



WCPP 11/4/11

# Wes-Kaapse Provinsiale Parlement Western Cape Provincial Parliament IPalamente yePhondo leNtshona Koloni

## MINUTES OF PROCEEDINGS

### STANDING COMMITTEE ON SOCIAL DEVELOPMENT

Thursday, 20 October 2022 (at 09:00) George Civic Centre, George

#### PRESENT

##### Democratic Alliance

Plato, D (Chairperson)

Philander, WF

##### Economic Freedom Fighters

Makamba-Botya, N

##### Additional Member

Bans, A

Windvogel, R (ANC)

##### Apology

Fry, C

#### Persons in attendance

#### Attendance Register available

#### 1. Opening and welcome

The Chairperson opened the meeting and allowed for brief introductions.

#### 2. Public hearing on the Children's Amendment Bill [B 18B-2020] (NCOP)

Adv. Mtshotshisa, was late for the hearing, he reported that he was driving from Port Elizabeth, he slept in Port Elizabeth after a hearing a day before in the Eastern Cape.

In absence of the officials from the national Department of Social Development, Mr, Plato, the Chairperson of the Standing Committee on Social Development proceeded to brief the public on the Children's Amendment Bill [B 18B-2020] (NCOP). He indicated that the Bill responds to the comprehensive legal solution relating to foster care challenges as ordered by the North Gauteng High Court Order in 2017. He mentioned that initially, the Children's Amendment Bill [B18-2020] contained 146 clauses that covered all the issues about child protection. However, in the interest of time to meet

the deadline of the North Gauteng High Court on foster care challenges, Parliament resolved to focus on clauses that relate to foster care. The rest of the clauses will be dealt with at a later stage. The national Department of Social Department identified 12 Cluses from the 146 all-inclusive Children's Amendment Bill, which directly contributed to the comprehensive legal solution as directed by the High Court Order. The 12 Clauses provide a legal framework that directly addresses the identified foster care challenges that resulted in high court directives. They seek to strengthen the provisions of the Children's Act 38 of 2005, aimed at providing a quality child protection system of which foster care is a component thereof. In addition, the Chairperson explained the amendments in Clause by Clause.

**The following organisations and stakeholders gave oral and written submissions on the Bill:**

- 1) Mr Roux, P, Oudtshoorn community member
- 2) Ms Mthiya, V, Community Project worker, Oudtshoorn
- 3) Mrs Jooste-Booyesen, R, George Child Welfare
- 4) Ms Mvini, Y, Preschool teacher, Knysna
- 5) Ms Moos, MR, ECD Principal, Knysna
- 6) Ms Grysman, P, Registration of ECDs
- 7) Mr Fredericks, Legacy Activists, Knysna
- 8) Mr Davids, Deputy Mayor, Bitou Municipality

**3. Key service delivery issues raised by various stakeholders during the public hearing:**

- 3.1 The admission system of children in the CYCC was reported as a challenge.
- 3.2 Shortage of place of safety in the South Cape was highlighted as a challenge.
- 3.3 Removal of children was reported as a challenge for social workers, this put their lives in danger.
- 3.4 Shortage of social workers and police officers in the region was reported.
- 3.5 High caseload of Social Workers and under-resourced were reported as problems.
- 3.6 It was reported that when social welfare officials need to go out to dangerous areas and rescue children in danger, police as role players do not have vehicles to accompany Social Workers.
- 3.7 It was reported that children in various communities in the Garden Route are exposed to drugs and drug lords use children for criminal activities.
- 3.8 Continuous changing of Social Workers that handle children's cases make it difficult for the cases to be finalised and for the children to get the help they need.
- 3.9 High teenage pregnancy and high numbers of school dropouts were reported.
- 3.10 No provision for ECDs, specifically the land. Community members requested that Municipalities must include ECDs in their IDP planning. Furthermore, community members highlighted that the Bi-laws of ECDs differ in Municipalities across the province and this needs to be corrected. It was requested that uniformity is needed in ECDs Bi- laws.
- 3.11 The long waiting period for the approval of the Foster Care Grant was reported as a challenge.
- 3.14 Community members reported that some parents were abusing the Foster Care Grant and not taking care of the children and urged the government to monitor the Foster Care Grant.
- 3.15 No rehabilitation centres in rural areas and it was reported that the long admission waiting period was a major challenge.
- 3.16 Community members requested that the age for the Foster Care Grant be extended because once the foster care children turn 18 years old the grant stop and some of the children are not working due to the high employment rate in the country. This results in some of the children being chased away by their foster care parents once the foster care grant stop coming.
- 3.17 Community members requested DSD to train the people that are doing the work for the Isolabantwana programme to assist social workers with the child protection services in areas where there are no social workers.

- 3.19 Various stakeholders complained about the court red tape and the way the courts are dealing with children's matters. It was reported that the court process was long, and this was a problem for children that need care.
- 3.20 The legislation for the ECDs needs to be strengthened to address various issues facing the ECD sector.

Adv. Mtshotshisa arrived before the question-and-answer session. He answered all questions raised during the public hearing and gave more clarity on the amendments.

The Committee deliberated on the presentation and the submissions made by various stakeholders on the Bill.

The meeting adjourned at 13:00.



**MR D PLATO, MPP**

**CHAIRPERSON: STANDING COMMITTEE ON SOCIAL DEVELOPMENT  
WESTERN CAPE PROVINCIAL PARLIAMENT**