of services to persons with disabilities.

The review of the Policy on Financial Awards was concluded. This will ensure that the policy responds to the National Treasury's draft Framework for Managing NPO Transfers.

The DSD acknowledges the constrained levels of NGO financing and resourcing. During the period under review, the Department funded 33 organisations at a value of R12 162 000 for services to older persons, persons with disabilities, orphans and vulnerable children, families, social crime prevention programs and anti-substance abuse programmes.

The DSD contributes towards deepening discourse in social policy and evidence-based policy making through developing and producing research and policy briefs. These briefs are derived from research and policy initiatives undertaken by the Department and its partners and focus on issues such as policy considerations for fostering children with disabilities, youth mortality patterns and the likely impact of fiscal consolidation on social protection expenditure.

The DSD continued accelerating the implementation of the White Paper on the Rights of Persons with Disabilities (WPRPD) through, among others, strengthening the voices of under-represented groups within the disability sector, embedding disability inclusion in government-wide planning and reporting systems, as well as expanding national coordination platforms for implementation of the WPRPD. The Department also commenced with the ratification of the AU Protocol on the Rights of Persons with Disabilities as part of international solidarity in advancing the rights of persons with disabilities. We continue to develop national frameworks that will guide the implementation of the WPRPD, and such frameworks will serve as an intermediate step towards regulation of components of the WPRPD.

The DoH conducted a study on readiness of provinces to implement the Framework and strategy for Disability and Rehabilitation (FSDR). It also strengthened district health services by focusing on the inter-disciplinary rehabilitation teams. The DOH plans to address the shortage of audiologists in the Eastern Cape, Free State and Northern Cape by contracting private providers through the NHI fund.

The DoH further reported in its annual report that 8 provinces developed implementation plans for the National Policy Framework and Strategy for Disability and Rehabilitation Services.

The Department of Correctional Services provided support to 136 inmates with disabilities in the area of social work services and programmes.

The Northern Cape Province funded DEAFSA, SANCB for Orientation and Mobility Program, APD and Mental Health Federation. Additionally, 7 protective workshops and 3 residential facilities for adults were funded. Finally, part of Helen Bishop Home was funded for residential facility for 45 children with disabilities in need of care. The Helen Bishop received a monetary subsidy.

The NDRM plenary noted that the crisis in the audiology services, where the shortage of audiologists in state hospitals resulted in very long waiting lists for audiology services, especially in the Eastern Cape where a patient waited up to nine months for an assessment. The waiting lists for hearing aids are equally long, and reports have been received that children are prioritised and receive two hearing aids, whereas adults are often issued with only one hearing aid, regardless of the impact.

Many of these hearing aids are also not compatible with FM loop systems used in classrooms, which means that special schools often procure their own hearing aids. These schools then often do not allow learners to take the hearing aids home during school holidays and when they leave school.

Indicator 4.4 – Access to Healthy Lifestyle Support

Policy Guidelines for licencing day care and residential facilities for persons with mental illness and/or severe or profound intellectual disability published by Minister on 15 March 2018 for implementation. Peer support and counselling protocols yet to be developed.

NSP for HIV and AIDS has bias toward persons with disabilities. Personnel working in mental health services are qualified and registered as mental health professionals with the requisite skills to work in the field. In-service training in mental health is ongoing, and carried out by provincial departments.

The Health Ombudsman report into the circumstances surrounding the deaths of mentally ill patients in Gauteng Province states that if deinstitutionalisation is to be implemented in South Africa, it has to be done with the provision of structured community mental health care services, and the projects such as the Gauteng Mental Health Marathon Project must not in future be undertaken without a clear policy framework, without guidelines and without oversight mechanisms and permission from the National Health Minister. Currently, no policy framework nor guidelines for deinstitutionalisation in place.

The Framework and Strategy for Disability and Rehabilitation makes provision for training of health workers and awareness raising on the needs of persons with disabilities, as well as respect for their privacy and ensuring access to all services in a dignified way.

National health statistics include indicators on wheelchairs and hearing aids to ensure monitoring and evaluation. Tenders have been developed for wheelchairs and accessories, audiology assistive devices, speech therapy assistive devices and rehabilitation equipment

Guidelines on assistive devices are available, as well as adoption of WHO guidelines on wheelchairs in under-resourced settings

There is training available for advanced seating principles and practice for specialist staff, and this is passed on the persons with disabilities

In-service training of health workers on existing policies and guidelines which address issues of equality and access to services that are affordable, of high quality and in a culturally sensitive manner.

The NHI process is at an advanced stage and ensures that there is no discrimination against any class of the population with respect to access to healthcare. There are guidelines in place for habilitation and rehabilitation of persons with disabilities, as well as on the provision and maintenance of assistive devices. All guidelines and policies are developed in consultation with organizations of persons with disabilities. The Ideal clinic project is designed to provide a basket of services, including rehabilitation services to clinics which are based in local communities. Statistics not available.

The NDRM plenary noted that Deaf persons' lives and well-being remain at risk due to lack of access to health information and medical care.

The plenary also noted that despite some provinces/hospitals having provided staff training in basic SASL skills, the general practice is that people usually bring their own interpreters or family members who serve as an interface, which is unsuitable.

Indicator 4.5 – Supported Decision-Making

No progress was reported.

2.5. Pillar 5 - Reducing Economic Vulnerability and Releasing Human Capital

The WPRPD isolates the following four dimensions for specific measures to be taken to reduce economic vulnerability and release the human capital of persons with disabilities:

- Disability, poverty, development and human rights;
- Access to decent work and employment opportunities;
- Persons with disabilities as owners of the economy; and
- Reducing the cost of disability for persons with disabilities and their families.

Indicator 5.1 – Disability, Poverty, Development and Human Rights

The income support to persons with disabilities through social grants should be noted. A total of R20.9 billion was transferred to persons with disabilities through disability grants and a further R2.8 billion through care dependency grants in 2017/18. A total of 1.2 million beneficiaries received these grants. Over and above social grants, the National Department of Social Development spent R26.6 million on persons with disabilities whilst the provincial departments in total spent approximately R794 million on services to persons with disabilities in 2017/18.

Indicator 5.2 – Access to Decent Work and Employment Opportunities

The DPSA continues to implement and monitor the Cabinet decision of 2005, which set an employment target of 2% employment equity for persons with disabilities.

The DPSA annually monitors the submission of the implementation plans and progress reports for the implementation of the JobACCESS Strategic Framework on the Recruitment, Employment and Retention of employees with disabilities in the Public Service.

The DPSA also monitored the implementation of the Policy on Reasonable Accommodation and Assistive Devices and its Determination through compliance reports as a lack of reasonable accommodation and assistive devices was cited as a hindrance to the positive representation of persons with disabilities in the workplace.

As at 31 December 2017, there was 1 236 508 employees in the Public Service of which 11 076 (0.90%) were employees with disabilities. Out of the **11 076** employees, **5 539** (50.01%) were female and **5 537** (49.99%) were male.

There were **289 477** employees below the age of 34 and **1 317** (0.45%) were young persons with disabilities;

There were **171 160** employees between the ages of 35-39 and **1 196** were employees with disabilities;

There were **186 448** employees between the ages of 40-44 and **1 713** were employees with

disabilities;

There were **211 052** employees between the ages of 45-49 and **2 384** were employees with disabilities;

There were **189 877** employees between the ages of 50-54 and **2 216** were employees with disabilities;

There were **132 066** employees between the ages of 55-59 and **1 659** were employees with disabilities;

There were **43 701** employees between the ages 60-64 and **580** were employees with disabilities;

There were **1 337** employees between the ages of 65-69 and **10** were employees with disabilities;

Out of **9 843** Senior Management Services (SMS) level positions 141 were employees with disabilities; **94** male and **47** female;

Out of **16 297** Middle Management Services (MMS) level positions, **262** were employees with disabilities; **153** male and **109** female.

44 273 officials using GEMS were on chronic medication from mental health issues translating to **3.07%**

National and Provincial breakdown of disability employment equity (Public Service)

Spheres of Government	December 2015 (0.69%)	December 2016 (0.72%)	December 2017 (0.90%)
National	0.84%	1.03%	1.25%
Gauteng	1.59%	1.72%	2.18%
Mpumalanga	0.52%	0.51%	0.59%
North West	0.56%	0.49%	0.58%
Western Cape	0.42%	0.45%	0.46%
Limpopo	0.43%	0.41%	0.44%
Eastern Cape	0.45%	0.41%	0.41%
Free State	0.34%	0.35%	0.39%
KwaZulu Natal	0.30%	0.24%	0.35%
Northern Cape	0.30%	0.28%	0.33%

The highlights from the 18th Annual Report of the Commission for Employment Equity (CEE) contains the following reflections on employment of persons with disabilities:

In 2001, designated employers reported that 1% of their total employees were persons with disabilities across all occupational levels of their organisations compared to the 1.3%, in 2017. This is a marginal increase.

One of the concerns expressed by the Commission was that the Economically Active Population for persons with disabilities was not available from Stats SA and therefore could not provide benchmarks for this designated group.

The following is a breakdown of representation of persons with disability by level in the public service:

- Persons with disabilities are grossly under-represented at 1,3% at top management level, with white and Indian males dominating at this level.
- Persons with disabilities accounted for 1,3% of the workforce at senior management level, with white and African males dominating;
- Persons with disabilities are grossly under-represented at the professionally qualified level at 1.3%, with white persons with disabilities (both male and female) followed by Africans being predominantly represented;
- Persons with disabilities at the skilled technical level are grossly under-represented at 1.3%, with the African group being predominant;
- The percentage of persons with disabilities at the semi- skilled level is very low at 0,9%, with African males being predominantly represented at 39.3%;
- The percentage of persons with disabilities at the unskilled level stands at 0,9%, with the majority being African males at 45.6%, followed by African females at 33.5%.

The NDRM Plenary questioned the requirement criteria of needing a driver's license for certain jobs in which driving would not be required as this automatically discriminates the visually impaired and other persons with disabilities who are unable to obtain a driver's license due to their impairments.

The plenary also noted the practice of industries being built on the back of persons with disabilities, whilst persons with disabilities remain impoverished users of these services, citing the development of the sign language interpreter industry as the latest example, where interpreters become wealthy yet Deaf people remain unemployed and poor.

In 2016/17, the Department of Labour reported that the Supported Employment Enterprise (SEE) employed 893 factory workers. 100% have intellectual and psychosocial disabilities.

It is the vision of the factories to transform and expand direct employment for people with intellectual and physical disabilities, and to develop as a provider of quality training for people with disabilities to enable and facilitate their transition into the open labour market.

In 2018/19, the Annual Report of the DOL reflected the following info. However, the disability disaggregation is not evident.

MAIN SERVICES	BENEFICIARIES	CURRENT/ACTUAL STANDARD OF SERVICE	DESIRED STANDARD OF SERVICE	ACTUAL ACHIEVEMENT			
				OFFICE	REGISTERED WORK-SEEKERS	PLACED AGAINST THE REGISTERED EMPLOYMENT OPPORTUNITIES	% PERFORMANCE
Public Employment Services: Work-seekers placed in employment opportunities	Unemployed. Under-employed. Retrenched People with Disabilities Employers	Annual Target: 42 500 registered employment opportunities filled by registered work-seekers per year	47 500 registered employment opportunities filled by registered work-seekers per year	49 968 of registered employment opportunities were filled by registered work-seekers (Achieved)			
				PES-Online	45 558	1	0%
				EC	104 656	7 303	7%
				FS	60 038	5 434	9%
				GP	216 486	9 473	4%
				KZN	134 760	8 593	6%
				LP	70 419	5 036	7%
				MP	62 864	3 157	5%
				NC	29 614	2 959	10%
				NW	50 118	2 293	5%
				WC	113 040	5 719	5%
				Total	888 553	49 968	6%
:							

The DoL reported that 85 new persons with disabilities appointed from 01 April 2017 until 31 March 2018 under DECENT EMPLOYMENT THROUGH INCLUSIVE ECONOMIC GROWTH FOR PERSONS WITH DISABILITIES (OUTCOME 4). The Department reported that it had created 100 work opportunities additional persons with disabilities by end of March 2019.

The Department of Environmental affairs reported in its 2016/17 annual report that work opportunities were created for vulnerable groups as follows: Women – 54.46% (53 677/98 566*100); Youth – 63.31% (62 407 /98 566*100); and persons with disabilities – 5.22% (5 142/98 566*100).

Indicator 5.3 – Persons with Disabilities as Owners of the Economy

The Minister of Finance, in terms of section 5 of the Preferential Procurement Policy Framework Act, 2000 (Act No.5 of 2000), regulated that persons with disabilities benefit equally from public procurement. The Preferential Procurement Regulations was promulgated in 2017.

The National Treasury created a *Central Supplier Database* where owners or suppliers are disaggregated by black and disabled persons. A total payments of R239m was received by 245 of these suppliers.

The Department of Tourism include persons with disabilities in the following initiatives:

- Working for Tourism projects
- Tourism Incentive Programmes
- Tourism Human Resource Development programmes
- Tourism Enterprise Development programmes and initiatives

Within the Department of Water and Sanitation's *Women in Water Programme*, it was reported that 30% of participants were women entrepreneurs with disabilities.

The Department of Small Business Development (DSBD) reported raising awareness on its support programmes in partnership with SEDA and SEFA to over 700 persons with disabilities countrywide. Close to 100 persons with disabilities have registered as clients of the Department of Small Business Development through SEDA and SEFA for financial and non-financial support. 75% of people with disabilities at the Mamelodi Workshop received training through the Basic Business Training Programme at SEDA in February 2018.

Furthermore, the KZN EDTEA, with assistance from DSBD, established a database of entrepreneurs with disabilities to assist with financial, non-financial and procurement related business development services.

The Limpopo Provincial procurement strategy has a 7% target for entrepreneurs with disabilities. Furthermore, there was support to businesses owned by persons with disabilities by LEDET. So far the LEDET has registered more than 160 businesses of persons with disabilities. The LIPEDIB established a provincial chamber of businesses of persons with disabilities;

The NDRM Plenary noted that with innovation and creativity, all the departments can improve in their management of supply chain policies to promote entrepreneurial projects and tenders for persons with disabilities.

Indicator 5.4 – Reducing the Cost of Disability for Persons with Disabilities and Their Families

The NDRM Plenary noted that SARS officials across all offices have been trained to appropriately advise taxpayers wishing to register for, or claim back, disability-related tax rebates.

The plenary also noted the improvements in SARS ICT interface, and the collaborative work being done in the DTSPS ICT Forum's Disability Chamber Work Groups. However, more work is still to be done on improving the SARS E-filing mobile-site, which is still not fully accessible for screen readers for more complicated task execution. The meeting re-emphasised the need for a structured training programme to be rolled out to enable screen reader users to engage with the webpages.

In 2017 – 18, the Department of Human Settlements 219 people with a disability were trained under the homebuilders programme.

2.6. Pillar 6 - Strengthening the Representative Voice of Persons with Disabilities

The WPRPD isolates the following five dimensions for specific measures to strengthen the representative voice of persons with disabilities:

- Strengthening access and participation through self-representation;
- Recognition of representative organisations of persons with disabilities;
- Strengthening the diversity and capacity of disabled people's organisations (DPOs) and self-advocacy programmes;
- Public participation and consultation programmes; and
- Self-representation in public life.

Indicator 6.1 – Strengthening Access and Participation through Self-Representation

The finalisation of the National Framework on Self-Representation by Persons with Disabilities this year will be an important step towards institutionalising the generally practiced principle of self-representation.

Indicator 6.2 – Recognition of Representative Organisations of Persons with Disabilities (inclusive of parent organisations)

No progress reported.

Indicator 6.3 – Strengthening the Diversity and Capacity of DPOs and Self-Advocacy Programmes

The National Framework on Self-Representation by Persons with Disabilities referred to above will include the policy directives of this indicator in its scope of work.

Indicator 6.4 – Public Participation and Consultation Programmes

The DSD will be developing a National Framework for Inclusive Public Participation and Consultation Programmes during the 2017/18 financial year, which will provide direction and minimum norms and standards for public participation and consultation.

Indicator 6.5 – Self-Representation in Public Life

No progress reported.

2.7. Pillar 7 - Building a Disability Equitable State Machinery

The WPRPD isolates the following five dimensions for specific measures to build a disability equitable state machinery that is able to implement the WPRPD:

- Disability equitable planning, budgeting and service delivery;
- Monitoring, evaluation, reporting, research, data and statistics;
- Public procurement and regulation;
- Capacity building and training; and
- Strengthening accountability.

Indicator 7.1 – Disability Equitable Planning, Budgeting and Service Delivery

From a planning perspective, a common finding through the various evaluations undertaken uncovered that implementation programmes were not adequately informed by a thorough evidence-based diagnostic analysis and were not clearly designed with an implementation programme theory detailing how the implementation of the government's programmes will contribute towards developmental results.

The DPME is in process of responding to the recommendations following the evaluation of the National Evaluation System and are looking to introduce gender-related dimensions and disability-related dimensions.

This was piloted through the evaluation of EPWP for DSD (2015) which included a module on disability to assess the extent to which EPWP-Social Sector included people with disabilities. The evaluation found that this area of the programme struggled. Over the past five years on average 71% of participants were women and 51% were young people. However, the programme repeatedly failed to achieve the 2.14% target for employment of people with disabilities.

Participants thought that if they were to start receiving the EPWP stipend government would withdraw disability grant. Additionally, more resources would be needed from government to enable organisations/workplace to be accessible to people with disabilities.

A key recommendation of the EPWP evaluation was to improve programme monitoring to better track the inclusion of people with disabilities against an improvement plan and targets .

The NDRM Plenary noted the implementation challenges within the public service against established minimum guidelines, norms and standards; as well as public service delivery procurement bids that are issued without a disability/universal access & design dimension, which is unconstitutional. The meeting further expressed concern with removing the disability measure from the MPAT HR assessment measures and specifically, that the removal was not consulted. This disadvantages the sector in efforts to improve disability mainstreaming.

Indicator 7.2–Monitoring, Evaluation, Reporting, Research and Statistics

On 1 March 2017, the Cabinet approved the piloting of the Disability Inequality Index. The Cabinet also announced that all government performance data should be disaggregated by gender, disability and age. A key element to this is the standardising of disability measures across government. In view of STATS SA being the custodian of standard setting of statistical and official data, the Department of Social Development handed over the piloting of the Disability Inequality Index to STATS SA.

STATS SA in partnership with the Department of Social Development and subsequently, the Department of Women, Youth and Persons with Disabilities sourced support from the World Bank to inform the standard setting exercise. Both government and disability sector stakeholders were consulted with regards to current disability data collection processes with a view of investigating the alignment with the Washington Group Short set of Questions. The project was concluded in December 2020. The report will be finalised in 2021. The STATS SA will announce the next steps of this process.

Stats SA formed the National Disability Advisory group in 2017. The objectives of the disability advisory group include:

- To provide expert opinion to Statistics South Africa in relation to disability statistics as sourced from both questionnaire survey and administrative data sources.
- To inform decisions related to new initiatives in relation to the measurement of disability statistics.
- To advise on improved integration and the standardization of terms and definitions used in the disability sector.

The group consists of representatives from government, academic and non-governmental sector (NGOs) such as the South African Blind Association and has had two meetings in 2017.

Stats SA tested the child functioning module for the age-groups 2-4yrs and 4-17yrs respectively in 2015/16. A report based on the testing was prepared in 2016. The organisation decided to put the implementation of the module on hold due to the following reasons:

- The module is too long and needs to be shortened if it is to be appended to existing data collection tools. A compounding challenge to shortening the module is that it is difficult to cut out specific questions without impacting the flow or quality of what the

module is intending to measure.

- The second option was to implement a stand-alone module. However, funding remains an obstacle.
- The sample size of the General Household Survey is too small to adequately measure disability and even more inadequate to focus on the age group 0-5 years.

STATS SA highlighted that there are no reliable instruments for the 0-4 year old age group, but that there is work underway with the Washington Group and UNICEF on developing an instrument for this age group.

A disability thematic report produced by Stats SA's Population Statistics Division was published in March 2018. The report is based on the Community Survey 2016 data. Analysis in this report compares persons with disabilities to those without disabilities across various indicators (such as wealth status) to measure inequalities. Additionally, other thematic reports produced by Stats SA (such as the child report) have also included some disability disaggregation.

The DII prototype was developed. Through testing and stakeholder consultation, additional indicators and domains were suggested. The National Disability Advisory Group was also consulted. Due to the lack of the standardisation of disability concepts across data producers, as well as the general lack of data the prototype largely focuses on indicators for which data is available and consistent. The current index will be further enhanced, for greater harmonization between standards and definitions in the sector.

The final provincial disability-disaggregation training in the pilot phase was conducted by the DSD in the Western Cape. Last year saw all other provinces receiving training.

The Free State, Eastern Cape and Western Cape Provinces have made noteworthy strides in customising the WPRPD Implementation Matrix to simplify and embed to the reporting process. These tools have been shared with all provinces to enable synergy.

Additionally, the SRSA has institutionalised disability-disaggregation within its reporting template and the registration system. As a result, this template assists to track the support that is provided for people with disability.

The NDRM Plenary noted that the disability disaggregated statistics for household access to water and sanitation are unavailable, and STATS SA will work on this going forward.

The Department of Cooperative Governance put in place *specific measures during 2017 to monitor implementation of the Disability Framework for Local Government 2015-2020*. Key institutional mechanisms and processes at local level include:

- Established disability units in the municipal manager's office;
- Established/strengthened Equity Committees to mainstream disability in the work environment;
- Established and facilitated Disability Forums with ensured functionality; and
- Encouraging the participation of people with disabilities in municipal processes (e.g.

Izimbizo, IDP reviews and LED forums).

Furthermore, the DCOG established a Transformation Forum (COGTA Provinces, SALGA) and a working group dealing with disability matters that meets quarterly. This forum reports to MinMec and PCC. Additionally, the Sec 48 Report, IDP Guidelines and B2B reporting guidelines are being reviewed to include indicators on the mainstreaming of disability matters by municipalities.

The NDRM plenary noted the ongoing work as part of the piloting of the Disability Inequality Index on standardisation of measurement of disability.

It further noted the MPAT is a broad management performance assessment tool which looks at the overall performance of a department in four administration and management domains. The Disability Inequality Index, in contrast, measures inequality between persons with and persons without disabilities within three specific sector domains (poverty, employment and education).

Indicator 7.3 – Public Procurement and Regulation

The Preferential Procurement Treasury regulations was promulgated in 2017.

Indicator 7.4 – Capacity Building and Training

In 2017, the National Department of Social Development (DSD) conducted training on the Implementation of the White Paper on the Rights of Persons with Disabilities in the following four Provinces; Free State, Northern Cape, North West and Kwa Zulu Natal.

As part of the ongoing SARS Schools Program, SARS educated **10** Special Needs Schools and a total of **805** learners on Tax Morality in 9 provinces for the 2017 financial year. Additionally, the SARS educated learners of 15 different schools for deaf, blind and hard of hearing in the 9 different provinces on tax obligations with sign language interpreting. SARS also delivered a Tax and Disability Awareness-raising presentation to explain the tax benefits for people or dependents with disabilities to different stakeholders at ARTSCAPE in Western Cape 3 Oct 2017.

The National Department of Transport (DoT) conducted disability education and sensitisation campaigns in the following urban and rural Integrated Public Transport Network (IPTN) municipalities, namely; A re Yeng: Tshwane, GoGeorge: George, Bojanala Platinum District Municipality: North West, OR Tambo DM: Eastern Cape, John Taolo Gaetsewe DM: Northern Cape and Thabo Mofutsanyane DM: Free State.

The Vulnerable Groups Learning Programme was developed by SAPS in 2016, and training of provincial trainers commenced early in 2017. The training on interpretation and implementation of Standing Order 291 of the Mental Health Care Act was also conducted. This seeks to regulate the manner in which SAPS members approach and manage persons with psychosocial disabilities.

Public awareness campaigns on the promotion of the usage of Equality Courts, took place in collaboration between the Department of Justice and Constitutional Development, the SAHRC, the Commission on Gender Equality and Legal Aid South Africa in 2016 and 2017. Persons with disabilities and NGO's in the disability sector participated in these campaigns.

In the transport sector, the Eastern Cape Provincial Department of Transport conducted year-long road safety awareness programmes. The Youth Road Safety Council was established to support road safety awareness programmes to prevent road injuries that lead to disabilities and road deaths.

The NSG launched a project called Rutanang Ma Africa, to recruit and select full-time and part-time trainers to facilitate their courses and programmes. All interview candidates were requested to indicate how they deal with special needs learners and ensure that these learners participate effectively during a contact session.

The NSG participated in the UN workshop on the Disability Africa Toolkit in Namibia during December 2017 for purpose of benchmarking and sharing of information related to disability inclusion. A presentation was made on Disability Inclusive Education in South Africa.

The NDRM plenary noted the National School of Government is working towards transforming itself and its products into a fully disability inclusive institution with a more detailed announcement to be made in 2019. Some of the work include finding ways of including persons with disabilities in all resource groups; as well as an online disability inclusion intervention that will be linked to the performance management and development system for all public servants.

The Plenary also noted concerns that many of the current initiatives to capacitate departments on disability inclusion exclude some of the impairment groups such as Deaf persons, persons with visual impairments, autism as well as other groups and that the training often focusses on impairment rather than the abilities of persons with disabilities.

Indicator 7.5 – Strengthening Accountability

No progress reported.

2.8. Pillar 8 - Promoting International Cooperation

The WPRPD isolates the following three indicators to foster international solidarity and cooperation for accelerated implementation of the UNCRPD, the 2030 Agenda for Sustainable Development and the African Union Agenda 2063:

- Include disability in all international engagements and agreements;
- Support disability mainstreaming and strengthening participation in the Pan African Parliament, AU, Southern African Development Community (SADC) and other such organisations; and
- Develop and implement a National Disability Agenda on International Cooperation.

8.1. Include disability in all international engagements and agreements

South Africa participated in the 11th Conference of States Parties to the UN Convention on the Rights of Persons with Disabilities. Within the JICA-SA partnership, a delegation of persons with disabilities from civil society and Government attended Self-advocacy training in Okinawa, Japan in November 2017.

The National Department of Social Development and National School of Government attended the UN-DESA training on disability toolkit in Namibia in 2017.

In 2018, SA received the UN List of Issues from the UN Committee on the Rights of Persons with Disabilities based on the Initial Country report on the Implementation of the UN Convention on the Rights of Persons with Disabilities (2013). Through a consultative process within government, a response was drafted and approved for depositing.

On the 28 – 29 August 2018, Minister Susan Shabangu led a South African delegation to engage with the UN Committee on the Rights of Persons with Disabilities on the Implementation of the UN Convention on the rights of Persons with Disabilities (CRPD) and its Optional Protocol. The Committee's Concluding Observations is included at Annexure B.

8.2. Support disability mainstreaming and strengthening participation in the Pan African Parliament, AU, Southern African Development Community (SADC) and other such organisations

South Africa participated in the second meeting of the AU Specialised Technical Committee on Social Development, Labour and Employment, in Algeria, 24 – 28 April 2017. In preparation for the SA delegation providing technical inputs into the drafting of the AU Protocol on the Rights of persons with Disabilities (Protocol), the DSD convened a panel of local disability rights experts to engage on the draft Protocol.

8.3. Develop and implement a National Disability Agenda

No progress reported.

2.9. Institutional Arrangements

The WPRPD highlighted six focus areas aimed at strengthening institutional arrangements for implementation of the WPRPD.

9.1. Disability rights coordinating mechanisms must be designated and/or appointed in all public institutions.

No progress reported.

9.2. Institutional capacity to contribute to the national disability rights agenda across the spectrum of development, statistical and innovation agencies must be strengthened through the development of designated disability-focused programmes and mechanisms.

No progress reported.

9.3. Statistics South Africa, as the national statistical body, must establish a Disability Statistics Advisory Group to guide the research, development, testing, validity and analysis of disability question(s) and responses to provide acceptable disability data for inclusion in the national Census, household, labour and other socio-economic surveys.

Membership of the Advisory Group must include, among others, national government departments, the South African Local Government Association, disability organisations, research institutions and institutions of higher education.

The National Disability Statistics Advisory Group (NDSAG) was established in 2017. The objectives of the NDSAG include, providing expert opinion to STATS SA in relation to disability statistics as sourced from both questionnaire survey and administrative data sources; informing decisions related to new initiatives in relation to the measurement of disability statistics; and advising on improved integration and the standardisation of terms and definitions used in the disability sector. The group consists of representatives from government, academic and representative organisations of persons with disabilities.

9.4. The South African Bureau of Standards (SABS) must strengthen its universal design capacity in the work of their design institute and standard setting bodies.

No progress reported.

9.5. The CSIR must strengthen its capacity to promote universal design in its research, technological innovation as well as industrial and scientific development programmes.

No progress reported.

9.6. The South African Qualifications Authority (SAQA) must strengthen its capacity to promote and coordinate the development of a national universal design qualifications framework.

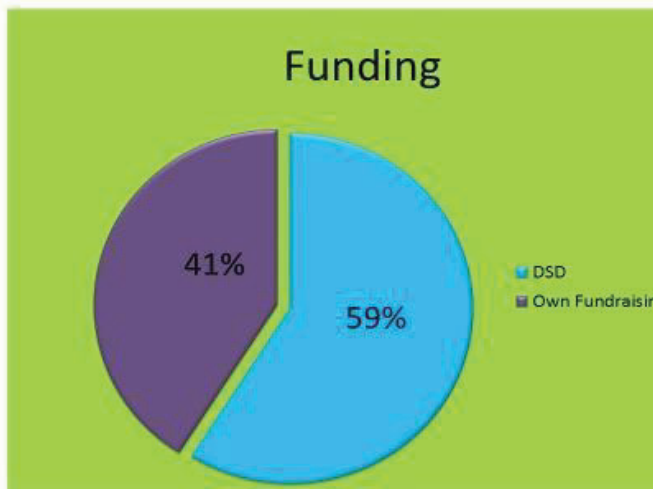
No progress reported.

24. Case Studies

a) The SAVE Model

Case Study Title	SAVE Sexual Abuse Victim Empowerment
Project lead	Cape Mental Health (CMH) <ul style="list-style-type: none"> • Registered NGO • Celebrating 105 years of service excellence • Member of the SA Federation for Mental Health • Offers services to people with intellectual disability, psycho-social disability and emotional adjustment problems • Committed to challenging discriminatory practices • Slogan: All about Ability
Purpose of Project	SAVE offers the complainants with mental disability the same access to justice as the general population in cases of sexual abuse
Target Audience	People with psychosocial and intellectual disabilities
Partnerships (if applicable)	Cape Mental Health, Psychologists, Social Workers, FCS investigators
Province, Municipality, sector	Western Cape, Mental Health, Justice sector
Problem statement	People with psychosocial / intellectual disabilities have challenges in accessing the justice system value chain until resolution of cases.
Background/Context of Project	The SAVE Programme offers the complainants with mental disability the same access to justice as the general population in cases of sexual abuse, using the model below.

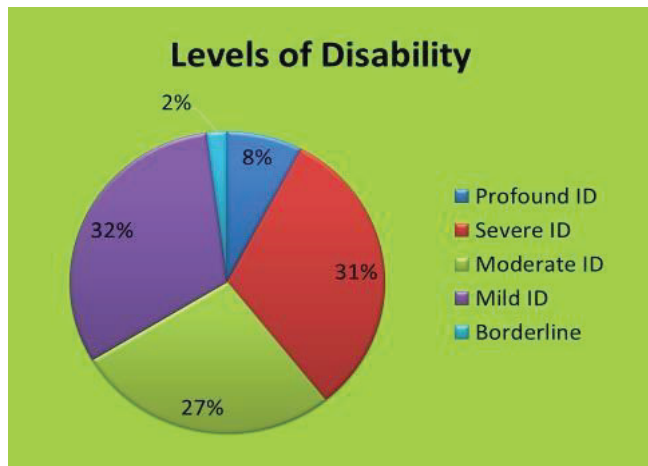
SAVE ROLE-PLAYERS	
	<pre> graph TD PCO[Project co-ordinator] --> NPA[NPA/DOJ] PCO --> PSY[Psychologists] NPA --> FCS[FCS investigators] PSY --> SW[Social workers] FCS --> SW </pre>
	<p>The psychologists evaluate the complainant's level of intellectual functioning, competence as a witness, capacity to consent to intercourse and emotional effect of the alleged rape.</p> <p>The social workers support complainants and their families as well as providing court preparation if necessary.</p> <p>In the role as expert witness, support is provided to prepare the court for the complainant and recommends reasonable accommodation measures and use of clarifying questions.</p> <p>There is ongoing training of FCS officers, prosecutors, court support workers, intermediaries, NGOs and other relevant role-players.</p> <p>The model is based on the following key elements:</p> <ul style="list-style-type: none"> • Strengthened relationships between NPA, DOH, FCS and CMH • Constant training of all role-players • Dedicated team of social workers and psychologists • Funding secured from DSD, First for Women and the Oppenheimer Foundation ensures the provision of the comprehensive service



Demographics of Clients

- 87% female
- Between 2005 – 2013, the age distribution has ranged between 4 years old to 64 years old, with the highest number of clients being between 13 years to 18 years old.

The levels of disabilities is illustrated below:

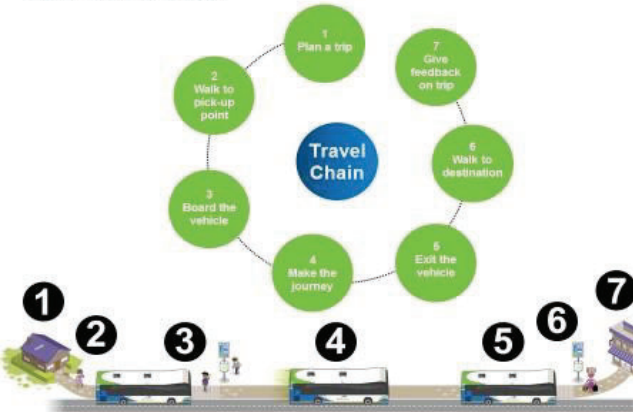


Profound intellectual disability comprise 8% of clients, severe intellectual disabilities is at 31%, Moderate intellectual disabilities is at 27%, Mild intellectual disabilities is at 32% and finally a borderline classification is represented at 2%.

	<p>Below is a graph that reflects percentages of clients who are able to testify by levels of disability.</p> <table border="1"> <caption>Able to testify</caption> <thead> <tr> <th>Level of Disability</th> <th>Testify (%)</th> <th>Not Testify (%)</th> </tr> </thead> <tbody> <tr> <td>Borderline</td> <td>80</td> <td>20</td> </tr> <tr> <td>Mild ID</td> <td>60</td> <td>40</td> </tr> <tr> <td>Moderate ID</td> <td>15</td> <td>85</td> </tr> <tr> <td>Severe ID</td> <td>20</td> <td>80</td> </tr> <tr> <td>Profound ID</td> <td>0</td> <td>100</td> </tr> </tbody> </table> <p>0% of people with profound intellectual disabilities are able to testify. 20% of people with severe intellectual disabilities are able to testify. Under 20% of people with moderate intellectual disabilities are able to testify. 60 % of people with mild disabilities are able to testify. 80% of borderline classification are able to testify.</p>	Level of Disability	Testify (%)	Not Testify (%)	Borderline	80	20	Mild ID	60	40	Moderate ID	15	85	Severe ID	20	80	Profound ID	0	100
Level of Disability	Testify (%)	Not Testify (%)																	
Borderline	80	20																	
Mild ID	60	40																	
Moderate ID	15	85																	
Severe ID	20	80																	
Profound ID	0	100																	
<p>Successes (quantitative & qualitative data)</p>	<ul style="list-style-type: none"> • Increased number of referrals and prosecutions • Increased awareness of access to justice for people with mental disabilities • Increase in different types of cases that include human trafficking, grooming and other sexual offences • Interest from FCS, NPA and other role-players and commitment to make it work • Increase in expert witness request • More convictions – even cases where complainant is not able to testify • Complainants not denied justice because they have an intellectual or psycho-social disability, 																		

	but rather cases are evaluated according to evidence
Challenges	<ul style="list-style-type: none"> • How many cases are turned away from police stations? • Are staff at police stations adequately trained to recognise a person with a disability? • Training FCS, NPA and DOJ staff to familiarise themselves with people with disability • Addressing delays with investigations • Addressing delays in court procedures • Stigma of disability in communities • SAVE programme limited to Cape Town and surrounding areas – do other complainants in other provinces not deserve the same access to justice? • The issue of reasonable accommodation for people with disabilities – programmes for different disabilities and different needs
Lessons Learnt	<ul style="list-style-type: none"> • Willingness to collaborate with partners in an equal partnership • The importance of training and/or workshops • Sustainable funding • The importance of planning, planning and more planning • Challenging existing systems that do not facilitate access to justice for people with disabilities • Advocating on behalf of people with disabilities • Never give up, its one case at a time ...
Acronyms	<p>NPA – National Prosecuting Authority DSD – Department of Social Development FCS – CMH – Cape Mental Health NGOs – Non-government organisations</p>
Contact Persons with Contact details for more info.	<p>Ms. Carol Bosch Deputy Director Cape Mental Health</p>

b) Go George

Case Study Title	GO GEORGE
Project lead	George Municipality
Purpose of Project	To provide accessible transport infrastructure to persons with disabilities
Target Audience	People with disabilities
Partnerships (if applicable)	Western Cape Government
Province, Municipality, sector	Western Cape, George, Transportation Sector
Problem statement	Transport is essential to accessing all human rights, however many people with disabilities cannot access conventional transportation and are thereby excluded from community and society on the basis of physical access and affordability.
Background/Context of Project	<p>At the heart of accessible transport infrastructure, is the Travel Value Chain Model below:</p> <p>Travel Chain</p>  <p>Namely;</p> <ol style="list-style-type: none"> 1. Plan a trip The website has readspeaker accessibility. 2. Walk to pick up point 3. Board the vehicle 4. Make the journey 5. Exit the vehicle 6. Walk to destination 7. Give feedback on trip

	<p>This is premised on :</p> <ul style="list-style-type: none"> • Accessible vehicles • Accessible infrastructure • Service availability • Service convenience • Service reliability • Service integration • Safety & security • Journey speed • Journey comfort & enjoyment
Successes (quantitative &/ qualitative data)	<ul style="list-style-type: none"> • Passengers are able to log complaints or suggested improvements via call centre, social media and website. • The operational room monitors for any incidents via field monitors and on-bus CCTV • There are accessible vehicles • The services are convenient
Challenges	<ul style="list-style-type: none"> • Community resistance to verge invasion • There is a lack of understanding of the role of sidewalk in providing access to bus stops • Training of officials is not always understood or appreciated • Driver training is a challenge
Lessons Learnt	<p>Printed communication & training materials</p> <p>Marketing and communication</p> <ul style="list-style-type: none"> • Route & timetable information, operational communication & complaints management processes must be accessible to persons with special categories of need. • User forums/ test panels essential to ensure UA compatible design <p>Website and social media</p> <ul style="list-style-type: none"> • Compliance with international web design standards and protocol requires design expertise aligning with the technical requirements.

	<p>The complete street approach</p> <ul style="list-style-type: none"> • The complete street designs approach is critical • Side audit essential <ul style="list-style-type: none"> -Different issues in different environments (CBD, residential) • Application of sidewalk zones essential but challenging <ul style="list-style-type: none"> -Lack of understanding of role of sidewalk in providing access to bus stops -Community resistance to “verge invasion” – public consultation critical • Prioritisation of sidewalk development and shelter installation <ul style="list-style-type: none"> -Bus stop boarding & alighting monitoring • Approved guidelines <ul style="list-style-type: none"> -Clearly defined and approved street furniture and materials palette -Bus shelter typology and amenities framework necessary <p>Vehicle</p> <ul style="list-style-type: none"> • Standard/Minibuses <p style="padding-left: 40px;">Vehicle specification needs to be clear regarding the UA requirements</p> <ul style="list-style-type: none"> • Boarding ramp is a critical component • Wheelchair backrest specification • Bus entrance space, aisle widths • Hanging straps • Minibuses Accessible, not universally accessible (two entrances) • Hoist specification must accommodate correct weight occupation combination (450 kg) • Seat row arrangement need to accommodate taller people (leg room)
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	<ul style="list-style-type: none"> • Entrance arrangement not ideal – retrofitting around existing chassis <p>UA Training</p> <ul style="list-style-type: none"> • Need for the training of officials not always understood or appreciated. • Driver training, while initially problematic, is extremely beneficial, but requires regular refresher courses. • Broadening of training to other disciplines is essential. • Multi-purpose training curriculum & associated supporting materials essential. <p>Operational Monitoring/Feedback</p> <ul style="list-style-type: none"> • Methods to capture feedback from to targeted categories of passengers on their journey experiences <p>-Implementation of feedback framework, including comment/complaint categorisation</p> <ul style="list-style-type: none"> • Research the views of targeted categories of passengers on their treatment during any part of the travel chain <p>-Institute process to obtain more detailed feedback (“travel diaries”)</p> <p>Consultant Universal Access</p> <ul style="list-style-type: none"> • Lack of appreciation / understanding of the role of the UDAP • Should form part of the ITP process and obtain approval of Councils • Road standards need to be reviewed to accommodate UA principles and requirements • Integration of civil engineering and planning intentions to retrofit infrastructure (better understanding of UA) • Approved policy and guidelines fundamental
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Recommendations	<ul style="list-style-type: none"> • Performance indicators: to measure “mainstreaming universal access” • Disaggregated statistics: to provide evidence of progress on reports • Regulations: to confirm standards for UA in public transport system • Staff: to institutionalise processes
Acronyms	UA- Universal Access NMT- UDAP- Universal Design Access Plan ITP- Information Technology Processes CBD- Central Business District
Contact Persons with Contact details for more info.	Mr. James Robb


c) Persons with Disabilities in Agriculture and Rural Development

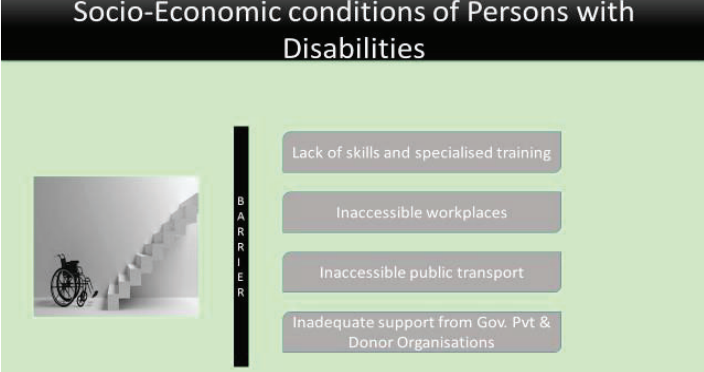
Case Study Title	Persons with Disabilities in Agriculture and Rural Development (PDARD)
Project Lead	Limpopo Department of Agriculture and Rural Development
Purpose of Project	<ul style="list-style-type: none"> • To remove discriminatory barriers that perpetuate the exclusion and segregation of persons with disabilities. • To foster equal opportunities of persons with disabilities to participate in the agricultural sector as entrepreneurs • To empower individuals and cooperatives owned by persons with disabilities in the agricultural sector through food security, job creation, economic growth and poverty alleviation. • To encourage and increase full participation of persons with disabilities to be commercial agricultural entrepreneurs

	<ul style="list-style-type: none"> To reposition PDARD from subsistence to be at commercial level of farming
Target Audience	Farmers with Disabilities
Partnerships (if applicable)	
Province, Municipality, sector	Limpopo, Agriculture and Rural Development
Background/Context of Project	<p>PDARD is an economic empowerment programme that was introduced with an aim to reduce inequality, poverty and economic vulnerability.</p> <p>The Department conducted an audit to establish a database for farmers with disabilities in the province.</p>
Problem statement	Persons with disabilities do not enjoy equal opportunity in the agricultural sector
Successes (quantitative &/ qualitative data)	<ul style="list-style-type: none"> From 2016 to date, 102 farmers with disabilities were honoured through recognition awards for their contribution in addressing food security and job creation. 1,5 million in cash prizes were awarded to deserving farmers with disabilities Established partnership with key stakeholders such as agricultural institutions and the mainstream media Provided aftercare through technical support and allocation of agricultural production inputs such as fertilizers and seeds Mathoho farming in Vhembe District was supported with the erection of 60 m² of fencing for R57 000.00 , drilling of boreholes, provision of water tanker and stand to the value of R347,000.00 Mashashane Disabled project was supported with a broiler environmental controlled

	<p>house to the value of R800 000 and feeds for R350 000.</p> <ul style="list-style-type: none"> • Assisted Cyferskuil Disability project in Waterberg District to settle transformer rental fee with ESKOM for R60 000. • Supported Macheke farming with production inputs for R250,000.00 and purchasing of a truck at a cost of R325,000.00 through youth funding • Secured feeds at the value of R145 000.00 for Bahlakwana Piggery • Konanani Disabled Cooperative assisted with 66 bags of broiler feeds to the value of R19 800.
Challenges	<ul style="list-style-type: none"> • Poor interest in choosing agriculture as a career • Access to land for persons with disabilities are neglected • Challenges with market • Lack of equipment
Lessons Learnt	<ul style="list-style-type: none"> • Change of framework: from the medical model to the human rights model of disability approach • Mainstreaming disability in all policies and programmes • Persons with disabilities should be reached and served through development efforts at the rate of non-disabled peers • Involvement of persons with disabilities in the decision-making platforms • Inclusion of persons with disabilities require constant vigilance at all levels
Contact Persons with Contact details for more info.	Mr. M. Mulibana

d) Eastern Cape Disability Economic Empowerment Trust (ECDEET)

Case Study Title	Eastern Cape Disability Economic Empowerment Trust (ECDEET)
Purpose of Project	To improve the socio-economic conditions of persons with disabilities in the Eastern Cape Province through equity participation, skills development, enterprise development & support and job placement.
Target Audience	Unemployed persons with disabilities
Partnerships (if applicable)	1. A partnership with the Department of Economic Development Environmental Affairs and Tourism (DEDEAT) started in 2014 through the Local & Regional Economic Development (LRED) Fund, with the purpose of developing and managing a database for job seekers and entrepreneurs with disabilities, followed by a three year agreement on business and empowerment support that commenced in 2015. Currently working on the new MoA for 2018 going forward
Province, Municipality, sector	Eastern Cape
Background/Context of Project	<p>The Eastern Cape Disability Economic Empowerment Trust (ECDEET), was founded in 2002 by Disabled People South Africa and other DPOs.</p>  <p>Our Programmes</p> <p>TRAINING & SKILLS DEVELOPMENT</p> <p>Job Readiness, Database, placement and business support</p> <p>ENTERPRISE DEVELOPMENT AND SUPPORT PROGRAMME</p> <p>ADVOCACY AND RIGHTS AWARENESS</p> <p>Objectives of the MOA</p> <ol style="list-style-type: none"> 1. Collaboration between ECDEET & DEDEAT focuses on opportunities that exist within the Economic Sector as well as Environmental and Tourism Sectors. 2. Targeting the empowerment and training

	<p>opportunities that capacitate our people to seize opportunities offered by the government and municipalities.</p> <p>3. Providing support to entities owned by persons with disabilities to ensure that they remain compliant and are able to participate in the state procurement processes.</p> <p>MANAGEMENT COMMITTEE</p> <ul style="list-style-type: none"> • Consisting of three senior representatives nominated by each of the Parties. • Meet on a quarterly basis to discuss the project, review the minutes of the Management Committee referred to below, and acting in accordance with, and performing any other functions in terms of the written Terms of Reference which are agreed upon within a reasonable period of the commencement date and before the first meeting of the Management Committee. • Subject the performance of the programme to the internal audit process as part of the review
<p>Problem statement</p>	 <p>The infographic features a central vertical bar labeled 'BARRIERS' next to a photograph of a wheelchair on a set of stairs. To the right, four grey boxes list the following barriers: 'Lack of skills and specialised training', 'Inaccessible workplaces', 'Inaccessible public transport', and 'Inadequate support from Gov. Pvt & Donor Organisations'.</p>
<p>Successes (quantitative &/ qualitative data)</p>	<ul style="list-style-type: none"> • Developed database. It is operational and maintained. • Job placement take place at a snail pace with majority of people placed under the EPWP Non-State sector programme. • Facilitate the SMME development training programme, ensure compliance, registration on database and participation in the tendering process.

	<ul style="list-style-type: none"> • Linked the free driver training programme to increase mobility and start small taxi business operations. • Provided training programmes on Employment Life Skills and Self-Employment. • Placed 150 EPWP beneficiaries in their own organisations and further 150 placed at South African National Council for the Blind EC • Provided Free Driver Training linked to the Employment Life Skills Programme. • Provided support to DPOs in the province: Capacity building, equipment, material and advocacy programmes <p>The above was confirmed by the internal audit conducted by DEDEAT in 2017</p>
Challenges	<ul style="list-style-type: none"> • Lack of coordination and direction by OTP. • SPU driven and other programmes show a lack of interest. • Beneficiaries not progressing beyond workshops and training. • Departments working in silos and lack of interest in the programme • No dedicated resources for the implementation of the white paper.
Contact Persons with Contact details for more info.	<p>Eastern Cape Disability Economic Empowerment Trust 16 Greenwood Street Berea, East London, 5200 Phone: +27 (0)43 722 7333 Fax: +27 (0) 43 722 7334 Email: asanda@ecdeet.co.za Website: www.ecdeet.co.za</p>

e) *Building a disability equitable state machinery in Gauteng*

Case Study Title	<i>Building a disability equitable state machinery in Gauteng</i>
Purpose of Project	To ensure that delivery on the rights of persons with disabilities is included in the Provincial MTSF Plan of Action
Target Audience	Public officials, DPOs
Partnerships (if applicable)	
Province, Municipality, sector	Gauteng
Background/Context of Project	<p>The GPG used the disability rights approach to conduct inclusive planning, monitoring and evaluation systems. It also maintains close co-cooperation with DPOs in the process.</p> <p>The GPG approach to building a Disability Equitable State Machinery was to:</p> <ol style="list-style-type: none"> 1. Get EXCO approval of a Disability Rights Policy 2018 to 2023 & 5 year Programme of Action. 2. Get EXCO approval to include the policy's targets in the total M&E system of the GPG 5 year PoA. 3. Use a theory of change approach 4. Build departmental capacity to use the policy and to construct the mainstream value chain of departments through their Disability Rights Managers and the line managers. <p>The GPG' s institutional arrangements were established to drive the implementation of the Gauteng City Region Disability Rights Policy (GCR-DRP) which:</p> <ul style="list-style-type: none"> • specifies the rights that should be delivered to persons with disabilities; • specifies the mandate, accountability and reporting methods of each duty bearer in the GCR; and • specifies the role of rights holders and their organisations to improve delivery of disability rights at departmental, municipal and provincial

	<p>levels.</p> <p>Parallel to internal measures , the GPG pro-actively engaged with organisations of people with disabilities in the Gauteng City Region (GCR) to;</p> <ol style="list-style-type: none"> 1. consult DPOs and service organisations on accessing their rights in the GCR; 2. inform DPOs about the accountability of each duty bearer in each government structure of the GCR; and 3. encourage and facilitate partnerships with disability rights organisations with each GCR structure and the private sector. <p>Examples of institutionalisation in the GCR-DRP :</p> <ol style="list-style-type: none"> 1. The Governmental Disability Rights Committee (GDRC) coordinates the interventions of officials in all GCR's Departments, Metros and Municipalities to deliver on the policy; 2. Departmental delivery against their disability rights targets are coordinated by the Departmental Disability Rights Committee; and 3. The Gauteng Legislature (GPL) holds MECs and their respective Heads of Department accountable for service delivery to people with disabilities in the Province.
Problem statement	People with disabilities are not accessing services on an equal basis as others.
Successes (quantitative &/ qualitative data)	<p>The GPG has:</p> <ol style="list-style-type: none"> 1. Exceeded the target of 2% of its staff being employees with disabilities and is on its way to achieving the 3%. 2. Distributed many more specified priority packs to meet people with albinisms' preventative health needs by building effective partnerships between the GDH and organisations of people with albinism. 3. Set up a GCR Universal Access and Design Programme & reference group.

	<ol style="list-style-type: none"> 4. Expanded the support programme offering at a range of special schools to make schools more accessible to learners. 5. Public Ordinary Schools are supported towards including learners with mild support needs 6. Workshops with School Based Support Teams were conducted. 7. 279,326 learners were screened for possible barriers to learning in order to plan for their reasonable accommodation. 8. Free health care for people with disabilities was introduced in 2003 and has continued and improved to date. 9. Reduced waiting times at hospitals for people with disabilities were introduced. 10. Health infrastructure retrofitted to comply with universal design and access standards 11. Exceeded targets to provide assistive devices 12. Improved early diagnosis and treatment for people with psycho-social disabilities
Challenges	<ol style="list-style-type: none"> 1. Poor service delivery on the rights of persons with disabilities by departments
Lessons Learnt	<p>In the past 3 years the Gauteng Provincial Government, dealt with the Life Esidimeni human rights violations and learnt to acknowledge the depth to which human rights violations could be perpetrated against at least 1624 mental health care users.</p> <p>Additionally, the tragedy revealed how easily human rights violations can be perpetrated by high ranking politicians and officials.</p> <p>The findings revealed the following:</p> <ol style="list-style-type: none"> 1. There were 1711 psychiatric patients were moved from Life Esidimeni and 144 of these persons died 2. It was verified that the 12 families who thought their loved ones died in the transfer did not appear on the official

	<p>death toll of 156 persons.</p> <p>3. There were 59 unaccounted for patients from Life Esidimeni after 4 more than the initial 55 were found.</p> <p>Government was ordered to :</p> <p>a) To pay R1 200 000 to the claimants as appropriate relief and compensation for the government's unjustifiable and reckless breaches of 8 Sections of the Constitution, Multiple contraventions of the National Health of 2003 and of the Mental Health Act 17 of 2002 and general damages for shock and psychological trauma and funeral expenses for the families of the deceased</p> <p>a) To erect a Remembrance monument to serve as a reminder to future generations of the human dignity and vulnerability of mental health care users.</p> <p>The main lesson that the GCR learnt are:</p> <ol style="list-style-type: none"> 1. Have more than one theory of change for better interventions for the value chain of each department's delivery of services to non-targeted groups. This will show where bottle-necks are for delivery to people with disabilities. 2. Interviewing line managers builds respect for their contribution to the value chain and can make them keener contributors to changes to include delivery on disability rights.
Recommendations	<ol style="list-style-type: none"> 1. Assist departments to build a specific theory of change and alternative theories of change to change interventions when necessary. 2. Assist departments to translate their duty bearing accountabilities of our disability rights policy and PoA into a Departmental MTSF and Departmental Annual Plans of Action 3. Assist each Departmental Disability Rights Manager to write down a value chain of their department's delivery of services to non-targeted groups through interviewing line managers

Contact Persons with Contact details for more info.	Mr. Zain Bulbulia

25. Recommendations

1. All 2019 targets will be adjusted to be implemented by 2024.
2. The UN Committee on the Rights of Persons with Disabilities' Concluding Observations (Annexure A) on SA's 2013 Baseline Country Report on the Implementation of the UN CRPD, echoed a number of issues that are evident in this report. Therefore, all relevant government institutions must draw up intervention plans and urgent practical measures to address the UN Committee's Concluding Observations (Annexure A), as South Africa will be submitting the country response in May 2022.
3. South Africa ratified the UNCRPD in 2007. The SALRC must accelerate the process of domesticating the UN CRPD as well as the supportive-decision making legislation.
4. The Disability Rights approach is a systematic approach, as demonstrated by the Gauteng Case study, and therefore should not be treated as a special project. It is evident that the majority of departments do not have disability mainstreaming strategies or WPRPD Implementation Plans. At a strategic level, all departments must ensure that disability inclusion is integrated into their 5 year MTSF in substantive measurable ways that reflect the mandate and external programmes of the Department. Therefore, internal disability rights monitoring mechanisms should be strengthened for this purpose.
5. All Departments must disaggregate performance reporting by gender, disability and age.
6. The STATS SA must urgently standardize administrative data to improve disability data collection and performance reporting.
7. The success of the SAVE model is evident for people with intellectual and psychosocial disabilities. The Justice Cluster must therefore roll out this model to enhance access to justice for persons with disabilities.
8. The DBE must, as a matter of urgency, regulate age limits for learners with disabilities as provided for in the SA Schools Act of 1996.
9. The DBE must review and revise implementation of White Paper 6, with a view to mainstreaming children with disabilities to the greatest appropriate level possible.

10. The DBE and the DoT must publish a plan for implementation of the National Learner Transport policy as it pertains to learners with disabilities.
11. The DoH must put measures in place to ensure that the Orientation & Mobility Services System in place in Mpumalanga is replicated in all other provinces.
12. The DoH should take measures to ensure that the national policy on assistive devices is implemented with clear minimum norms and standards, timelines and resourcing strategies.
13. The Department of Public Service and Administration as well as the Department of Employment and Labour must develop a recruitment plan for persons with disabilities outlining the how the 7% target will be met by 2030. This must include a disability disclosure campaign across public sector.
14. The NSG must ensure that any training or capacity building of public servants are inclusive of a disability dimension, and that greater use be made of trainers with disabilities (equity).
15. In terms of strengthening coordinating mechanisms at a national and provincial level, an IGR task team, led by DPSA, with provincial participation, must be established to develop guidelines on disability, gender and youth focal points. This must include disability focal person's/mainstreaming officer's job descriptions, professionalisation, capacitation and budgeting of disability inclusion or as well as the issue of location.
16. The recommendations of the First Annual Progress Report on the Implementation of the WPRPD remain relevant still and should be used for planning and reporting purposes for the next annual report.
17. No centralised financial tracking of government's support to the disability sector. National Treasury should track government's funding to disability sector.
18. All reporting institutions must submit their WYPD programmatic mainstreaming strategy to the DWYPD by June 2021.
19. Review of Implementation Matrix of the WPRPD as midterm milestones were not met.
20. Review of White Paper 6 – Inclusive education must be fast-tracked.
21. Reporting on JOBACCESS Strategy must be aligned with Annual reporting on WPRPD.
22. All national and provincial DG's/HODs must submit quarterly reports on the implementation of the WPRPD by end of subsequent month after each quarter, namely; July, October, January and April.
23. All district-based projects must demonstrate inclusion of persons with

disabilities in planning budgeting and reporting.

26. Conclusion

The compilation of the Combined Second, Third and Fourth Annual Report has reflected a greater awareness on the WPRPD. However, there are still institutional challenges that prevent effective and efficient systematic implementation and performance reporting.

Until every accounting officer takes full responsibility for the disability inclusion within respective mandates, persons with disabilities will not enjoy the full range of rights that all other South Africans are able to take for granted. If we do not plan for inclusion, then we are planning for exclusion.

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Annexure A

CRPD/C/ZAF/CO/1

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Committee on the Rights of Persons with Disabilities
Concluding observations on the initial report of South Africa*

I. Introduction

1. The Committee considered the initial report of South Africa (CRPD/C/ZAF/CO/R.1) at its 399th and 400th meetings (see CRPD/C/SR.399 and 400), held on 28 and 29 August 2018. It adopted the present concluding observations at its 413rd meeting, held on 7 September 2018.

2. The Committee welcomes the initial report of South Africa, which was prepared in accordance with the Committee's reporting guidelines, and thanks the State party for its written replies (CRPD/C/ZAF/Q/1/Add.1) to the list of issues prepared by the Committee (CRPD/C/ZAF/Q/1).

II. Positive aspects

3. The Committee commends the State party:

(a) On the launching of a Deaf Access facility and Skype functionality, allowing for video calling the National Gender Based Violence Command Call Centre;

(b) On the prompt and comprehensive response to the Gauteng Mental Health Marathon Project case that had resulted in more than 140 deaths of persons with psycho-social disabilities, by starting investigations, and arbitration procedures, thus setting a good practice example for other countries facing such situations;

(c) For making the decision to undertake an audit of its laws and policies to bring them in line with the human rights model of disability, including the comprehensive White Paper on the Rights of Persons with Disabilities (WPRPD) of 2015, which aims to accelerate transformation and redress with regard to full inclusion, integration and equality for persons with disabilities;

(d) For initiating the process to develop a suite of universal design standards across the travel chain to give interpretation to the requirements of the National Land Transport Act (No. 5) of 2009.

* Adopted by the Committee at its twentieth session (27 August – 21 September 2018).

III. Principal areas of concern and recommendations

A. General principles and obligations (arts. 1-4)

4. The Committee notes with concern that the concept and assessment procedures of disability in some national laws still reflects the medical model of disability, particularly in the South African education system and specifically in the Guidelines on the “Licensing of Residential and/or Day-care Facilities for Persons with Mental Illness and/or Severe and Profound Intellectual Disabilities”.

5. The Committee recommends that the State party harmonise and align the concept of disability in all laws and policies to bring them in line with the human rights model of disability in the Convention. In particular it is recommended that persons with disabilities, through their representative organisations, are involved in the design of disability assessment and that multiple assessment is eliminated, which should reduce the burden on applicants, and should promote consistency and transparency in assessment.

6. The Committee is concerned about the absence of meaningful consultation and effective participation mechanisms to ensure that the views, opinions and concerns of persons with disability, particularly youth, are included in policy formulation, including decision-making processes, by public authorities both at the national and local level.

7. The Committee recommends that the State party:

(a) Establish formal mechanisms to ensure effective and meaningful participation and consultation with persons with disabilities, particularly youth, through their representative organisations, including their participation in the implementation of the Convention. The Committee also recommends that the State party provide sufficient budgetary resources to such organisations.

(b) Provide regular training to all public officials involved in the consultation process on non-discrimination, dignity and respect as well as the right to reasonable accommodation of persons with disabilities focusing on the human rights based approach to disability.

B. Specific rights (arts. 5-30)

Equality and non-discrimination (art. 5)

8. The Committee notes with concern that:

(a) Understanding of the concept of reasonable accommodation is limited among public authorities and the society at large and is therefore not adequately applied to persons with disabilities, especially persons with psychosocial and/or intellectual disabilities as well as persons with albinism;

(b) Discrimination remains widespread especially against persons with psychosocial and/or intellectual disabilities and persons with albinism, including persons with disabilities in rural areas;

(c) The lack of specific legislation protecting persons with disabilities against multiple and intersectional discrimination;

(d) The slow pace in promulgating Chapter 5 of the Promotion of Equality and Prevention of Unfair Discrimination Act (PEPUDA), which imposes obligations on all members of society to promote equality, including the private sector;

(e) The absence of information on the legal remedies and measures of redress and compensation for persons with disabilities subjected to discrimination and statistics on the number of investigations conducted, sanctions imposed and/or remedies provided to victims, particularly women and girls with disabilities.

9. The Committee recommends that the State Party:

(a) **Take concrete measures to promote awareness about the concept of reasonable accommodation among the general public and the private sector and ensure its application at all levels of government;**

(b) **Adopt effective legislation and policies that will explicitly provide protection against multiple and intersectional forms of discrimination;**

(c) **Establish effective mechanisms for persons with disabilities exposed to discrimination, to obtain redress, including compensation, rehabilitation and sanction perpetrators;**

(d) **Set up an integrated system to collect data on complaints submitted by persons with disabilities disaggregated by sex, age and disability type across all sectors, including information in accessible formats about**

the legal remedies and measures of redress and compensation provided for persons with disabilities who have faced disability-based discrimination.

Women with disabilities (art. 6)

10. The Committee is concerned about:

(a) The multiple forms of discrimination faced by women and girls with disabilities in obtaining access to education, employment and health care and their exclusion from public and social life;

(b) The lack of legislation and policies, including affirmative action measures, aimed at addressing multiple and intersecting forms of discrimination against women and girls with disabilities, particularly against black women and girls with disabilities, including discrimination arising from traditional and cultural practices; and the limited opportunities for women with disabilities, particularly black women with disabilities, to be systematically involved in decisions that concern them directly;

(c) The absence of measures to prevent and combat discrimination and violence, including rape and other forms of gender-based sexual violence, exploitation, and abuse against women and girls with disabilities and the lack of information in accessible formats for health, psychosocial and legal services for victims of violence and abuse or to those who are at such risk.

11. The Committee recommends that the State party take note of general comment No. 3 (2016) on women and girls with disabilities in its implementation of Goal 5 of the Sustainable Development Goals and:

(a) **Adopt as a matter of priority measures to prevent and combat discrimination, violence and abuse against women and girls with disabilities and enact legislation and adopt effective strategies to that effect and ensure that information in accessible formats are available for victims to access health, psychosocial and legal services;**

(b) **Develop and adopt affirmative action measures aimed at the empowerment and full inclusion of women and girls with disabilities in all spheres of life geared towards addressing multiple and intersecting forms of discrimination against black women and girls with disabilities and raise awareness about all forms of**

discrimination arising from traditional and cultural practices.

Children with disabilities (art. 7)

12. The Committee is concerned about:

(a) The lack of legislation to give full effect to the right to inclusive education for all children with disabilities, in line with general comment No. 4 (2016) on the right to inclusive education, and as outlined in the recommendations from the Committee on the Rights of the Child (CRC/C/ZAF/CO/2, paras. 43-45).

(b) The high number of reported cases of corporal punishment, violence, abuse, neglect and inequality involving children with disabilities, especially autistic children and children with psychosocial and/or intellectual disabilities, by teachers and peers. The Committee is further concerned about reported cases of abuse of children with disabilities at schools and school hostels, with teachers allegedly being the perpetrators in most cases.

(c) The large number of children with disabilities, nearly 600,000, who are out of school or studying in specialised schools or classes, in particular children with psychosocial disabilities, and children with disabilities placed in child centres or less regulated special service centres, all of which are based on long-term institutionalisation, often located far from their families and communities, in isolation, and lack properly trained staff.

13. **The Committee recommends that the State party:**

(a) **In line with target 16.2 of the Sustainable Development Goals, develop, adopt and implement legislation and concrete measures to ensure that children with disabilities, including autistic children, those with albinism and children with psychosocial and/or intellectual disabilities, are adequately protected from violence, abuse, including corporal punishment, and that sanctions are imposed against perpetrators; and that the Children's Act is amended without delay to explicitly prohibit all forms of corporal punishment in all settings;**

(b) **Enact legislation giving full effect to the right to inclusive education for all children with disabilities, as outlined in the recommendations from the Committee on the Rights of the Child (CRC/C/ZAF/CO/2, paras. 43-45),**

review the Education White Paper 6: Special Needs Education: Building an Inclusive Education and Training System (2001) with a view to further developing a legal and policy framework for inclusive education, and the inclusion of children with disabilities into mainstream schools;

(c) Adopt a time-bound plan of action to address the high levels of physical, sexual, verbal and emotional abuse in special education schools, including special education school hostels. This plan must include a monitoring framework and process with a comprehensive vetting procedure, including for criminal records, for all teachers and officials working with children before recruitment, and ensure that the National Sexual Offenders Register and National Child Protection Register be adequately maintained;

(d) Develop and adopt effective implementation plans for prevention and early intervention programmes in communities to enable early identification and support to children and adults with disabilities in family and community settings with adequate budget allocations, including training and continuous professional development of care workers and parents of children with disabilities, increased public awareness raising programmes to understand the importance of family and community based provisions instead of institutionalisation.

Awareness-raising (art. 8)

14. The Committee notes with concern:

(a) The lack of a coherent and comprehensive national strategy to raise awareness among the public and private media about the on-going stigmatisation and marginalisation of, and prejudices and stereotypes about persons with disabilities, particularly persons with psychosocial and/or intellectual disabilities and persons with albinism, even within family settings;

(b) The non-inclusion of persons with disabilities and their representative organisations, in awareness-raising campaigns and programmes, including in the planning and implementation of such campaigns and programmes.

15. **The Committee recommends that the State party:**

(a) Develop a coherent and comprehensive national strategy to raise awareness among the society and media about the negative effects of stigmatisation of, prejudices and stereotypes about persons with disabilities, particularly persons with psychosocial and/or intellectual disabilities and persons with albinism;

(b) Undertake public awareness-raising campaigns, including human rights education programmes, in partnership with community, traditional and religious leaders, as well as media professionals, to combat stigmatisation of and prejudices against persons with disabilities, including persons with albinism, aimed at reaffirming the value and dignity of such persons, in particular children with disabilities, and persons with psychosocial and/or intellectual disabilities;

(c) Adopt effective mechanisms for the inclusion and participation of persons with disabilities, through their representative organisations, especially in rural communities, in the design and implementation and evaluation of awareness-raising campaigns and training programmes in conformity with the principles of the Convention.

Accessibility (art. 9)

16. The Committee notes with concern:

(a) The absence of laws enabling accessibility of persons with disabilities, and their inclusion, participation and meaningful consultation, through their representative organisations, in developing and monitoring an accessibility plan;

(b) The absence of a clear unified national strategy on accessibility for persons with disabilities, providing for such accessible facilities at banks, including online bank platforms for persons with disabilities, particularly those with sensory impairments and psychosocial and/or intellectual disabilities, and including public transport in rural areas.

17. **The Committee recommends that the State party, in line with general comment No. 2 (2014) on accessibility:**

(a) **Adopt and implement legislation, a national strategy and policies on accessibility and services for persons with disabilities, paying particular attention to persons with sensory impairments and psychosocial and/or**

intellectual disabilities, allocate sufficient resources, provide effective sanctions for non-compliance, and introduce accessibility criteria in public procurement;

(b) Ensure that persons with disabilities and their representative organisations are fully involved and meaningfully consulted on the development of any accessibility plan;

(c) Step up measures to enforce the National Building Regulations and Building Standards Act, monitor progress and reinforce sanctions for lack of compliance with accessibility standards in public and private sector buildings.

Right to life (art. 10)

18. The Committee is concerned about extreme forms of violence against persons with disabilities, especially persons with albinism and children with psychosocial and/or intellectual disabilities, including kidnappings, killings and attacks for witchcraft practices, and the absence of measures to prevent these crimes, protect victims and to prosecute and convict perpetrators.

19. The Committee strongly recommends that the State party:

(a) Take all necessary measures to prevent the killings of persons with disabilities, particularly persons with albinism, and ensure their protection and that perpetrators are brought to justice and are given sanctions commensurate with the gravity of these crimes;

(b) Ensure full implementation of the Ekurhuleni Declaration on the Rights of Persons with Albinism adopted in 2013 and ensure effective investigations of violations of the rights of persons with albinism.

Situations of risk and humanitarian emergencies (art. 11)

20. The Committee is concerned about the lack of a national plan for disaster risk reduction to support persons with disabilities in situations of risk and humanitarian emergencies, especially persons with psychosocial and/or intellectual disabilities and persons who are blind or visually impaired. It is also concerned about the lack of access to information in appropriate formats including emergency related information, evacuation systems, transportation and shelters.

The Committee recommends that the State party:

(a) Adopt a national plan to ensure the protection of persons with disabilities in situations of risk and humanitarian emergencies and to ensure universal accessibility and inclusion for persons with disabilities at all levels of disaster risk reduction policies and their implementation in line with general comment No. 2 (2014) on accessibility and the Sendai Framework for Disaster Risk Reduction (2015);

(b) Design and disseminate information in accessible formats to all persons with disabilities, in all of the State party's official languages, about early warning mechanisms in case of risk and humanitarian emergencies.

Equal recognition before the law (art. 12)

21. The Committee is concerned about:

(a) The current guardianship and mental health laws, which maintain a substitute decision making regime and the absence of legislation and supported decision-making mechanisms for persons with disabilities that uphold the autonomy, rights, will and preferences of persons with disabilities in all areas of life;

(b) The lack of data on persons with disabilities under guardianship, disaggregated by age, gender and type of impairment.

22. **Recalling its general comment No. 1 (2014) on equal recognition before the law, the Committee recommends that the State party:**

(a) Repeal all legislation that allow for substituted decision-making, and adopt legislation on supported decision-making and measures to strengthen data collection in this respect, disaggregated by age, gender and type of impairment;

(b) Provide training, in consultation with representative organisations of persons with disabilities for all stakeholders, including their families and community members, civil servants, judges and social workers, on the recognition of the legal capacity of persons with disabilities and on existing good practices in supported decision-making.

Access to justice (art. 13)

23. The Committee is concerned about:

(a) The barriers, including physical and legislative, that prevent the effective participation of all persons with disabilities, especially women and children, persons with psychosocial and/or intellectual disabilities, blind and deaf persons, in accessing the justice system, due to lack of procedural accommodations, including accessibility, in the judicial system;

(b) The absence of information about the justice system and its proceedings in accessible formats provided to blind and visually impaired persons (Braille and audio), deaf persons (sign language interpretation) and persons with psychosocial and/or intellectual disabilities (Easy-Read);

(c) The limited knowledge about the human rights of persons with disabilities within the judicial system and inadequate number of trained professional and certified sign language interpreters, Braille users or Easy-Read users to convey judicial information to persons with disabilities that require them.

24. The Committee recommends that the State party, taking into account article 13 of the Convention and target 16.3 of the Sustainable Development Goals:

(a) Establish legal safeguards to ensure the participation of persons with disabilities in all legal proceedings on an equal basis with others and ensure that procedural, gender and age-appropriate accommodations based on free choice are provided for persons with disabilities in all judicial premises, police stations, and all places of detention, including prisons;

(b) Adopt measures to ensure that all persons with disabilities have access to justice and information and communication in accessible formats, such as Braille, tactile, Easy-Read and sign language;

(c) Ensure a systematic training programme for judicial officials, law enforcement officials, including police and prison officials, on the right of all persons with disabilities to justice, including involving persons with disabilities as judicial officials.

Liberty and security of the person (art. 14)

25. The Committee notes with concern:

(a) The intention of the Government to revise the Older Persons Act (2006) following the amendment of the Mental Health Care Act (2002) with no indication regarding timeframes for these amendments.

(b) The alarming increase in the number of admissions of persons with disabilities in mental health care institutions, which almost doubled between 2015 and 2017;

(c) The absence of adequate measures to monitor the situation of persons with disabilities in institutions and other places of detention and the lack of training of staff regarding the rights of persons with disabilities to reasonable accommodation.

26. **The Committee recommends that the State party:**

(a) **Guided by the Committee's guidelines on article 14 of the Convention, repeal all legislation that authorises forced institutionalisation and repeal all laws that allow for deprivation of liberty on the basis of impairment;**

(b) **Take effective measures for the de-institutionalisation of persons with disabilities and adopt adequate measures to ensure the rights of persons with disabilities, particularly persons with psychosocial and/or intellectual disabilities, deprived of their liberty in all mental health facilities;**

(c) **Adopt measures to revise the Older Persons Act (2006) and the Mental Health Care Act (2002), to strengthen their alignment with the Convention, including providing clear timeframes for these amendments.**

(d) **Meaningfully involve persons with disabilities, through their representative organisations, in monitoring of all places where persons with disabilities are deprived of their liberty and provide training to mental health professionals and law enforcement and prison officials to respect the rights of persons with disabilities in mental health facilities, prisons and detention centres.**

Freedom from torture and cruel, inhuman or degrading treatment or punishment (art. 15)

27. The Committee notes with concern:

(a) The high number of unregulated and unsupervised institutions housing persons with disabilities leading to disasters

such as the Esidimeni tragedy that resulted in the death of more than 140 persons with psychosocial disabilities;

(b) The lack of concrete measures, including complaint mechanisms, to prevent abuse and cruel, inhuman or degrading treatment or punishment of persons with disabilities, including persons with psychosocial and/or intellectual disabilities and children with disabilities in the home, school and community settings; the lack of accessible community-based services for persons with disabilities, especially women and girls with disabilities who have experienced gender-based violence.

(c) The increasing incidence of corporal punishment of children with disabilities in the State party with insufficient awareness about complaint mechanisms and support services for children with disabilities exposed to these crimes, and lack of disaggregated data on investigation, prosecutions and disciplinary sanctions against perpetrators of torture and ill-treatment.

28. The Committee recommends that the State Party:

(a) **Adopt legal provisions and concrete administrative measures to protect persons with disabilities, in particular women and girls with disabilities, persons with psychosocial and/or intellectual disabilities, from torture and other cruel, inhuman or degrading treatment or punishment, and adopt measures aimed at supporting victims, through providing legal advice, information in accessible formats, counselling, and redress, including compensation and rehabilitation;**

(b) **Ensure that perpetrators of these crimes are brought to justice and punished with sanctions commensurate with the gravity of these crimes and collect data on investigation, prosecutions and disciplinary sanctions against perpetrators of abuse and cruel, inhuman or degrading treatment or punishment, of persons with disabilities, including children in home, education and community settings;**

(c) **Empower the National Human Rights Commission as the national independent monitoring mechanism to monitor all institutions and settings in which persons with disabilities are deprived of their liberty, in line with the Optional Protocol to the Convention against Torture;**

(d) Ratify the Optional Protocol to the Convention against Torture and establish a national preventive mechanism with the mandate to monitor institutions and other places of detention.

Freedom from exploitation, violence and abuse (art. 16)

29. The Committee notes with concern:

(a) The lack of legislation, policies and programmes to protect all persons with disabilities, in particular women and girls with intellectual and/or psychosocial disabilities, and children with disabilities from all forms of violence and abuse, including corporal punishment, and the lack of accessible and age-friendly information on access to counselling, redress, including compensation and rehabilitation;

(b) The lack of dedicated mechanisms for identifying, investigating and prosecuting instances of exploitation, violence and abuse against persons with disabilities as well as lack of disaggregated data on related reports, investigations and prosecutions in line with article 16, paragraph 3.

30. **The Committee recommends that the State party:**

(a) Adopt and implement legislation, policies and programmes to protect all persons with disabilities, in particular women and girls with psychosocial and/or intellectual disabilities, and children with disabilities from all forms of violence and abuse, including corporal punishment, as well as expedite the implementation of article 16, paragraph 3, and the Prevention and Combating of Trafficking in Persons Act (2013);

(b) Investigate promptly and effectively incidents of violence against persons with disabilities, prosecute suspects and duly sanction perpetrators and that victims are provided with effective redress, including compensation and rehabilitation, and ensure that child victims have access to child-friendly reporting channels, physical and psychological rehabilitation and health services, including mental health services;

(c) Raise awareness about the 24-hour Gender-Based Violence Command Centre(GBVC), aimed at providing support and counselling to persons with disabilities and their families exposed to gender-based violence, and ensure its accessibility and the provision of accessible

information and victim support services in all parts of the State party, in particular for women and children with disabilities.

Protecting the integrity of the person (art. 17)

31. The Committee notes with concern:

(a) That forced sterilisation and forced abortion of persons with disabilities, especially women with disabilities, and in particular those with psychosocial and/or intellectual disabilities, occur unabated;

(b) The lack of protection of persons with disabilities, especially those with psychosocial and/or intellectual disabilities, against the use of menstrual suppression drugs, including the use of experimental or new drugs and treatment without free and informed consent, which is also a condition of admission into some special education schools.

32. **The Committee recommends that the State Party:**

(a) **Revise the South African Sterilisation Act No. 44, 1998, and Choice on Termination of Pregnancy Act No. 92, 1996, and remove provisions allowing for sterilisation and termination of pregnancy under substitute decision-making regime, and bring them in line with general comment No. 1 (2014) on supported decision-making;**

(b) **Adopt legislative and policy measures to prevent and prohibit forced sterilisation and non-consensual abortions, ensuring, without exception, that persons with disabilities, especially women and girls with disabilities, and in particular persons with psychosocial and/or intellectual disabilities, including those deprived of their legal capacity, enjoy their right to free and informed consent;**

(c) **Abolish the use of menstrual suppression drugs, including the use of experimental or new drugs and treatment as a condition of admission into special education schools, notably schools for learners with intellectual disabilities and autism.**

Living independently and being included in the community (art. 19)

33. The Committee is concerned about the lack of a well-defined national strategic and legislative framework on de-institutionalisation and the absence of independent living community support services that provide for inclusion of persons with disabilities, particularly for persons with psychosocial and/or intellectual disabilities. Furthermore, the Committee is deeply

concerned that the Gauteng tragedy may discourage the continuation of the process of de-institutionalisation process in the State party.

34. The Committee, in line with its general comment No. 5 (2017) on the right to independent living and to be included in the community, recommends that the State party:

(a) Develop and adopt a national strategic and legislative framework on de-institutionalisation of persons with disabilities, including all necessary independent living community support services and ensure that persons with disabilities are effectively included, through their representative organisations, at all stages of the deinstitutionalisation process;

(b) Step up the efforts for de-institutionalisation;

(c) Adopt an action plan at the national, regional and local level to develop community support services in urban and rural areas, including providing personal assistance, grants and support to families of children with disabilities and parents with disabilities, covering support for assistive devices, guides and sign language interpreters.

Personal mobility (art. 20)

35. The Committee notes with concern:

(a) The significant and increasing challenges faced by persons with disabilities, particularly those with mobility impairments, blind and visually impaired persons, in accessing quality and affordable mobility and assistive technologies, live assistance and intermediaries, especially in remote and rural areas;

(b) The lack of orientation and mobility practitioners as well as teachers to train persons with motor impairment, blind and visually impaired persons, particularly in remote and rural areas, on the use of their assistive technologies that will enhance their dignity and respect in society.

36. The Committee recommends that the State party:

(a) Adopt measures to facilitate the acquisition of necessary mobility and assistive technologies, live assistance and intermediaries, particularly for persons with

motor impairments, blind and visually impaired persons, especially in remote and rural areas;

(b) Adopt an effective national strategy for the training and retraining of orientation and mobility practitioners and teachers in the use of devices for motor impaired, blind and visually impaired persons, particularly in remote and rural areas.

Freedom of expression and opinion, and access to information (art. 21)

37. The Committee is concerned about:

(a) The slow pace in amending the Constitution to reflect the adoption of the South African Sign Language as an official language of deaf persons;

(b) The lack of sufficient teachers trained in sign language, tactile, translators on Easy-Read Braille, the inaccessibility of websites and inability of television stations to provide information in accessible formats for persons who are deaf and hard of hearing;

(c) The lack of meaningful consultation with representative organisations of deaf persons in assigning sign language interpreters at important national functions.

38. **The Committee recommends that the State party:**

(a) Expedite the amendment of the constitution to reflect the adoption of the South African Sign Language as the 12th official language and conduct effective training for sign language interpreters;

(b) Adopt legislative provisions to ensure that information provided to the general public through the mass media is available to persons with disabilities in accessible formats, such as Braille, Easy-Read and sign language, and technologies appropriate to different impairments, including by ensuring that websites are accessible and comply with the standards developed by the Web Accessibility Initiative (WAI) of the World Wide Web Consortium (W3C);

(c) Make the rights of persons with disabilities as an integral part of the teacher-training courses mandatory and ensure that television stations provide news and

programmes in accessible formats for all persons with disabilities, including deaf persons.

Education (art. 24)

39. The Committee notes with concern:

(a) The high number of students with disabilities, including girls with disabilities, those with intellectual disabilities, autism and deaf or hard of hearing, that still largely remain outside the school system and the continuing growth in special education schools as opposed to inclusive education, and the lack of safety in school hostels;

(b) Barriers against students with disabilities to access mainstream schools, including discrimination in admissions to school, long distances, poor transportation, lack of teachers trained on inclusive education and in sign language, Braille and Easy-Read skills, lack of accessible curricula, and negative societal attitudes opposing attendance of children with disabilities to regular and inclusive schools;

(c) The lack of information on budget allocations for the promotion of inclusive education, the absence of systematic data collection, disaggregated by sex and type of impairment, on the number of children with disabilities mainstreamed into regular and inclusive school environment, and on the enrolment and dropout of children with disabilities in both mainstream and special schools;

(d) The absence of effective measures to provide reasonable accommodation in the education system, including absence of sufficient learning materials, especially in remote and rural areas, and a reporting mechanism for parents and children with disabilities who are denied access to education or reasonable accommodation to ensure accountability.

40. **The Committee recommends that the State party, in line with general comment No. 4 (2016) on the right to inclusive education:**

(a) **Adopt, implement and oversee inclusive education as the guiding principle of the education system and develop a comprehensive plan to extend it throughout its territory, where children can stay in their local school, not be removed from their families and live in hostels;**

(b) **Intensify efforts at allocating sufficient financial and human resources for reasonable accommodations that**

will enable children with disabilities, including children with intellectual disabilities, autism and deaf or hard of hearing, to receive inclusive and quality education, including engaging in systematic data collection, disaggregated by sex and type of impairment, on the number of children mainstreamed into regular and inclusive schools and dropouts;

(c) Establish an effective and permanent programme for training of teachers on inclusive education, including learning sign language, Braille and Easy-Read skills;

(d) Prepare a time-bound plan of action to address the high levels of physical, sexual, verbal and emotional abuse, including bullying, in special schools, including a monitoring framework, and review the norms with the Children's Act's provisions on "child and youth centres" to ensure regulated and safe school environments, including school hostels.

Health (art. 25)

41. The Committee notes with concern:

(a) Challenges faced by persons with disabilities, especially women, girls and youth with disabilities and persons with psychosocial and/or intellectual disabilities, in accessing health services as a result of geographic distance to health centres, physical, financial and attitudinal barriers and lack of information and health-care services, including with regard to sexual and reproductive health and rights, and abortion.

(b) The lack of information on sexual and reproductive rights in accessible formats for persons with disabilities, including the absence of adequate training for children, teachers and healthcare workers on sexual and reproductive rights and the recognition of the sexual and reproductive rights of persons with disabilities.

42. The Committee recommends that the State party be guided by Sustainable Development Goal 3, especially target 7, and:

(a) Adopt measures to ensure universal coverage of health services for all persons with disabilities, and that such services are accessible, affordable and culturally sensitive, and prevent the denial of health-care services;

(b) Take measures to provide all persons with disabilities with information in accessible formats about their sexual and reproductive health and rights;

(c) Conduct training to ensure that health-care practitioners are aware of the rights of persons with disabilities under the Convention and have the tools to provide appropriate advice for persons with disabilities, including on sexual and reproductive rights.

Work and employment (art. 27)

43. The Committee is concerned about:

(a) The very low rate of employment among persons with disabilities, 1.2% of the workforce according to the 16th Commission for Employment Equity Annual Report based on data from 2014-2015, including women with disabilities, and gender-based discrimination in the open labour market;

(b) Lack of measures to provide accessible and adapted work places including the provision of reasonable accommodation, especially for persons with disabilities with motor impairments;

(c) The lack of protection and compensation afforded to migrant workers, who have acquired an impairment as a result of their work;

(d) The absence of statistical data on persons with disabilities currently employed, disaggregated by age, gender, type of impairment and geographical location.

44. **The Committee recommends that the State party:**

(a) **Promote the employment of persons with disabilities in the private and public sectors, including through affirmative action, and the adoption of laws and policies on reasonable accommodation, and provide data on persons with disabilities currently employed in the open labour market, disaggregated by age, gender, type of impairment and geographical location;**

(b) **Adopt a strategy to increase the employment of persons with disabilities in the public and private sectors, including through mechanisms to ensure that reasonable accommodations are provided and to prevent discrimination against persons with disabilities and their families in the labour market in line with article 27 of the Convention and target 8.5 of the Sustainable Development Goals, to ensure productive and decent work for everyone, including persons with disabilities, in accordance with the principle of equal pay for work of equal value;**

(c) **Adopt effective measures for making the physical environment of work places accessible and adapted for persons with disabilities, including reasonable accommodation, especially for persons with disabilities with motor impairments and provide training to employers**

at all levels to respect the concept of reasonable accommodation;

(d) Ensure that the labour law fully and equally protects migrant workers with disabilities, and that such workers who have acquired an impairment as a result of their work receive appropriate treatment, rehabilitation and compensation.

Adequate standard of living and social protection (art. 28)

45. The Committee notes with concern:

(a) Challenges faced in accessing social grants, by grant beneficiaries resulting in beneficiaries being unable to pay for their daily expenses and for those of their dependents and discriminatory provision on pensions adversely impacting women with disabilities;

(b) The absence of a comprehensive national social protection scheme that ensures persons with disabilities and their families access to an adequate standard of living, including provisions to cover the disability-related expenses.

46. **The Committee recommends that the State party:**

(a) **Eliminate challenges faced in accessing social grants by grant beneficiaries and establish a social protection scheme that is inclusive of all persons with disabilities, aimed at guaranteeing an adequate standard of living, including through compensation schemes in the form of allowances that will enable persons with disabilities to meet disability-related expenses;**

(b) **Pay attention to the links between article 28 of the Convention and target 10.2 of the Sustainable Development Goals, to empower and promote economic inclusion of all persons, irrespective of disability status.**

Participation in cultural life, recreation, leisure and sport (art. 30)

47. The Committee is concerned about the delay in revising the Copyright Act (1978) and ratifying the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired or Otherwise Print Disabled.

48. **The Committee recommends that the State party expedite action to complete the process of the revision of**

the Copyright Act (1978) and the ratification of the Marrakesh Treaty.

C. Specific obligations (arts. 31-33)

Statistics and data collection (art. 31)

49. The Committee is concerned about the lack of accurate and comprehensive data on persons with disabilities in all sectors of the State party, and is further concerned about the non-inclusion of disability concerns in the monitoring indicators for the implementation of the Sustainable Development Goals as well as the absence of information on statistical data and its dissemination to persons with disabilities in all accessible formats.

50. The Committee recommends that the State party:

(a) Meaningfully consult with persons with disabilities and their representative organisations to create a system for the collection of up-to-date disaggregated appropriate data on persons with disabilities;

(b) Pay attention to the links between article 31 of the Convention and target 17.18 of the Sustainable Development Goals to increase significantly the availability of high-quality and reliable data disaggregated by income, gender, age, race, ethnicity, migratory status, disability, geographic location and other characteristics relevant in national contexts;

(c) Analyse such data in order to enable the State party to formulate and implement policies to give effect to the Convention and ensure that such data is available in Braille, sign language, Easy-Read and electronic formats.

International cooperation (art. 32)

51. The Committee notes with concern that representative organisations of persons with disabilities are not consulted or included in the design and implementation of international cooperation agreements and programmes and that a disability perspective is not sufficiently mainstreamed in the national implementation and monitoring of the 2030 Agenda for Sustainable Development.

52. The Committee recommends that the State party adopt concrete measures to ensure effective participation,

inclusion and consultation of persons with disabilities, through their representative organisations in international cooperation agreements and programmes, specifically in the monitoring of the 2030 Agenda for Sustainable Development.

National implementation and monitoring (art. 33)

53. The Committee is concerned about:

(a) The lack of information about the specific focal points and mechanisms at the regional and local levels to implement the Convention;

(b) The absence of an independent monitoring entity to exercise the powers of an independent mechanism for the protection, promotion and monitoring of the Convention in accordance with the provisions of article 33, paragraph 2, of the Convention and in line with the Paris Principles;

(c) The lack of processes for the meaningful consultation of organisations of persons with disabilities in adopting policies and other matters affecting them, and that their views are often not adequately reflected in the decisions adopted;

(d) The lack of provision of the necessary resources by the Department of Social Development to promote the effective participation of organisations of persons with disabilities and the cumbersome and expensive accreditation procedures, especially in rural and remote areas.

54. The Committee recommends that the State Party:

(a) **Establish a mechanism and a system of focal points, including adopting measures to strengthen the efficiency of the focal points at the national, regional and local levels to implement the Convention;**

(b) **Expedite the designation of the South African Human Rights Commission as the Independent Monitoring Mechanism and allocate sufficient financial resources to enable it to fully execute its mandate;**

(c) **Establish and strengthen mechanisms for meaningful and effective consultation and participation of organisations of persons with disabilities, including those that represent women and children and older persons with disabilities, persons with psychosocial and/or intellectual disabilities and persons with disabilities in rural areas,**

when adopting policies, and on other matters that concern them, and ensure that accreditation procedures are accessible and simplified at all levels of the National Disability Rights Machinery.

Cooperation and Technical Assistance

55. Under article 37 of the Convention, the Committee can provide technical guidance to the State party on any queries addressed to the experts via the secretariat. The State party can also seek technical assistance from United Nations specialized agencies with offices in the country or the region.

IV. Follow-up

Dissemination of information

56. The Committee requests that the State party takes note, as a matter of priority, measures taken to implement the Committee's recommendations as set forth in paragraphs 15 (b) (children with disabilities) and 42 (b) (education).

57. The Committee requests the State party to implement the recommendations contained in the present concluding observations. It recommends that the State party transmit the concluding observations for consideration and action to members of the Government and parliament, officials in relevant ministries, the judiciary and members of relevant professional groups, such as education, medical and legal professionals, as well as to local authorities, the private sector and the media, using modern social communication strategies.

58. The Committee strongly encourages the State party to involve civil society organisations, in particular organisations of persons with disabilities, in the preparation of its periodic report.

59. The Committee requests that the State party disseminate the present concluding observations widely, including to non-governmental organisations and organisations of persons with disabilities, and to persons with disabilities themselves and members of their families, in national and minority languages, including sign language, and in accessible formats, and to make them available on the government website on human rights.

Next periodic report

60. The Committee requests the State party to submit its second, third and fourth reports by 3 June 2022 and to include in them information on the implementation of the recommendations made in the present concluding observations. The Committee also requests the State party to consider submitting the above-mentioned reports under the Committee's simplified reporting procedure, according to which the Committee prepares a list of issues at least one year prior to the due date set for the report of a State party. The replies of a State party to such a list of issues constitute its report.

Annexure B

STATUS OF SUBMISSIONS FOR WPRPD SECOND PROGRESS REPORT 19 JUNE 2018 (NATIONAL DEPARTMENTS)

- Submitted by deadline: The deadline for submission was 29/03/2018
- Submitted after deadline: Submitted between 03/04/2018 and 30/06/2018
- Not submitted: These departments failed to submit reports despite numerous follow ups with DGs offices and disability rights coordinators
- Authorised: These reports were signed off by Accounting Officers
- Evidence: Departments submitted a portfolio of evidence on performance reported in the template
- NDRM presentation: **Lead departments were requested to respond to specific questions in the National Disability Rights Machinery Meeting, 23-25 April 2018.** Yes indicates they responded positively; No indicates they did not honour the invitation; N/A indicates they were not requested to present.

No.	NATIONAL DEPARTMENTS	Submitted 29/03/2018	Submitted after deadline	Not submitted	Authorised	Evidence	Part A	Part B	NDRM Presentation
1.	Department of Agriculture, Forestry and Fisheries			X					
2.	Department of Arts and Culture			X					
3.	Department of Basic Education			X					yes
4.	Department of Communications			x					Yes

No.	NATIONAL DEPARTMENTS	Submitted 29/03/2018	Submitted after deadline	Not submitted	Authorised	Evidence	Part A	Part B	NDRM Presentation
5.	Department of Correctional Services	X		X	Yes	No	Yes	Yes	No
6.	Department of Telecommunications and Postal Services			X					
7.	Department of Cooperative Governance			X					
8.	Department of Defence			X					
9.	Department of Economic Development		X		Yes	No	Yes	Yes	No
10.	Department of Energy		X						
11.	Department of Environmental Affairs		X		Yes	No	No	Yes	No
12.	Department of Health	X			No	Yes	Yes	Yes	Yes
13.	Department of Higher Education Training			X					
14.	Department of Home Affairs		X			No			
15.	Department of Human Settlements			X					
16.	Department of International Relations & Cooperation			X					
17.	Department of Justice and Constitutional Development			X					
18.	Department of Labour			X					
19.	Department of Military Veterans			X					
20.	Department of Mineral Resources			X					
21.	National Treasury		X		No	No	Yes	Yes	Yes
22.	South African Police Services		X						
23.	Department of Public Enterprises			X					
	Department of Public	X			Yes	Yes	Yes	Yes	Yes

No.	NATIONAL DEPARTMENTS	Submitted 29/03/2018	Submitted after deadline	Not submitted	Authorised	Evidence	Part A	Part B	NDRM Presentation
24.	Service and Administration								
25.	Department of Public Works		X		Yes	No	Yes	No	Yes
26.	Department of Rural Development and Land Reform			X					
27.	Department of Science and Technology			X					
28.	Department of Social Development		X		Yes	No	Yes	Yes	Yes
29.	Sport and Recreation South Africa		X			No			
30.	Department of Tourism	X			Yes	No	Yes	Yes	No
31.	Department of Trade and Industry			X					
32.	Department of Traditional Affairs			X					
33.	Department of Transport		X		Yes	Yes	Yes	Yes	Yes
34.	Department of Water and Sanitation		X		No	No	Yes	Yes	Yes
35.	Department of Women			X					
36.	National School of Government	X			Yes	No	Yes	Yes	Yes
37.	SA Revenue Service			X					
38.	Statistics South Africa	X			Yes	No	Yes	Yes	Yes
39.	The Presidency	X			Yes	No	Yes	Yes	No
40.	Department of Planning, Monitoring and Evaluation			X					Yes
41.	Department of Small Business Development	X			Yes	No	Yes	No	No

ANNEXURE B: STATUS OF SUBMISSIONS FOR WPRPD SECOND PROGRESS REPORT 19 JUNE 2018 (PROVINCIAL GOVERNMENT)

- Submitted by deadline: The deadline for submission was 30/04/2018
- Submitted after deadline: Submitted between 01/05/2018 and 30/06/2018
- Not submitted: These departments failed to submit reports despite numerous follow ups with DGs offices
and disability rights coordinators
- Authorised: These reports were signed off by Accounting Officers
- Evidence: Departments submitted a portfolio of evidence on performance reported in the template
- NDRM presentation: **Lead departments / institutions were requested to respond to specific questions in the National Disability Rights Machinery Meeting, 23-25 April 2018.**
Yes indicates they responded positively; No indicates they did not honour the invitation; N/A indicates they were not requested to present.

No	PROVINCIAL GOVERNMENTS	Submitted 30/04/18	Submitted after deadline	Not submitted	Authorised	Evidence	Part A	Part B	NDRM Presentation
1.	Eastern Cape		X		Yes	No	Yes	Yes	No
2.	Free State			X					

3.	Gauteng		x		No	No	Yes	Yes	Yes
4.	Kwazulu-Natal		x		No				No
5.	Limpopo	X			Yes	Yes	Yes	Yes	No
6.	Mpumalanga		X		Yes	Yes	Yes	Yes	No
7.	North West			X					
8.	Northern Cape		X		Yes	No	Yes	Yes	No
9.	Western Cape			X					