

**SOUTH AFRICAN GOVERNMENT RESPONSES
TO THE PLIGHT OF STREET CHILDREN:
AN ANALYSIS OF POLICY DEVELOPMENT AND
IMPLEMENTATION IN JOHANNESBURG**

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DECLARATION

I Ngwenjah Rose Lefeh, declare that this dissertation is my original work, and that the technical assistance which I have received is detailed in the acknowledgements. No part of this dissertation has been or is being submitted to any other university or institution. Where other people's works have been used, references have been provided.

Student:

Signature _____

Date _____

DEDICATION

I dedicate this piece of work firstly to God Almighty, secondly to my husband – Wilfred Bengnwi, who has been my inspiration and lastly to my little girl – Shirley Bright Bengnwi.

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LIST OF ACRONYMS

| | |
|--------|--|
| AC | African Charter on the Rights and Welfare of the Child |
| CRC | Convention on the Rights of the Child |
| CYCC | Child and Youth Care Centres |
| MES | Metro Evangelical Services |
| NACOSS | National Coalition for Social Service |
| NASC | National Alliance for Street Children |
| NGO | Non Governmental Organisation |
| OVC | Orphans and Vulnerable Children |
| RDP | Reconstruction and Development Programme |
| SAPS | South African Police services |
| SCPU | Social Crime Prevention Unit |
| SDM | Service Delivery Model |
| UNCRC | United Nations Convention on the Rights of the Child |
| UNICEF | United Nations Children's Fund |

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ABSTRACT

The main aim of this study was to analyze South African government response to the plight of street children. In order to achieve this aim, policies and legislation addressing street children were examined through the lens of its formulation process and how they are being implemented by the Gauteng Department of Social Development, the Johannesburg City Council, South African Police Services, and street children NGOs registered with the Department of Social Development. In order to ground the research on knowledge foundation, a comprehensive review of literature was carried out. Findings from data collected and documents reviewed, revealed that despite the adoption of a new Act for children from the 1974 Child Care Act to the new 2005 Children's Act and the 2006 Children's Amendment Act, the target population concerned in this study still faces difficulties being fully integrated in to the society as intended by the policies. Several reasons have been attributed to this, but this study concludes that the weak collaboration between NGOs and government departments and among stakeholders and the limited resources for the implementation of the policies are the utmost.

CHAPTER ONE

INTRODUCTION

BACKGROUND

Millions of children in the world live on the streets and are among the most deprived sections of the population; they usually have no access or only limited access to healthcare, education, shelter, and some of them have been victims of violence even before taking to the streets (Scanlon et al 1998). In many countries, street children are regarded as worthless, nuisances and good-for-nothing. As a result, some governments have adopted a “clean sweep” approach whereby street children are removed from sight (Swart-Kruger 1990). The response by many governments towards street children has been violent and punitive. Nevertheless, some governments have expressed due concern about the plight of these children but have often proceeded to implement coercive measures (such as placing them in corrective centers) which often do not constitute a viable solution for this problem.

However, in recent years there has been a shift in emphasis from a repressive approach to one of offering help. In the late 1980s, the combination of the United Nations Convention on the Rights of the Child, and pressure from Non-Governmental Organizations led to some governments introducing more enlightened legislation as positive responses toward street children. Despite the policies adopted by many countries which entrench the rights of a child to protection, good health, education, shelter, street children do not see this reality in their lives (Kopoka 2000). They face untold hardship on the street; the lack of food, clean water and inadequate healthcare. Fortune D (1995) reveals that in South Africa, street children are predominantly male, and they suffer from poor health, malnutrition, physical violence, psychological trauma, and the hostility of the public. Moreover, government initiatives for street children, which rely mostly on short-term relief and institutionalization, have been unsuccessful in meeting their long-term developmental needs.

The prevalence of street children has increased substantially over the last decade. This increase has been attributed to the impact of poverty, large scale unemployment and the impact of HIV/AIDS. Identifying reasons for the existence of street children is crucial in finding appropriate solutions to the problem. There are those who argue that the emergence of street children is bound up with the totality of urban problems – meaning that the phenomenon is exclusively urban. While this may be true, it is my argument that many of these children have rural origins. The problem therefore extends beyond urbanization though it is manifested mainly in urban areas.

There are many other factors that contribute to the phenomenon of streetism however, it is argued in this study that street children are a victim of incapacitated and inappropriate strategies in implementing state policies addressing street children. This is because it is assumed that the strategies are not appropriate in addressing the causes of street life or preventing children from reaching to the streets as alternatives. In other words, the government needs a plausible, comprehensive approach and a dedicated will both to facilitate and fund programmes and services for street children.

According to Kopoka (2000, p10), governments of countries where the problem is most acute have not given it the attention it deserves. This is because many governments have formulated child development policies and set up ministries dealing with children and family affairs yet have done very little to address the problem of street children. Mbogori (UNESCO, Harare conference 1994) argues in the same line, that the presence of street children in any country is a reflection of the failure of social policy in that country.

PROBLEM STATEMENT

In South Africa, the number of children living on the streets increased gradually up to the mid 1990s and then experienced exponential growth. According to Fortune D (1995), in 1987 there were an estimated 5000 street children and by 1995 had doubled to about 10,000 street children between the ages of eight and seventeen. Less than a decade later the number of street children increased dramatically to an estimated 250,000 (Consortium

for Street Children 2004). Based on this information, it is anticipated by many practitioners in the field that over the next 10 years, the number of street children will double due to increasing levels of adult unemployment, the drift from rural to urban areas and the breakdown in African family support. This statistics also reveals that the problems of street children are becoming increasingly serious, deeply-rooted and chronic. Current government legislation on protection of children's rights is seemingly unable to deal with the problems or to guarantee equal development opportunities for all children.

In the past ten years, much has been done to protect children's rights. Legislations that conform to international standards have been enacted. The Convention on the Rights of the Child has been ratified and The African Charter on the Rights and Welfare of the Child have been adopted to protect children, and to guarantee that every child has shelter, food and opportunities for education. A widespread involvement of various departments for the protection of children's rights has been outlined. Nevertheless, all these have not been able to prevent the street children phenomenon nor guarantee protection of the rights of these children.

Programmes and services to children in South Africa are primarily guided by the 2005 Children's Act and the Children's Amendment Bill (B19F-2006). Hereafter, these Acts will be known as the Children's Act and Children's Amendment Bill. The Children's Act and Children's Amendment Bill provide broad mechanisms to address the problems of childhood as experienced by street children but have significant gaps and does not adequately address the needs of children in especially difficult circumstances such as street children. Specifically, there is no defined social service package being implemented for children already at risk. Early intervention services and data on the number of programmes and their locations are not available. It is with this in mind that the study aims at assessing South African government's response to the plight of street children by reviewing policies addressing these children.

AIMS OF STUDY

The main aim of this study was to examine South African government's response to the plight of street children. Evaluation was based on policy development process, implementation and achievements and challenges encountered. In order to do this, policy documents such as the Children's Act, the Children's Amendment Bill, the Bill of Rights and other related international legislations such as the United Nations Convention on the Rights of the Child, were examined so as to verify the appropriateness of these policies in addressing street children problems.

The research also aimed at investigating the strategies and approaches employed by facilitators and implementers (these include the Human Development officials of the Johannesburg City Council working with street children, street children NGOs registered with the State and the South African Police Service involved with street children). The purpose of this was to analyze constraints and challenges that may exist in the execution of programmes and projects.

Finally, the research sought to understand the relationship between policy formulators (the State; specifically the Department of Social Development) and policy implementers: the NGOs, the Police Department and the Local Authority (Johannesburg City Council). Analysis was based on the level of commitment in funding, communication, consultation process between the two parties.

RESEARCH QUESTIONS

Main question:

How are government's policies and programmes responding to the plight of street children?

Subsidiary questions:

- What are the policies addressing the problem of street children, are these policies based on specific approaches?
- Are there synergies in the various approaches amongst NGOs and between policy formulators and policy implementers?

- What are the constraints encountered in the implementation of policies addressing street children?
- What are the programmes and services developed to meet the needs of street children?
- What is the relationship between the government and NGOs with regards to street children problems in Johannesburg?

RATIONALE

The situation of children in the street across the world is an escalating problem, which demands an intensive study particularly in terms of the kind of interventions needed to respond appropriately to the phenomenon (Volpi 2003). Street children are the most vulnerable category of children at risk, as they are exposed to different kinds of assaults including rape and prostitution which make them more vulnerable to HIV and other related diseases. They are equally the most marginalized in society due to their family background. All these factors go a long way to affect the development of society, as a great number of the youthful population is not properly developed and utilized in gainful activities. If allowed to persist, the street children phenomenon could have a deleterious impact on the general welfare in two ways:

Firstly, society will suffer from a rise in crime, drug addiction, prostitution, theft, beggary and hooliganism. The consequences will become apparent not only in the negative effect of the street environment on the development of children and their ability to function in society, in growing crime and threats to public safety, they will also become apparent in rising social welfare costs. Secondly, children who spend most of their time on the street become part of a specific subculture that is ruled by “street laws” (Lukasinska 2002). This includes street culture, street ethics and street values which have little in common with the generally accepted rules by which society abides. These children will grow up and they will represent a part of society in the country. Furthermore, as revealed by the Minister of Social Development Dr. Zola Skweyiya in his address on substance abuse in Pretoria 20 August 2007, the economic cost to the South African government on alcohol and drug abuse is between R 8.7 billion and R 17.4 billion per year

(<http://www.info.gov.za/speeches/2007/07082111151008.htm>). This implies that if the street children phenomenon is addressed, government will continuously have to dedicate part of its budget to the problem of drug and substance abuse instead of in developing the communities and the people.

The importance of addressing the problems of street children emanate therefore from the fact that a healthy society forms the foundation of any meaningful development that can be sustained. A sound and healthy society which precedes development must be characterized by reduced levels of marginalization as a result of sound policies, which will also have a net effect in the reduction of children exposed to assaults, drugs and HIV infections.

Street children, despite the circumstances surrounding their lives, still exhibit unique talents and skills that can be developed and utilized in meaningful and productive activities. The discipline of Development Studies emphasizes the importance of transforming people into agents of their own development. Particularly, the people-oriented approach to development emphasizes empowerment of people to take control over their destinies. Therefore, neglecting them in terms of not effecting appropriate, sound and coherent programmes guided by policies that will lead to their development, will amount to wasted youthful population of the country.

Many studies have been carried out on street children regarding the circumstances that surround their lives and how these affect their development. But little has been done in the areas of policies addressing street children in terms of the programmes and projects designed by front line organizations (for examples, NGOs) working with these children and how the relationship between the frontline staff and those who formulate policies (the State) affects the objective of reunifying and reintegrating these children to the family and society. That is why this study does not only focus on policies addressing the plight of street children but also examines the nature of collaboration between government and NGOs working with street children so as to elaborate the importance of these two parties

working in a coordinated manner to achieve the goal of reintegrating street children to the society.

METHODOLOGY

In order to achieve the objective of this research study; which is to examine State policies addressing street children problem, the following methodological designs were employed.

These include the description of the design used in the study, the sample utilized during the study, the procedures followed in obtaining data as well as information pertaining to the analysis of data and the ethical measures employed.

Research Design:

In order to answer the research questions and to achieve the aims of the study, an evaluative study designed was adopted. An evaluative study design was chosen because the study followed a qualitative research method whereby the researcher was not only concerned about policies addressing street children but also about the formulation process in terms of consultation; and the implementation of programmes to achieve the goals of the legislations.

In order to attain the goal of the evaluation and assessment research, which is to influence policy process through the provision of empirically driven feedback, the research was limited to institutions dealing with street children. The institutions involved were the Department of Social Development, the South African Police Services (SAPS), the Johannesburg City Council and three NGOs (Twilight Children Organisation, Othandweni and The House). These institutions all seek to address the situation of street children in Johannesburg and the Republic as a whole. It should be mentioned here that these are not the only institutions dealing with the issues of street children in the country. However, these were chosen due to the limited time reserved for the research and the importance of collaboration between them. It was assumed that though these institutions may be informed by the same policies they have adopted different strategies and approaches in addressing the plight of street children. Therefore, it was one of the

objectives to assess the policy implementation process by these arms of the government and the relationship between government and NGOs.

Sample and Sampling Procedure

The sample for the research study was drawn from Johannesburg inner city. This is because it was assumed that there are more street children in the inner Johannesburg than elsewhere within the province and secondly because of time convenience for the research. The sample consisted of 16 respondents drawn from the Department of Social Development for Gauteng province, SAPS, Johannesburg City Council and three NGOs. These NGOs are registered NGOs working in collaboration with the Department of Social Development. These NGOs were selected in order to be able to assess the relationship between government and NGOs.

Non-probability sampling methods are considered the most appropriate techniques for exploratory studies (Babbie and Mouton, 2001). Therefore, two types of non-probability sampling were utilized in this research, namely purposive sampling and snowball sampling. In the study, the researcher identified and selected only those NGOs: Twilight Children Organization, The House and Othadweni; which in the researcher's opinion would provide the best information to meet the objectives of the study. Twilight organization deals only with boys, while The House deals only with girls and Othadweni deals with both boys and girls. In order to enrich the research study with reliable data, an umbrella body of NGOs working with street children was also visited. This umbrella body for street children organisation is the NASC (National Alliance for Street Children).

Snowball sampling was used as another method for identifying the sample for the study. According to Babbie & Mouton (2001), snowball sampling refers to the process of accumulation as each located subject suggests other subjects. This sampling procedure is appropriate when members of a special population are difficult to locate and this was the case with the NGOs. These NGOs form part of a bigger structure through which the researcher was able to identify one and through which other NGOs with particular objectives were identified. The researcher had to rely on the information provided by the

primary sources from the NGOs to identify other NGOs and other organizations that work with street children.

Method and procedure in data collection

Data for the research study was essentially collected using interview questions and review of documents from government institutions and NGOs. Interviews were chosen as the main method of data collection in the study (see appendix for interview questions). The purpose of utilizing interviews as data collection instrument is basically because of its naturalness, spontaneity, flexibility and the control over the environment. This method of data collection was employed in order to allow respondents to freely express themselves and also to be able to explore in detail the topic under investigation. The interview questions comprised of open-ended questions which required information pertaining to the situation of street children in Johannesburg, policies addressing the plight of these children, strategies and programmes for implementation of policies and the nature of collaboration between organizations.

Document review was applied as a supplementary data collection method in the study. Documents included policy and legislative documents such as the Children's Act (2005), Children's Amendment Bill (2006), the South African Constitution (1996), the United Nations convention on the rights of the child (1989), the African charter and annual reports of street children's organizations. These documents were intended to supplement the information obtained from the primary sources.

Data Analysis

Data obtained in the study were analyzed qualitatively. The qualitative analysis of data included thematic and content analysis in line with the aims and objectives of the study. Data were processed and analyzed according to the initial research questions.

Ethical considerations

This study was centered on the plight of street children. However, street children themselves were not the focus of the research. Therefore, they were not involved in data collection process. The research focused on policies addressing the problem of street

children as part of government's response to their plight. Therefore, only officials of institutions and organizations dealing with policy issues addressing street children were involved in the interview process and research in general.

The principle of voluntary participation requires that people not be coerced into participating in research. Closely related to the notion of voluntary participation is the requirement of informed consent. This means that research participants must be fully informed about the procedures and risk involved in research and must give their consent to participate (Neville 2005). In this study, each interviewee was given an information and consent form which briefed him or her on the purpose of the research, the procedures to be followed; which involved voluntary participation and the need to withdraw from participating if not interested.

Ethical standards also require that researchers not put participants in a situation where their identity might be revealed as a result of their participation. According to Neville (2005), there are two standards that are applied in order to help protect privacy of research participants: they are confidentiality and anonymity. Almost all research guarantees the participant's confidentiality – they are assured that identifying information will not be made available to anyone who is not involved in the study. The stricter standard is the principle of anonymity which essentially means that the participants will remain anonymous throughout the study. In this study, a matching list was used to identify from whom information came from. This matching list had coded names attached to the consent form. Respondents were assured confidentiality and anonymity through these matching alphabetic names.

CHAPTER TWO

LITERATURE REVIEW

INTRODUCTION

There is a growing body of domestic and international literature defining and describing the situation of street children, policies and legislative framework, the gaps and shortcomings in these policies, and the need to align responses with the requirements of the Convention of the Rights of the Child (CRC). In this chapter, the literature is mostly focused on the theoretical definition of street children and the various approaches adopted in response to the plight of these children by the government and NGOs working with street children. In this light the literature further engages with the relationship between the State and NGOs so as to understand the nature of collaboration between the two entities.

DEFINING STREET CHILDREN

A look at the way in which the term “street children” has been defined in various documents shows that the term incorporates a much larger group of children, not just those who live on the streets. Children who actually live on the street can be set apart as a subgroup of a much larger group of children at risk such as children from dysfunctional families, children from underprivileged families, children who do not attend school, children who break the law and children who are drug addicts (Lukasinska 2002).

Panter-Brick, (2002) argues that identifying street children is more problematic than it may appear because the generic term “street children” obscures the heterogeneity in children’s actual circumstances and also that the term is not a good reflection of children’s own descriptions of their lives, nor does it reflect the fluidity of the ways in which they move on and off the streets. The United Nations Children’s Fund (UNICEF) in this trend of thought, distinguishes between children “on the street” and children “of the street”. This categorization represents children who are visible and working on the streets, but who continue to live with their families, and children who no longer live with

their families and who are homeless. According to Baker (1999) because there are children who live in poverty, suffer difficult family circumstances such as family breakup and abuse, who do not go to school and who are at risk of begging, working or living on the street, she coins another category known as “children for the street”.

In this same trend of thought, Benitez (2001) further categorizes street children as street-living children, who are those children who have lost daily contact with their families; street-working children who are children that work on the street during the day and then return home in the evening. And lastly are city’s market working children who are children that work in close proximity to their families, within the community environment of a market and making small contributions to the family income.

Another term also used in defining street children and their situation is UNICEF’s notion of “Children in Exceptionally Difficult Circumstances”. Ward CL (2007) points out that this term was originally intended to encompass more than street children. It was intended to include refugees, children with disabilities, children affected by organized violence, working children, children unaccompanied in disaster situations, as well as street children. However, the term has often been used synonymously with the term “street children” (Ennew, 1996, cited in Ward CL (2007)).

Panter-Brick (2002) equally points out that the use of the term “street children” can appear to delineate a distinct group of children and in so doing, draw attention toward the most visible tip of a large iceberg which is children living in poverty. This is because street children encompass a wide range of children and within this range there are other identifiable groups of children with different characteristics, conditions and developmental needs. Current perspectives however, do not distinguish street children so radically from other poor children or to conceptualize the homeless in isolation from other groups of children facing adversity. Most welfare practitioners now talk of “children at risk” (Kapadia 1997), which conceptualizes street children as one of the groups most at risk and requiring urgent attention.

A significant argument in some of the literature is that focus on street children concentrates attention toward only the most visible tip of a large iceberg as Panter-Brick (2002) had pointed out. According to Ennew (2000), street children have hijacked the agenda for policy makers to the detriment of other groups of disadvantaged children. Rizzini et al (1999) also argue that a focus on street children – however well-intentioned – deflects attention from the broader population of children and youth in poverty. However, for Lane (1998) the distinction between “those at risk of taking to street life and those who live in poverty is central to effective prevention strategies”. This is because not all disadvantaged children take to the streets, and those who do are most likely to slip through the nets of broader-based community interventions.

In all the above-mentioned definitions of street children by different authors, one distinguishing characteristic is that these children generally experience some form of dysfunctional family relationships and difficulty in life which affect their development and are in need of urgent attention. Research has shown that it is important to move beyond a sole focus on the street to the children. That is why the United Nations CRC and the Human Right Commission have tended to focus on the rights of street children as human beings. Veeran (2004) however, argues that this conceptualization must include the street and its relationship with the child as an important consideration for intervening with street children. For the interest of this study, the research adopts the view of Veeran.

CONCEPTUAL FRAMEWORK

The presence of children living on the streets has elicited public concern and in the late twentieth century, has become a matter of priority for national and international child welfare organizations (Panter-Brick 2003). In the twenty-first century, there has been a dramatic change in writings concerning street children; with more focus on street children as underprivileged groups. However, many current perspectives tend to distinguish street children from other underprivileged children; with most welfare agencies now referring to them as ‘children at risk’ (Kapadia 1997 cited in Panter-Brick p. 148), which conceptualizes street children as one of those groups at risk and requiring urgent attention. This change in perspective reflects a shift in attention from the street as primary

focus of concern to the children themselves such that it includes the diverse experiences of these children and the causes of street life. Of importance to this study is the conceptual framework provided by the United Nations Convention on the Rights of the Child – which emphasizes children as citizens and recognizes their capabilities to enact change in their lives.

The United Nation’s Convention on the Rights of the Child

The Convention on the Rights of the Child (CRC) was the result of the advances made in the area of advocacy and defense of children’s rights by the UN and in many countries throughout the world (Thomas de Benitez 2000). The international year of the child (1989) also strengthened UN resolve to draw up a convention to guarantee rights to children. The CRC was then adopted by the United Nations General Assembly on 20 November 1989 and entered in to force in September 1990. As pointed out by Thomas de Benitez (2002 p.2), the convention has been ratified by all countries in the world, with the exception of Somalia and the United States. This indicates the fact that governments across the world felt that they should respond to the world’s first convention focused exclusively on the rights for children. In South Africa, the CRC was ratified by the first democratic government on the 16th of June 1995. This committed South Africa to implement the principle of a ‘first call for children’ in terms of which the needs of children are considered paramount in all government programmes, services and strategies.

According to the Convention on the Rights of the Child, focus is on ensuring all rights for all children. That is why the CRC does not mention the term ‘street children’. But it establishes that all street children are in some way disadvantaged when compared with other children because they have generally experienced traumatic development, inadequate cognitive development, poor physical development which seriously hamper their chances of participating fully in society (Thomas de Benitez 2000).

The UNCRC does not outline the rights of different categories of children especially children in difficult circumstances. Despite the attempt to acknowledge children in difficult circumstances, the UNCRC does not define the rights in terms of services and programmes to which these children are entitled to. Failure to specifically outline street children's rights in the convention draws a credible veil over any possible disagreement regarding which action or intervention might work best and in their interest. However, a major criticism of the convention has been its biased nature in that it reflected Western ideology and concept of childhood, which perpetuated globally through colonialism (Ennew 1995, cited in Veeran 2004). The Western ideology of childhood which bears with it the intrinsic value of human dignity and integrity of individuals is short of the African perspective of children which recognizes childhood as precarious and fragile stage of human being which requires special protection and dependency on adults (Kaime T 2005). It is believed that some of the articles in the convention depicted vulnerable children to be a marginalized group, as most of them do not enjoy the rights of protection and provision.

In effect, the discourse on children's rights was pure rhetoric for millions of children living in extreme poverty in developing countries as many fell out of the safety nets necessary for their care and protection. Children experiencing abusive relationships, neglect and abandonment were in need of special measures to safeguard them. As these protective measures were lacking, many children became vulnerable.

Despite the limitations of the UNCRC, it is acknowledged to be the most powerful international instrument for children especially those in difficult circumstances. In effect, it compels governments to regularly evaluate their policies with the intention to improve the quality of life for their children. Therefore, the CRC sets the tone for its holistic approach to children's rights and confirms that all rights apply to all children without exception, and all actions concerning the child shall take full account of the child's best interests. In a phrase in the preamble of the CRC, it is recognized that in all countries of the world, there are children living in exceptional difficult conditions and such children need special consideration. This is specifically to street children and they are entitled to

rights to protection, provision and participation. In the realm of protection: protection from neglect, abuse and exploitation; in provision: access to housing, schooling and medical care; and in participation: enabling active participation in society (Thomas de Benitez p.7).

The UN Convention on the Rights of the Child has had a great impact in defining conceptual frameworks regarding children in adversity. The Convention asserted a number of rights for children worldwide, formulated basic principles to be applied and created a legal obligation to put these rights and principles into practice. This universal mandate was carefully worded to formulate a clear principle to empower intervention while leaving room for some flexibility and cultural interpretation (Alston 1994, Van Bueren 1998, Panter-Brick 2000).

In the Convention, emphasis has moved from highlighting the needs of vulnerable children to defending their rights as citizens. As citizens, children have rights that entitle them to the resources required to protect and promote their development. Concern for children in difficult circumstances is no longer considered a humanitarian or charitable concern, but is now a legal responsibility of the State as a party to the Convention. Street children, however, are socially excluded and this exclusion begins with the lack of access to registration documents to lack of stability of residence, proper education and health care. According to the Human Right framework, these children are deprived of their citizenship rights.

In conclusion, the notion that children as individuals have inalienable human rights must be negotiated with the notion of group and family rights (giving children duties and responsibilities toward their elders) prevailing in non-western cultures (Alston 1994, Goonesekere 1998, Montgomery 2001). The notion that minors have rights usually raises questions regarding their developmental and social maturity. To respect or condone a child's choice to live on the streets, to grow up with peers rather than with a family, to work for an income, and to have sex is for many a morally unsatisfying position. Should the rights discourse be tempered with a measured consideration of children's capabilities

– an appreciation of children as individuals with specific competences and maturity, able to discern and adopt those behaviours that, realistically, will improve their quality of life? To make rights contingent upon capacity is, however, problematic – especially where children are concerned, when adults remain the all powerful adjudicators of their competences (Freeman 1996).

APPROACHES TO STREET CHILDREN

In the early twentieth century most countries adopted repressive responses toward children found on the streets. A large and widely heterogeneous population of children and youth found on the streets were detained and forcibly taken to “reformatories” for reasons ranging from vagrancy to homicide (Moran and Castro 1997). These institutions developed a reputation for inhumane conditions and brutal treatment comparable to the regular adult prisons of the time. As time progressed, institutional response became a placement in “closed institutions” that provided for their basic needs (to varying degrees) within confined facilities. These were commonly linked to the Catholic Church: founded on religious ideals and charitable in nature. Later a competing model emerged which emphasized “scientific principles” which focused on health, hygiene, expanded education and shunned corporal discipline. However, accelerating urbanization in the early part of the twentieth century and growing numbers of neglected children overwhelmed the capacity of the charity and scientific institutions which has led to alternative approaches. The above and associated problem of juvenile delinquency led to growing concerns with the street children problem.

According to Moran and Castro (1997 p.2), programmes with the greatest and most lasting impacts on “problems of street children” are not “street children programmes” in the usual sense, rather they are programmes that help build up the social and human capital of the poorest urban communities and families. They are more focused on “preventive” programmes as they are capable of reducing the number of street children in the long run. This will mean that basic social services increasingly directed towards early childhood educational care are available to the poor. Swart-Kruger (1990) confirms this by advocating that both the child and its community of origin be taken into account. This

is a “contextual approach” which stems from the anthropological way of looking at the people in the community- trying to see them in the broader context.

In contrast to the preventive and contextual approach described above, responses towards street children’s problem have turned to focus on their immediate needs. According to Moran and Castro (1997) these “remedial” programmes have varying and often disappointing results in equipping children to leave the streets and do little or nothing about the factors that impel children onto the street. This form of “caritative approach” whereby care and attention is given to the immediate needs of street children, only tries to cater for some of the basic needs of these children by providing them with food, and basic health care. According to Barrette (1995, p.65), this is done out of charity so as to alleviate some of the children’s most pressing needs.

Some sparse but impressive empirical evidences support the view that only preventive approaches offer realistic hope of overcoming street children’s problem (Swart, 1990, the National Alliance for Street Children 2005). They are broadly targeted at poor households and make no attempt to discriminate among potential participants according to their probability of producing street children. The preventive approach targets the root cause of children getting to the streets but it must be acknowledged though that it is costly and time consuming because it will have to involve a large number of people yet be more appropriate for a government which is concerned about the well-being of its citizens.

However, most governmental organizations such as the Social Welfare Departments, have adopted the “welfare approach” whereby they do whatever they can to assist children at large. The problem with this approach has been the practice to round up street children and confine them along with non-street abandoned children, delinquents, stray children and other children in need of care, in government residential facilities of remand, training centres, probation and children’s home; whereas these children do not have the same problems in life.

Furthermore, Barrette (1995) emphasizes that instead of doing things for street children, efforts should be made to help them take charge of their own welfare and to participate fully in whatever is done. This approach is what is term “participative approach” which has in focus the consideration, and to an extent the involvement of street children in whatever decisions taken on their behalf. To be able to do so effectively demands that the organizers of such initiatives listen to street children and gently guide them.

Veeran (1999) equally maintains that children have certain basic needs and rights, which underscored their rights to protection and participation. This child-centred approach has been recommended as the framework around which intervention strategies for street children should be designed. Besides, the primary resource of any intervention programme is the children themselves (Veeran 2004). Their motivation for participation is driven by their own experiences, aspirations and potential to overcome their plight. Through this process children become advocates for themselves, moving toward a self-selected life goal (Veeran, 1999; Corey, 2001).

The UNCRC supports a child-centred approach as a “guide to standards” and a “framework for action” (Blanc, 1995). The UNCRC forms the cornerstone for policy formulation in countries that have ratified it; it also acts as a monitoring and evaluative role model. The Convention together with the country’s constitution and relevant policies, form the basis for service provision to street children as part of government’s response.

Advocating for children’s participation in decision-making, Rothman (1989) argues that children should be involved in defining the problem and the course of action, but at the same time stressed that this will depend on good practice by the professional. This implementation in the absence of guidance for good practice in shelters for street children, social workers’ intervention should be based on a presumption in favour of the child’s level of competence, which is in keeping with the core mission of social work (Staller & Kirk, 1997 in Veeran 2004). The nature and structure of the shelters are

essential in providing the necessary guidance and support for social workers when making decisions about the child's participation in the intervention process.

Empowerment is a very important goal in working with street children. Some analysts such as Boyden & Holden (1991) have advocated that street children be the catalysts for change and also assume responsibility for their own problems. By so doing, it will entail taking such risks as forsaking the street life, and going back to school or being reunited with their families. Street children need to be supported in such decision-making process. They need to be equipped with empowering skills, which include capacity building, self-esteem and positive development.

Many researchers have advocated for involvement of children beyond taking part in activities to include planning, implementation and evaluation of programmes (Swart, 1987, 1991; Boyden & Holden, 1991; Richter, 1991; Ennew, 1994, Schurinke & Burger, 1994; Blanc, 1995). Children's participation will however entail a supportive and encouraging environment including factors such as the interest, knowledge and willingness to participate. In addition, when involvement in programmes is based on respect for street children to interpret their lives and to make their own choices, success can be guaranteed (Allsebrook & Swift, 1989).

Within the right-based approach adopted by the UNCRC, there is the element of human development adopted for the purpose of this research. The "human development approach" is a long term perspective and it focuses on equipping street children with skills in order to be reintegrated into society. It is based on this perspective that the research assesses the programmes and services designed in conjunction to this approach adopted by the Department of Social Development.

As earlier acknowledged, there are a myriad factors contributing to the presence of children on the streets, intervention strategies therefore, must be reflective of these interlocking factors in the formulation and implementation of policies and programmes. The complex circumstances surrounding street children necessitate a multi-faceted

approach to intervention that is holistic, goal oriented and humanistic. In this regard, any intervention with children should not only adopt a child-centered approach which recognizes children as human beings with rights, and ultimately their own life goals but also a human development approach with a long term perspective of self-realization and independence. This does not mean working with children alone; parents are also involved as significant partners in the intervention process. Most importantly is the coordinated action of government efforts with nongovernmental organizations.

PERSPECTIVES ON STATE-NGO RELATIONS

This section of the literature tries to expose the synergy that exists between State and NGOs by examining the nature of relationship that exists between the two. In order to understand the nature of the relationship between the State and NGOs especially when it has to do with services to vulnerable children such as street children, it is necessary to outline briefly the definition of the State and that of an NGO. The State is an entity which establishes a set of rules that it applies across to all its constituent societies across the boundaries among them, and which it enforces in the name of safeguarding “the public interest” (Shigetomi S. 2002). An NGO is simply defined as non-profit, voluntary citizen’s group which is organized on a local, national or international level. Given these definitions, the literature seeks to unpack how one’s activity may have an impact on the other.

According to Rikar (1995) also cited by Leong N. (2007), there are five perspectives on how NGOs handle their role or carry out their activities vis-à-vis the State. The first is “autonomy”; which means NGOs working independent of the central government. The second is “partnership” which recognizes the comparative advantage of each sector in addressing certain types of problems that leads to a cooperative relationship. The third is in form of competition; wherein it is assumed that rivalry exists between the State and NGOs. The fourth is “NGOs as advocates for government accountability” wherein NGOs serve as watchdogs of government programmes. Fifth is NGOs bypassing the State by working independently and having nothing to do with the State even though the two had had some form of commitment to each other.

Given that the relationship between the State and NGOs differ from country to country, Shigetomi (2002) argues that this relationship will depend on the space given to NGOs to operate. He envisions the relationship between the State and NGOs from the concept of the economic and political space. The economic space allows NGOs to provide for economic resources that are not properly catered for by any of the existing sectors of the society, including the State. A large economic space means that the services of NGOs are in great demand but as the volume of resources supplied by other sectors such as the State grows, this space for NGOs shrinks. On the other hand, political space emerges when the State allows NGO activities, which essentially reflects the extent of political control exercised by the State over them. However, it can also be argued that the existence of this space does not necessarily mean that NGOs are free to act.

In contrast to Shigetomi (2002), Evans (1996) centered his argument on complementarities and embeddedness. These concepts give ideas of different forms of synergy and different connections between synergy and theories of relations between public and private institutions. Complementarity is the conventional way of conceptualizing mutually supportive relations between public and private sectors. Both embeddedness and complementarity are mutually supportive in a synergistic relation. For example governments are suited to delivering certain kinds of collective goods which complement inputs delivered by NGOs. Combining this kind of inputs results in greater output than either sector could deliver on their own.

Najam (1996) deviates a little from Evans view by looking at collaboration and confrontation with complementarity. He explains that confrontational relationships are likely to exist in the State-NGO relationship when social partners' visions, policies, goals and objectives are different and the strategies and processes used in achieving goals and objectives vary. Whereas, a complementary relationship is likely to exist in a situation where the social partners share similar visions, policies, goals and objectives, but preferred strategies and processes to achieve them. Meanwhile, a collaborative relationship is likely to prevail in a situation where the social partners do not only share

similar visions, policies, goals and objective, but also have similar strategies and process to achieve these set goals.

To further expand on the discussion, Hudson (1987) had observed that collaborative relationship among social partners is fostered by a high degree of formalization, intensity, reciprocity and standardization. Wherein formalization refers to the extent to which collaboration is formalized by administrative and legislative arrangement. Intensity referring to the amount of investment a social partner has in relation to the other in a collaborating environment. He describes reciprocity as the amount of exchange of resources among partners. And lastly, standardization refers to the mechanism of interaction agreed upon between the collaborating organizations. According to Hudson, the lower the degree of these enlisted process, the weaker the nature of collaboration between the social partners.

Mphinyane (1993) further elaborates on some other models of collaboration between organizations. These include consultancy model whereby each organization lacks expertise to run or start a programme and therefore depends on the other who has got this expertise. This experience is linked to the second model which is shared resource model whereby collaborating organizations tend to have similar goals, practices, resources and the willingness to share them. These organizations tend to target the same client with similar needs (Maggula et al 1997).

To conclude, a bulk of the literature review has explained various approaches that have evolved from the archaic punitive response to one of acknowledging that children have rights that need to be ensured by the government in responding to the problems of street children. For the sake and relevance in the present age, the research embarks on assessing the programmes and services rendered to these children in the light of rights accorded to children especially vulnerable children. Of importance to the study is the nature of collaboration between government and NGOs in addressing the plight of street children. In this regard, the view of various authors especially those by Mphinyane and Hudson

will be incorporated in examining the nature of collaboration between government and NGOs and the implication thereof.

CHAPTER THREE

POST-APARTHEID SOUTH AFRICAN POLICY PROCESS: A PARTICIPATORY ONE?

INTRODUCTION

The fall of the apartheid regime led to an overhaul of South Africa's domestic policies including those affecting women and children. In the past, formulation and implementation of State policies were racially biased and this reflected in the way in which government responded to the needs of the citizens. Against this background, the key challenge of post-apartheid government has been to enforce the rule of law by giving every South African equal right as enshrined in the Bill of Rights. Despite the good intention to provide every citizen with equal rights, access to these rights has been problematic. This setback has been attributed to a weak participation of the target population in the policy process.

This chapter seeks to explore government process for policies and legislations addressing the problems of street children. It does so from the conviction that participation in policy making by the target population and effective policy management is essential to a successful response to the problems of street children. This is because of the very fact that children are entitled to rights to participation. This includes participation in decisions that affect their lives. This chapter will also focus on international legislation and their implication on South Africa's domestic laws; the Children's Act and the Children's Amendment Act. It is argued in this chapter that the government outlines good intentions in its policy formulation but the implementation of these policies still has a long way to be accomplished.

Analysis of the policy process of the Children's Act (the Act which outlines some guiding principles for operating shelters for street children) and other related legislations is based on empirical data gained through structured interviews. The fieldwork for the study was carried out over a 3 month period in October – December 2007. Sixteen

interviews were conducted among officials of the Department of Social Development in Gauteng, SAPS and Johannesburg City Council in charge of issues surrounding street children. Also NGOs working with street children and other experts in advocacy for children's rights especially children living and working on the streets were interviewed. Another important empirical data were the policy documents and other documents from children's institutions.

The new and democratic South Africa is faced with daunting challenges related to or caused by poverty, unemployment and HIV/AIDS which have given rise to situations wherein there are more households headed by children and an increase in the number of street children. It is therefore imperative for the government to create a more conducive policy environment which articulates the needs and accurately responds to the situation of street children.

Although government may lack the resources to be an effective service provider, it is positioned uniquely to provide the necessary working environment through policy development for assisting street children. Already the government of South Africa has demonstrated its desire and interest in the lives of children in general by formulating and implementing policies and legislation to improve the well-being of South African children. Key policies and legislation that seek to address the plight of street children in the country include the Children's Act (2005), the Children's Amendment Bill (No. 38 of 2006) and the South African Constitution; Chapter 2 of the Bill of Rights. South Africa is a signatory to international conventions; therefore these national statutes embrace the United Nation's Convention on the Rights of the Child 1989 and the African Charter on the Rights and Welfare of the Child.

IMPLICATION OF INTERNATIONAL CONVENTIONS ON SOUTH AFRICAN DOMESTIC LAWS

The United Nations Convention on the Rights of the Child (UNCRC) constitutes a bold new approach to children's rights, requiring governments to assume new commitments to helping street children. The committee on the Rights of the Child has selected four

general principles which constitute the basic values of the CRC. These are that the best interest of the child shall be a primary consideration, child's participation in decisions affecting the child, the right to living and lastly non-discrimination which ensures equal access to protection. South Africa ratified the convention in 1995 (State of the Nation's Children Report: 2001). This fact indicates how the South African government is ready to respond to the world's first convention focused exclusively on rights for children.

The CRC does not mention the term "street children". This has however been argued that it reflects the Convention's focus in ensuring all rights for children (Thomas de Benitez 2000). In as far as the term "street children" is not clearly mentioned in the Convention means that specific needs and difficult circumstances of these children are not defined in the Convention and this makes it problematic. However, the committee on the rights of the child, established by the Convention to monitor its implementation by State parties, does requires that members with population of street children report specifically on progress with respect to improvements for street children, in a special section on "Children in Especially Difficult Circumstances."

The CRC sets the tone for its holistic approach to children's rights in Article 2 and 3: Article 2 confirms that all rights apply to all children without exception, while Article 3 requires that all actions concerning the child shall take full account of his or her best interests. Articles particularly pertinent to street children are: Article 19, which addresses protection from abuse and neglect, Article 20 for the protection of a child without family, Article 25 for periodic review of placement and Article 39 for rehabilitation. More specific and which may have to do with street children is a phrase in the preamble to the CRC which states that "recognizing that, in all countries of the world, there are children living in exceptionally difficult conditions, and that such children need special consideration...The above mentioned articles are however the several articles relevant to the circumstances of street children in three broad categories of rights – protection, provision and participation – recognized by the CRC.

In terms of guaranteeing access for vulnerable children to their rights, article 39 encompasses the most salient points: that “State parties shall take all appropriate measures to promote physical and psychological recovery and social reintegration of a child victim of any form of neglect, exploitation or abuse, torture or any other form of cruel, inhuman or degrading treatment or punishment, or armed conflicts. Such recovery and reintegration shall take place in an environment which fosters the health, self-respect and dignity of the child.”

These articles establish that children living or working in the streets have the same rights as other children, and that the State is responsible for providing them with care, protection and opportunities to reintegrate in to society. Furthermore, the state has the duty to monitor the care they are provided, and to ensure that it is of ample quality. The articles also establish that children have the right to participate in decisions about matters that address their situation such as shelter programmes and reunification with their family. In particular, article 12 of the UNCRC obliges each State to ensure that child’s opinion is considered in any decision affecting the child. This means that the child needs to participate or be represented in this decision making process.

Similarly, article 4(2) of the African Charter on the Rights and Welfare of the Child, which South Africa is also a signatory, states that “In all judicial and administrative proceedings affecting a child who is capable of communicating his/her own views, an opportunity shall be provided for the views of the child to be heard either directly or through an impartial representative as a party to the proceedings, and those views shall be taken into consideration by the relevant authority in accordance with the provision of appropriate laws.”

The articulation of rights to participation and protection by these two international legislations implies that children’s participation in decision making must be guaranteed by the State. However, in comparing the UNCRC and the African Charter, it is realized that the right to participation accorded in the African Charter is somehow in a restrictive sense in that the African Charter only provides for the child to be heard if and only if the

child is a part of the proceedings. This process does not give States enough compulsion to ensure that children are able to express their own views in policy process. Nevertheless, the AC echoes many of the provisions of the CRC. It recognizes the African child's right to be protected from all types of abuse and neglect (Article 16); to parental care (Article 19); and to protection from all forms of sexual exploitation (Article 27). Of particular relevance to street children, Article 25 notes that "Any child who is permanently or temporarily deprived of his or her family environment for any reason shall be entitled to special protection and assistance.

According to Viljoen (2000) also cited in Ward CL et al (2007), in comparison to the CRC, the AC enshrines in more detail the value that Africans attach to their children, and in so doing affords a higher level of protection to children. This corroborates what Ennew (1995) had outlined as the limitation of the UNCRC; that one of the major criticisms of the CRC is that it reflected western ideology and concept of childhood, which was perpetuated globally through colonialism. Ennew (1995) believed that some of the articles in the convention depicted street children as to be a marginalized group, as most of them do not enjoy rights of protection, provision and participation.

The African Charter was drafted with due consideration of the unique and cherished position of the African child in the African society. The African Charter also takes into account the socio-economic, traditional and cultural factors within the African continent; which are distinct from those in the Western world. Some of these African dynamics are taken into account when implementing legislation within the South African context. For instance, the hot debate around corporal punishment in schools in South Africa is an indication of the African belief as enshrined in the African Charter that children need to be protected and disciplined by adults. In addition, the provision of space for Children's parliaments is a step in the right direction. But, who speaks on behalf of all children? Are voices of street children represented? Still do forums like these exist at informal levels? Perhaps not, conceivably this arises from traditional notions in the African context of 'respect' for elders. This 'respect' may sometimes rightly or wrongly mean children should listen to what elders have to say.

Despite the recognition of the African child's rights to protection, care, and shelter, the AC does not fully recognize the importance of children's participation in decisions pertaining to their lives, especially street children. Children's participation in decision making has been a significant shift of emphasis, grounded in the UN convention, which was to recognize that promoting the best interest of children especially street children is not just a matter of protecting and providing for them, but of listening to them and fostering child participation. This approach recognizes that children are "agents of change in their own lives (Myers 1988), which demands that adults recognize that children have agency and manifest social competency in shaping their lives for themselves.

The UNCRC is acknowledged to be the most powerful international voice of concern for children, especially for those in difficult circumstances. The convention is also reflective of the determination of signatories to eradicate circumstances that compromise the well-being of the child (Grant 1998). However, in developing countries, as pointed out by Veeran (2004) the dire socio-economic circumstances of the country and the extreme poverty of the masses sometimes overshadowed the best intention for children. The convention compels government to regularly evaluate their policies with the intention to improve the quality of life for their children. This in effect puts governments in dilemmas. This is because their policies and programmes will depend largely on the tensions among the dilemmas they face; such as considering the least enfranchised children as those who have least access to the rights recognized in the CRC. These children stand to gain the most if a government is serious about assuming its full responsibility in light of CRC ratification. However, these will be the most costly rights to guarantee in the short term, putting greatest strain on the national budgets for the smallest immediate result in terms of empowering children.

NATIONAL STATUTES

South African government's ratification of international legislations implies that it is obliged to give effect to the provisions of these legislations to its domestic laws. Already, most key elements of the Convention and the African Charter have been granted

prominence in the section for children in the Bill of Rights. In section 28 of the South African Constitution, children are provided with specific rights. Of importance is the right to participation and to be heard.

There are different legislative frameworks that provide for the protection and participation of children in South Africa. For the purpose of this research which focuses on street children, the study has considered the most relevant and more focus will be on the Children's Act (2005) and the new Children's Amendment Bill of 2006.

South African constitution, chapter 2: The Bill of Rights

The Bill of Rights entrenched in the South African constitution provides for the protection and provision of rights of all citizens of the country. It affirms the democratic values of human dignity, equality and freedom. The Bill of Rights applies to all legislation and binds the legislature, the executive and the judiciary.

Section 28 (1) of the constitution deals with the rights of children in general and states that every child has the right to a name and nationality, to a family or parental care or appropriate alternative care, to basic nutrition, shelter, basic healthcare, social services, to be protected from exploitative labour practices and not to be required or permitted to perform work/services that are inappropriate to his or her age, not to be detained except as a matter of last resort and then to be kept separately from adults, not to have his or her well-being , education, physical, mental, spiritual, moral or social development placed at risk.

Equally section 12 of the constitution guarantees the right to freedom and security of the person (regardless of age) and the right to basic nutrition, shelter, basic healthcare services and social services. These rights are in addition to the general protections and socio-economic rights afforded to all South Africans in the Bill of Rights. While acknowledging the duty of the State to guarantee the rights of children, basic services have not been defined. This becomes problematic when it has to do with offering services based on these rights.

Children's Act (No. 38 of 2005) & Children's Amendment Bill (No. 19 of 2006)

The National Assembly and the National Council of Provinces passed the Children's Act in December 2005. The Act identifies street children as children in need of care, and thus in need of services. Wide spread poverty, social fragmentation, violence and unemployment inherited from apartheid and now compounded by HIV/AIDS has resulted in a vast number of vulnerable children in dire need of social welfare services. These socio-economic conditions demanded a review of rights designed to protect children from such misfortunes.

On November 01 2006, the National assembly voted on the Children's Amendment Bill. The Children's Amendment Bill (No 19 of 2006) is the latest version of the Bill which contains the amendments passed by the Portfolio Committee on social development. The Children's Act and Children's Amendment Bill bring together all the other national and international legislation on children's rights. In the new Act, every child has the right to family care, parental care or appropriate alternative care; the right to be protected from abuse, neglect, maltreatment and degradation; and the right to social services. The full range of services is required to give effect to the rights of the child.

The Act contains the founding provisions including the preamble, the object clause and clauses requiring all spheres of government to implement the act in a coordinated manner to the maximum extent of available resources (Proudlock & Jamieson 2007). The general principles chapter elaborates on how the principle of the best interest of the child should be interpreted. Of importance with regard to street children is the change of shelters for street children in chapter 14 to child and youth care centres in chapter 13.

The child and youth care centres (CYCC) is the new umbrella term for all children's homes, place of safety, schools of industry, reform schools and secure care facilities. In the original draft of the Bill, shelters for children on the streets were in chapter 14. This created major differences between the level of protection given to children placed in to child and youth care centres (chapter 13 of the Bill) and protection given to street children placed in shelters (chapter 14).

Separate chapters meant separate regulations, separate norms and standards and in all likelihood separate treatment (NASC 2007 conference document). Chapter 13 for the CYCC provides for a strategic framework for ensuring an appropriate spread of child and youth care centre throughout the republic, while chapter 14 for shelters and drop-in centers does not make provision for the spread of shelters throughout the republic. Most importantly chapter 13 makes provision for therapeutic programmes to be offered at the CYCC and services rendered by qualified staff, meanwhile chapter 14 only makes provision for basic services and does not require qualified staff for shelters and drop-in centres. Differences in treatment meant that issues around street children were not of most concerns to the government. This propensity must have probably contributed to the gravity of the problems street children face in the country.

POLICY CONCEPTUALIZATION

The Child Care Act has been in the process of amendment for the past 3 decades. The Child Care Act, 74 of 1983 which was drafted during the apartheid era was regarded as inadequate and discriminatory with regard to issues of protecting and promoting the rights of children. The policies were formulated at the time that the problem of urbanization, international migration and HIV/AIDS were not foreseen to contribute to street children phenomenon. It is therefore argued that the conceptualization of policies addressing the rights of children and specifically street children is considered limited, vague and lacking precision.

It was the view by many respondents that the rights spelled out for children are too broad. For example, one respondent pointed out that “the Convention and South African Constitution spell out the rights of children, but what I realize is that children have too many rights which to me make them not to be disciplined. They have rights but no responsibility. (Interviewee II, NGO).” The issue of rights to children is considered unelaborated and often subject to misunderstanding. This is because people fail to acknowledge that just as freedom goes with responsibility, rights have limits. This is often because policies do not spell out limitation clauses or it is simply being ignored. It

was argued by an interviewee that rights without limits could imply that a child may decide to take to the street simply because he or she may be running away from parental discipline.(Interviewee FF, NGO)

Another concern that was pointed out by majority of the respondents is the standardization process in policy formulation. This is because it was observed that different institutions addressing problems of street children are informed by different policies and guidelines of that particular institution. The Child Care Act 74 (1983) and the new Children's Bill (2006) of the Department of Social Development is the guiding principle for protection of children in general. Nonetheless, other institutions such the SAPS have guiding principles with regard to people in general; which is to prevent crime.

It was revealed by some interviewees from the SAPS that although they are informed by the Children's Act in order to protect street children, during patrols, if a child was caught in a criminal act, the child will be taken to the police station for questioning. Specifically, interviewee MM (SAPS) mentioned that "We have a strategy called situational analysis where we conduct a profile in order to know one another. That is why patrols are important. Through patrols, we investigate if there are children in the streets. We visit problematic, desolate buildings and parks and check if there are street children living in those places. If we find any child in such places or in the streets, we address the situation." Still another interviewee from SAPS indicated that "Anyone uses his or her own discretion because we don't have any policy guiding us." (Interviewee HH, SAPS). The fact that street children are always found lingering around busy corners makes them more exposed to accusation of theft. Most of the street adults in the streets also live with minors and at times involve them in their daily activities which may include petty thefts.

With regard to standardizing policy process, it was argued by most respondents; especially frontline staff that the court procedure for the placement of children in shelters is problematic. For instance interviewee II (NGO) pointed out that "It is not easy for us using these policies because for example we have to go via court process for placement in shelters. This process is a difficult one because some of these children can't trace their

families and some don't have ID documents for this court process to be a smooth one," For a street child to be placed in a shelter or be transferred from one shelter to another, the case must pass through the court whereby the child will be registered. And the child can only be registered with identification documents such as the identity book or birth certificate. Meanwhile, most of these children are not in possession of identification documents. As a result most street children find it difficult to access or enjoy their rights to shelter, healthcare and education due to no identification documents. These are indications to some shortcomings in the standardized policy process.

Under the South African law, a child is defined as anyone who is under 18 years. The Act does not make provision for street persons above 18 years. Meanwhile, statistics from NGOs working with street children reveal that there are more street persons above 18 years than those below this age. A respondent from one of the NGOs disclosed that most of these street adults are parents of those street children who have consented to be placed in shelters (Interviewee KK, NGO). It is therefore argued that government's effort in addressing the plight of street children can be considered inadequate and a waste of resources because it does not target the population of street and homeless people in general. However, the presence of street adults in the streets is a complex issue that requires a multifaceted approach in addressing the problem of homelessness and streetism and this demands an extended budget on the tight budget allocated for the departments involved.

A good conceptualization of policies addressing the different facets of the problem of street children in the country will depend on the approach to good policy process.

The most commonly held view of the way in which policy is made is the linear model also known as the rational model. This model outlines policy-making as a problem-solving process which is rational, balanced, objective and analytical. In the model, decisions are made in a series of sequential phases, starting with the identification of a problem or issue, and ending with a set of activities to solve or deal with it. This model assures that policy makers apply every issue rationally, going through each logical stage of the process, and carefully considering all relevant information. According to this

model, failure to achieve what policies intended to achieve will not be blamed on the policy itself but rather on a lack of political will, poor management or shortage of resources for implementing it (Juma and Clarke 1995).

On the other hand following the incrementalist model of policy formulation, there is much evidence to suggest that the linear model is far from reality. This is because policy makers look at a small number of alternatives for dealing with a problem and tend to choose options that differ only marginally from existing policy. In addressing the plight of street children, government has mostly embarked on short and medium term projects as was disclosed by an interviewee that “if we accept that street children’s problem is critical, there should be a specific policy addressing it. All what exist now are based on short and medium term programmes which are based on how people conceptualise the problem.” (Interviewee LL, Department of Social Development). Incremental policy-making focuses on small changes to existing policies rather than dramatic fundamental changes. What is feasible politically is only marginally different from the policies that exist, significantly different policies fall beyond the pale.

The incrementalists approach to policy formulation is equally problematic as it lacks an in depth examination of the problem in hand. This is because it is a process whereby you have to keep coming back to problems as mistakes in the near future. Policy makers can also take advantage of the fact that failure in policies will be attributed to inadequate policies rather than willingness and determination on the part of policy makers.

In order to bridge the gap in the linear or incrementalist model, Walt (1994) argues that policy formulation should involve the policy maker in taking a broad view of the field of policy. The rational/linear model implies an exhaustive consideration of all possible options in detail and the incrementalist approach suggest looking only at options which from previous experience are known to exist. Walt (1994) in his mixed-scanning approach, which is middle ground between the rational and incrementalist approach suggest taking a broad view of possible options and looking further into those which require a more in-depth examination. Although the mixed scanning takes into account a

deep examination of the problem in policy process, it fails to recognize the importance of the communities in which policies are implemented. It does not take into account the opinions of individuals, agencies and social groups that have a stake in how the system evolves. There is the need to recognize the interaction and sharing of ideas between those who are influenced most directly by the outcome.

In his view, Bourk (2000) points out that policy is identified as the site of struggle where social actors wrestle for legitimacy and domination. This view recognizes that policy is formed within a political context. However, instead of perceiving policy as the implementation of decisions, it is seen as a process informed, constrained and contingent on a number of interdependent materials such as economic conditions and legislation and cultural factors operating in a dynamic state of flux. In this regard, addressing the problem of street children and OVC in general, many factors need to be taken in to consideration. Especially when dealing with street children, there are factors such as family background, psychosocial state that need to be taken in to account.

POLICY CONTENT ADDRESSING STREET CHILDREN

During the research, many divergent views were recorded in respect of the content of policies regarding street children. This section deals with respondents' views on the policies and legislation addressing street children. It was about the Children's Act and the new Children Amendment Bill that respondents were asked if they thought these policies were addressing the plight of street children, and more specifically the appropriateness of these policies in addressing the plight of street children.

When respondents were asked to comment on the policy content, about 60 percent of the respondents were of the opinion that the policies were not adequately addressing the problem of street children in the country. Respondents who indicated that the policies were adequate did, however, emphasize that the policy documents lacked proper implementation strategy and guidelines for programmes and projects, the broadness of rights and the undefined procedure to access these rights. For example, Interviewee AA

(Johannesburg City Council) acknowledged that “The policy was well written. But the implementation must be put in place. The implementation plan is there but it is slow and it has not yet infiltrated with the people dealing with street children. That is the NGOs don’t understand the implementation process. The policies are accurate but at the level of implementation it is not. Those implementing, there is some lack of understanding the implementation. They should be trained.

Interviewee KK (NGO) reiterated that “The policies are fine, but the problem is the interpretation of the policies, that is, how it is communicated to people. For example the law that says a child from 12years can consent to abortion. In this law, there is good intention but it has been interpreted wrongly for some people. The new children’s amendment bill of 2006 is still in bill form, it has not yet been passed. Chapter 13 of the bill is part of the working document for street children but it is still in bill form. Since it is still in bill form, it affects the costing and number of people needed to implement it. Sixteen thousand social workers are needed for the proper implementation of the bill but currently there are only less than eight thousand. Because of these limitations, the act is not fully being implemented by the government. That is why the government is not giving enough or consistent funding for the implementation of the act. The act is accurate in content but lacking in the implementation process.”

Inadequacy of the policies was attributed to the lack of specific policies addressing the plight of street children, failure to keep track of changes in society and the lack of a proper implementation plan. For example, one respondent pointed out that “if street children is a problem and a political concern, why isn’t there policy specifically for street children which spells out the problem, the role of different stakeholders and guidelines for implementation” Interviewee LL (Department of Social Development). Another example was reported by interviewee BB (Johannesburg City Council) of how there has been duplication of projects by different stakeholders and some NGOs in their effort to address the problem of street children in Johannesburg. This confusion in projects and programmes for these children was attributed to the failure of being informed by a specific policy in place.

Some respondents confirmed that while there are policies for children in general, these policies are not sensitive to the issues of street children. While citing the example of inconsistency of their work with the police, interviewee FF (NGO) pointed that “the policies are not accurate because the policies give the children the choice to stay in shelter or leave the shelter. This makes our work inconsistent. Also the police force has different policies to work with street children. This makes our work not coherent.” The inconsistency in the work of different stakeholders working street children could be attributed to the fact that no policy has been developed specifically for street children. As a result, there is a perception that street children are only considered add-ons in the discourse on OVC. It is argued that this situation contributes to marginalizing street children at policy level and thus contributes to their vulnerability. Even when children are given opportunities to make their voices and views heard through forums such as Children’s Parliaments, the children selected are not representative of those living and working in the streets and so the views of street children are not heard or taken into account when developing policies.

In the new Children’s Amendment Bill, shelters for street children have been moved from chapter 14 to chapter 13 which has to do with the Child and Youth Care Centre. This means therefore that shelters for street children will now enjoy the same services and facilities for protection as children in other children’s homes registered in chapter 13. Many respondents especially those from NGOs acknowledged these changes as a great improvement toward the protection of street children. These changes entail that every shelter operating for street children will have to be registered as a Child and Youth Care Centre. It should however be mention that this new bill has not yet been passed and the implementation cost is still to be finalised. The delay in this costing process is a delay in response to the situation of street children in the country.

Changing the operation of shelters for street children from chapter 14 to chapter 13 was still considered by many respondents as not sufficient as it does not spell out provisions in terms of pre-assessment of street children who may be difficult to handle due to their previous exposure and who may need special attention before being placed in shelters.

Interviewee MM (NGO) emphasized that “Government must have an assessment center (drop-in center) with social workers who assess them before they can be taken to shelters. Through programmes in shelters they are trained. This is because you cannot take a child from the streets directly to a shelter and because it is difficult for them to adapt to the rules in shelters.” As Muntingh et al (2006) point out, it is difficult to force children to leave the street – except as a temporary and emergency measure. The most successful approach according to them is through phased-in transitional programmes which first of all work with children on the street, provide drop-in service and finally facilitate the decision to leave street life to take up an alternative package of positive opportunities offered in shelters.

Similarly, Volpi E (2002) emphasizes that building trust is fundamental, as many young street children have had traumatic experiences. The correct approach is for outreach workers to socialize and initiate dialogue right in the street, hoping that at some point the young person will become aware of other possibilities in the shelters. All the NGOs involved in this study undertake outreach programmes where by they are able to get in contact with children living and working in the streets especially new comers. Policies should establish a phased-in transition to allow the child to gradually leave his or her street habits: after periods of befriending in the street, children are then encouraged to join shelter-based activities.

One of the objectives of the legislation is to reunite street children with their families. It was observed by many respondents that little or no provision has been made to achieve this goal. One respondent acknowledged that “before a child can be reunited with the family, the family situation needs to be dealt with...poverty, abuse, lack of education, unemployment and ignorance have to be confronted and help provided for the rest of the family before the environment is ready to receive the child back.” (Interviewee OO, NGO).

In principle, reuniting the child with the family is the most desirable outcome of a programme designed for street children. It was pointed out by majority of the respondents

working the field with street children that the 2 years spelled out in the policy as the period for a child to be rehabilitated in the shelter and to be reunited with the family is not sufficient (Interviewee OO and FF of the NGO sector) revealed that “Government requires that children be re-unified with families within 2 years, Often the two year period expires during the middle of the year and the child’s educational progress is interrupted as they have to go to another school and usually fail due to this move. We have shelter programmes which involve rehabilitation, schooling, weekend activities, and soccer for children in the shelter and outreach programme for street children out of shelter. These programmes are effective but it takes a long time to see the effectiveness; say 3 years” This is because the developmental stages of children differ. Some may take longer period to be rehabilitated.

In addition, the goal of reuniting the child with the family must also take in to account the family’s capabilities to receive and protect its child, and the child’s wish to go back to the family. In some cases, families are ready to have their child back if programmes can help them get a job or a house. For some, parents have died, moved to other places or remarried, have lost interest, or are not psychologically fit to raise a child. Policies and legislation fail to address these background issues or fail to make provision for them. As again pointed out by Volpi (2002), reintegration is a gradual and delicate process that requires counseling for children and parents, confidence building, conflict resolution and sometimes financial help.

Equally identified is the lack of post follow-up of street children who have graduated from shelter programmes. Statistics for children who have graduated from programmes are made available, but children who have successfully been reintegrated into their families and society at large are rarely made available. This indicates a lack of proper monitoring and evaluation system in the policies. Monitoring reveals information about the consequences of the adopted and implemented policy and helps in better implementation and evaluation reveals discrepancies between expected and actual policy performances, thus assisting policymakers for the future agenda setting (Staronova 2002).

Consequently, one can assume that if there are poor monitoring and evaluation systems, the incidence of non-implementation of policies will rise.

For example, it was revealed by interviewees that most street children find it difficult to obtain jobs after their trainings at the shelters. This may not be as a result of insufficient training, but the fact that policies do not spell out equal right to employment for this category of people. This may concern especially street children above the age of 18 years. It was acknowledged that policies do not make provision for street children above 18 years; of which they are the majority of street persons on the streets as was revealed by Interviewee NN (Department of Social Development) that “The challenges we encounter include firstly the above 18 years who will have to be removed from the streets and the shortage of facilities to accommodate this age group. Secondly, shelters are not mandated to accommodate the above 18years.”

The problem of street children is a complex issue. In comparison with other children at risk who may be disconnected from family and society, we realize that street children are classified at the tertiary level (Volpi 2002) which is where risk has turned into concrete reality and targeted special intervention and protection programmes are required. Interventions are also essential at early stages to prevent more children from choosing the street as an option. The emphasis here is on interventions to promote the positive development of children who are already in the street.

Volpi (2002) in her outline of categories of youth at-risk, points out that youth in primary risk are still attached to their family, school, society, but because of poverty or other factors their situation could be compromised in the future. Response at this level are of preventive in nature and programmes to address youth at this stage of risk include family and child benefits and services, along with programmes targeted to poor communities such as school support, health promotion, recreation and social integration, vocational training and support to family livelihood.

Youth in secondary risk, though still attached to their families, the social ties are weaker and they are already exposed to some form of risk such as abuse, child labour and school dropout. Intervention in the lives of such should not only be preventive in nature but be focused on a specific target group and should include services and programmes such as family support, dropout and abuse prevention.

Youth in tertiary risk are those for whom the risks are more concrete realities than those mentioned for youth in primary and secondary risks. Their ties with society and family are seriously weakened or even broken. These are children in the street and of the street. Responses toward this category of children at risk should involve rehabilitative programmes, targeted health and education services, psychological and legal support, family and school reintegration and job training and placement in the job market.

THE NEED FOR CONSULTATION

Many of the problems regarding street children are not a result of a lack of knowledge about what policies address their condition. Arguably, it is partly a result of failing policy processes or policy gaps within the system. In order to have effective policy processes all the stages in the policy cycle from agenda setting to evaluation are equally important and so is the participation and contribution of government, stakeholders, NGOs and targeted population in the entire cycle. The way that these actors and institutions are linked in the policy cycle determines the quality of information produced, how it is translated and eventually used (Nazare & Drimie 2005). Clearly, NGOs have a key role to play not just in advocating for change but in participating in the entire policy process.

It was pointed out by most respondents especially those from frontline services that limited consultations are made with regard to policy formulation. If at all NGO officials are consulted, this is done with those at the management level, social workers or child care workers who are involved with the day to day activity with the children are rarely consulted or even invited in such decision-making process. For example interviewee FF reiterated that “the department should not only have meetings with the management team

but try to meet with child care workers in order to know what their difficulties are working with street children” while interviewee JJ was of the opinion that “the department should have regular meetings with workers on the ground so that they could discuss the various difficulties they are facing working with the children.”

In as far as consultation with the various frontline workers is vital, it is also problematic. As Bourk (2002) points out, policy process may involve more social actors than official policy makers. Consequently, there may be constant contentions involved in policy making introduced by various actors and forces at various levels which may limit the effectiveness and frustrate the entire process.

Within the consultation process outlined in the memorandum of the Children’s Amendment Bill, 2006, it is realized that apart from the broad consultation process undertaken by the South African Law Reform Commission during its review of the Child Care Act, 1983, the Department of Social Development distributed the already consolidated Bill to national departments, the provinces, non- governmental organizations and other service providers for comments. During 2006, the department consulted other national departments, the provinces and NGOs through the holding of a series of workshops. Despite these consultations with various stakeholders it is not clear the participation of the target population.

Children are rarely included in the formal decisions relating to the development of services for them. Veeran (2004) points out that the primary resource of any intervention programme is the children, in this case street children themselves. Their involvement is driven by their own experiences, concerns, problems and future aspiration (Kilbourn 1997). Through their participation, children can play a critical role in becoming advocates for themselves.

Generalizations and stereotyped attitudes often influence the role and participation of children in making decisions for themselves. Children by virtue of their age and level of maturity are often perceived to be incapable or partially capable of decision-making on

issues that affect them directly. For most child and youth care workers and social workers, client self-determinations is the core principle for intervention. Any intervention with children adopting a child-centered approach recognizes children as human beings with rights and ultimately their own life goals (Veeran 2004)

The UNCRC supports a child-centered approach as a guide to standards and a “framework for action” (Blanc, 1995 quoted in Veeran 2004). The UNCRC forms the cornerstone for policy formulation. Ideally the convention (where it has been ratified) together with the constitution and relevant policies of a country, should form the basis for service provision.

POLICY IMPLEMENTATION PROCESS

Implicit in each law, regulation, or decree is a commitment that the implementation process will be supported. However, as revealed by interviewees, the practice shows that the implementation and monitoring stages of policy process are weak. Not only are there unclear guidelines and standards as on how to proceed but this aspect is also not effective due to the financial and staff constrains.

Although the interviewees acknowledged the problem of implementation and enforcement, they do not perceive themselves to be the only ones responsible for the implementation of policies. It was the view of most respondents that social workers at the department should not only be administrators by way of inspecting the implementation of projects for street children. These interviewees were of the opinion that social workers from the Department of Social Development should be involved in the actual work being done in shelters for street children. For example it was the opinion of interviewee FF that “It will be good for the social workers of the department to work closely with the children also; especially when it comes to placement most of the children don’t speak the truth. There are few social workers at most shelters, therefore it is good for social workers at the department to assist in the work being done at the shelters”, while interviewee DD stressed that “social workers should be actively involved in the NGOs especially in

implementation of programmes because some organizations do not have social workers”. This notion corroborates what Fulcher (1989) cited in Bourk (2000) argues on blurring the distinction between policy formulation and implementation.

According to Fulcher (1989), drawing a distinction between policy formulation and implementation advantages political legitimacy. Her argument is that distinguishing between policy and implementation serves political purposes since it suggests to people that governments are in charge. That is why government and bureaucrats retain this since it occludes the real politics involved and presents bureaucrats as merely administrators.

There is a notion of a “divide, dichotomous and linear sequence from policy to implementation” (Clay and Schaffer 1984). There is a tendency to split policy making and implementation especially in the linear model. In general the divorce between decision-making and implementation can be ascribed to decision makers’ sense that politics surrounds decision-making activities while implementation is an administrative activity (Grindle and Thomas 1990)

This is a major flaw in the linear model and it goes in line with what Fulcher (1989) points out in drawing a distinction between policy process and the outcome. This is because policies often change as they move through bureaucracies to the local level where they are implemented. Lindblom (1980) had pointed out that implementation always makes or changes policy to some degree. Policy implementers interact with policy-makers by adapting new policies, co-opting the embodied project designs or simply ignoring new policies hence underscoring the fact that implementers are crucial actors whose actions determine the success or failure of policy initiatives (Juma and Clarke 1995). In addition, Brickenhoff (1996) states that “it is important to develop both wider and better understanding of implementation factors and the process linking policy goals to outcomes”

Furthermore, Lipsky (1993) emphasizes that actors who work in bureaucracies have a role to play; they are not merely cogs in an automatic transfer of policy-making to

outcome in practice. With regards to the study at hand these street level bureaucracies include the SAPS, Department of Social Development and the Johannesburg City Council. They are the extended arm of government service delivery to street children and they are involved along side with NGOs in the implementation of policies addressing street children. Due to constraints in available resources for the execution process and bureaucratic procedures at the court level for example, these field-level workers, exercise considerable flexibility in implementing instructions.

In the implementation process, financial, managerial and technical resources are needed. On the basis of relatively successful implementation, some elements for the success of implementation stood up amongst the interviewees: skills competence, political will and consistent financial flow. Mobilizing these is part of the challenge to decision-makers and policy makers. The Children's Act and in particular the Children Amendment Bills is going through an extensive and detailed costing process. The process involves both national and provincial departments that play a part in the implementation of the Children's Act and the proposed Children's Amendment Bill.

It was pointed out by respondents that implementers or frontline staffs need to be trained on how to properly implement these policies. This is because the problem of street children is a complex one and requires a multifaceted approach. Social workers are to take the lead in dealing with social cases involving street children. However there was an outcry of limited social workers in shelters which in tend slows the implementation process. The discrepancy in salaries between social workers in NGOs and the department was also pointed out as affecting quality services offered in shelters. Interviewee MM (NGO) stressed that "Government must pay the people working at shelters. That is why workers come and go. The working relationship is good, only the salary is discouraging." Limited number of social workers in shelters meant overlabour for these few social workers in the shelters. In addition, it was equally pointed out by this same respondent that the inconsistency in the flow of finances hinders the completion of projects and programmes in shelters.

The significant influence on the success of the implementation of policy is the flow of finances. This will depend on the budget set aside by government. The annual budget is a clear signal of government's policy intentions and is often accompanied by an explicit statement of which promises the government intends to devote its resources to (Staronova K 2002). In theory, since most government budgets are legislated, promises of money through the budget can be seen as implicit promises to secure the passage of and implement a particular law.

CHALLENGES IN THE IMPLEMENTATION OF THE CHILDREN'S ACT

Despite much efforts made by the government in developing policies and legislations that give effect to a comprehensive social package to vulnerable children, the availability of social programmes and services still fall short of the needs of children especially street children. Challenges in accomplishing the objectives of the 2005 Children's Act have been identified in the area of human resources, funding and collaboration within government departments and between government and NGOs working with street children. The challenge with regard to funding and collaboration between government and NGOs are addressed in the next chapter.

Shortage of Human Resources

While the government has been praised for its commitment to children's rights issues through the development of policies and programme for children, there are limited resources and the personnel in the country to implement these policies and programmes. The Act requires a great number of social service practitioners such as social workers, child and youth care workers to implement the programmes. Instead, there is experienced a shortage of these personnel. As it was revealed in a report commissioned by the Department of Social Development, that the country has only half the number of social workers needed to meet the minimum services to children (Baldauf 2007 cited in Child Gauge 2007/2008). Currently there is an average of about 5,395 children per social

worker. This situation is worsen by the fact that child and youth care workers are not fully recognized by the Council for Social Professionals; making it difficult for social workers to meet the needs of vulnerable children.

In a bit to address the acute shortage of social workers in the country, amendments have been made in parliament to broaden the definition of social service professionals, which now include other social service practitioners such as the child and youth care workers, auxiliary social workers and community workers. This makes services to be accessible by many children and reduces the work burden of the overstretched social workers in the country.

While efforts have been made to increase the number of social service professionals, little has been done with regard to salaries of these workers especially those employed by NGOs. This has a negative impact in the quality of services rendered because a bulk of services in the Act are currently being provided by NGOs and who largely depend on funds from government and other donors.

Interdepartmental Collaboration

Street children face a myriad of problems ranging from poverty to homelessness to violence and abuse. In order to successfully reunite and reintegrate these children to their families and society at large, a comprehensive social package of services is required. And these services cannot all be delivered by the Department of Social Development alone. While the department is mandated to ensure that problems street children face are addressed, other departments such as the department of Housing, Health, Education and Justice are supposed to be involved in service delivery to street children.

However, it was identified that a poor interdepartmental collaboration relationship exists between government departments that are supposed to offer programmes and services for street children. For instance, it was mentioned by respondents that street children are asked ID documents in order to access services. According to interviewee BB

(Johannesburg City Council), “the Child Care Act makes things difficult also. For example it says a child must get an ID document before accessing these rights and so there is a lot of red tape that prohibits access to the rights.” Meanwhile, the process of obtaining these documents is delayed at the Home Affairs Department. Secondly, the procedure at the Department of Justice is time consuming and a lot of red tapes exist for a child to be transferred from one shelter to another or from the police station to the Department of Social Development.

The failure of other departments to deliver on their obligations to children implies that there exists a weak collaboration between these departments to delivery services and for these children to access their rights. This state of affairs also increases the work load and burden on the limited social workers available.

CONCLUSION

In this chapter the researcher sought to examine how policies are formulated and implemented in the now post-apartheid South Africa. We realized that though the process of policy development cannot bring in everybody in to the panel, the consultation process is limited and does not involve the target population. Also discovered is the situation where the implementation of policies is almost exclusively left in the hands of NGOs. One of the most important effects of the division between policy-making and implementation is the possibility for policy makers to avoid responsibility. Therefore, the dichotomy between policy-making and implementation is dangerous. This is because it separates the decision making from the “implementation” and thus opens up “escape hatches” through which policy makers can avoid responsibility.

A successful response to the problem of street children by the government needs to be inter-sectoral because government on its own cannot address the problem alone. There are promising initiatives from both government and other organizations and public institutions, but the impact of these could be increased through proper planning and co-ordination. Government, NGOs and other stakeholders can make significant contributions

to the situation of street children if there is clarity on roles, strategies and approaches, supported and clearly defined by policies. Furthermore, implementation of most policies depends at least partially on fund allocation. While policy-making cannot be reduced to allocation of public funds, relationship between policies and budgeting is crucial for good policy-making.

CHAPTER FOUR

GOVERNMENT AND NON GOVERNMENTAL ORGANIZATIONS (NGOS): PROGRAMMES AND SERVICES TO STREET CHILDREN

INTRODUCTION

The South African government has a duty to its citizens including children especially those who are vulnerable such as those living and working in the streets. These children need dedicated interventions to ensure that their rights are protected and also given opportunities to develop. Yet arguably, accessibility to these services is crammed with bureaucratic red tape which affects their lives. There is a legal obligation on the state, imposed through the cluster of child specific rights afforded children in section 28 of the constitution, the Children's Act and other international framework such as the United Nations Convention on the Rights of the Child. These laws demand that all vulnerable children in South Africa including the growing number of children on the streets, gain access to services that will ensure their development even within a harsh environment.

Different arms of the government undertake programmes and render services to children living and working in the streets. Amongst those chosen for this research include the Gauteng Department of Social Development, the Johannesburg City Council and the South African Police Services (SAPS). These different institutions of the government work in partnership with nongovernmental organizations in implementing the Children's Act. Despite the intention to redress the situation of street children in the country especially in Johannesburg, government has not sufficiently provided the space for mutual collaboration and the resources needed to undertake the task of implementing the policies.

In recent years research has been carried out in the area of advocacy and policy formulation for vulnerable children yet, little has been done in programme

implementation by these government institutions as a response to the plight of vulnerable children such as street children. Streak and Poggenpoel (2005) confirm that not much assistance is given to some vulnerable children when they state that “while the attention to developing measures to assist orphans of AIDS is commendable, the response developed to provide for their rights must not diminish action to assist other categories of vulnerable children.” The category of vulnerable children that has been given little attention is street children.

This chapter therefore focuses on programme intervention and services rendered to street children by the Gauteng Department of Social Development, the Johannesburg City Council and the South African Police Services (SAPS). An assessment of the programmes and services is made so as to give more understanding of government’s response to the plight of street children. The chapter also focuses on the importance of State-NGO partnership in responding to the plight of street children through the provision of welfare services. NGOs play a pivotal role in maintaining the social fabric in the communities with various needs (Khamba 2006). This is because of their location and proximity to the communities where they render those essential services. It is because of this privileged position most NGOs occupy that most governments are able to objectively reach out to citizens in need of social welfare services. The participatory process between government and NGOs has significant impact in addressing the problem of street children in the country. How effectively and efficiently government institutions and NGOs are reaching out to street children is going to be the focus of discussion in this chapter. It is argued that the weak collaboration between the two parties is affecting the work being done in this area. It is on this note that this chapter concludes on the need for different stakeholders to collaborate in a coordinated manner in addressing the plight of street children in Johannesburg and South Africa in general.

ROLE OF THE SOCIAL DEVELOPMENT DEPARTMENT TO STREET CHILDREN

The Department of Social Development is government's arm mandated to provide services to those who are needy. The department has an obligation to provide for the needs of all children including accommodation, food, clothing and services that will protect their rights and ensure their protection. These include children living and working on the streets, who because of their circumstances are in dire need for government's response. The role of the national and provincial Departments of Social Development is defined in the constitution (Act 108 of 1996) and also in the White Paper for social welfare - principles, guidelines and recommendations, proposed policies and programmes for developmental social welfare in South Africa (Ministry for Welfare and Population Development 1997). Therefore the task of the Department of Social Development is to provide a comprehensive programme of social development services to people who are vulnerable and in need of assistance such as street children. And these tasks are outline in documents such as the Children's Act, the 1997 White Paper for Social Welfare and the 2006 Service Delivery Model of the department.

In the 2005 Children's Act and the 2006 Children's Amendment Bill several programmes (prevention and intervention) are listed out which the State has planned for vulnerable children including street children. In order for these programmes to give effect to the rights South African children are entitled to, the State must allocate sufficient funds to each of these programmes. According to the above-mentioned Acts, the Department of Social Development is responsible in ensuring that programmes for children especially vulnerable children are funded. On the contrary, it is discovered that street children NGOs registered in the department are being underfunded. This situation has impeded the work by these NGOs.

According to section 4(2) of the Children's Act, all departments must take "reasonable measures to the maximum extent of their available resources to achieve the realization of the objectives of the Act." In addition, the Children's Amendment Bill also states that Members of the Executive Council (MECs) for the Department of Social Development

must provide protection and services for abused and neglected children, prevention and early intervention services, early childhood development programmes, child and youth care centers and drop-in centers. The outlined responsibilities of the MECs of Social Development in particular require that provincial departments must prioritize the implementation of the Children's Act during budgets allocation for the different programmes.

Despite this assertion, in a costing exercise for the implementation of the Children's Act, it was revealed that the State needs to increase the budget for social services and programmes for children beyond what it is currently allocating (Child Gauge 2007/2008). The costing showed that government budgets covered only 25% of the services. Low budget allocation for the implementation of the Children's Act implies that the institutional capacity to carry out programmes and fund social services for children especially street children is compromised and limited financially and human resource wise. The financial implication means that NGOs, known to be champions in rendering services to children and programmes for street children in particular, are underfunded and by so doing the quality of programmes and services they offer are limited and undermined. To facilitate the process of service delivery to vulnerable children including children living and working in the streets, the Department of Social Development has promulgated other laws and legislation that are in line with the constitutional rights of children in the country.

THE 1997 WHITE PAPER FOR SOCIAL WELFARE

The 1997 White Paper for Social Welfare is a policy framework that provides an overview of a strategy toward developmental approach to social welfare. It also informs the restructuring of services and social welfare programmes in both the public and private sectors to be in line with one of the objectives of the Reconstruction and Development Programme (RDP) which is meeting the basic needs of people. It was identified that the then existing welfare system was characterized by insufficient and disparate access to services. This is because access to services during the apartheid regime was gender, racial

and urban bias (Streak & Poggenpoel 2005). In addition, the welfare system drew on a residual or welfare approach in rendering services to people. The residual or welfare approach means that government confined children in residential care whereby they are offered basic services under the sponsorship of the government (Barrette 1995). This created a dependency attitude in the minds of beneficiaries. The service delivery system was in fact founded on an inappropriate welfare paradigm.

For this reason the White Paper outlines a shift from the traditionally employed welfare approach of service delivery towards a developmental approach. The shift in approach entails that programmes and services emphasize an integrated intervention that builds self-reliance and foster participation in decision-making at individual, family and community level. This intent is put forward in the mission of the Social Development Department as “to serve and build a self-reliant nation in partnership with all stakeholders through an integrated social welfare system which maximizes its existing potential, and which is equitable, sustainable, accessible, people-centered and developmental. How this is realistically attained is still to be demonstrated in their work with street children.

South African government adopting a developmental approach to social welfare means that the government aims at bringing together economic growth with social development of a developmental state. The effect of this shift is reflected in the change of name of the national department from Ministry of Welfare and Population to National Department of Social Development. This action demonstrates government’s intention to reach out and meet the social needs of the people.

The White Paper identifies two main branches of social development programmes, namely social security and social welfare. Due to the purpose of this research, this study will limit its analysis on the social welfare programmes of the department. The developmental social welfare system of the White Paper focuses on prevention and protection services. Prevention services are at three levels: primary, secondary and tertiary levels. At the primary level, prevention programmes target families and communities so as to enable them avoid any future problem. Secondary prevention

programmes targets those who are identified to be at risk. And tertiary prevention programmes are aimed at preventing further problems for those who are already affected by the existing problems.

The number of homeless children on the streets in the country is estimated to be about 250,000 (Consortium for Street Children 2004). This large number of street children requires a dedicated effort both in will and in deed, not only for the children but also for their families, which are lacking on the part of the government. This was pointed out by respondent OO (NASC) that “there are few or no programmes taking place for families except for assistance with child grant applications and small basic food parcels and sometimes clothing and school fees. Often school uniforms, fees and feeding schemes are not working. There are insufficient experienced committed social workers employed for the reunification programme at either Department level or NGO level.”

As it is usually said “you cannot continue to give someone fish but you should teach such a person on how to fish, by so doing this person will become independent in catching fish.” This axiom is used to illustrate why the old welfare system was condemned for causing beneficiaries to be dependent. But the concern now is how different is the new programme? The 1997 White Paper for social welfare programme is different from the pre-existing remedial social welfare programmes which targeted just a few selected groups of people and could only intervene when there was already a problem. In addition to the prevention programmes is an array of protection services which addresses the condition of children in especially difficult situation. These services are not defined and are geared on giving effect to alternative care. These protection services also aim at helping vulnerable groups to access their constitutional rights. However, these services are not sufficiently meeting the needs of street children to become independent citizens.

THE 2006 SERVICE DELIVERY MODEL (SDM) FOR DEVELOPMENTAL SOCIAL SERVICES

Before the drafting of the 2006 SDM, more focus of the department had been on social security than on social welfare activities, the reason being that the high level of poverty in the country has left many people deprived of their rights. This effort by the department led to more budget attention on social security than on social welfare programmes. The department's social security services therefore served in addressing poverty and underdevelopment in the country. This effort however had a setback on social welfare programmes as both government institutions and NGOs experienced significant pressure as budget could not keep pace with the demand for services. The 2006 Service Delivery Model was therefore drafted to redefine what social service package entails. The SDM specifically seeks to give clarity on the nature, scope and level of services in the developmental social services sector; which excludes social security.

In terms of levels of social services, the SDM outlines services in to prevention, early intervention, statutory intervention and aftercare services. The nature of services are classified as prevention services, rehabilitation services, statutory services, continuum care and mental and addiction services. This classification of services still seems unclear to service providers because it is different from the classification in the White Paper. The White Paper classifies services in to primary, secondary and tertiary prevention services which are different from that in the SDM. This sets in confusion as to which service falls under which category of the needy. Street children are a category of children with diverse needs. With the classification of services according to the SDM, this means that a street child cannot access a range of services that will meet his or her diverse needs. This situation further leads to discrimination.

While the framework of the Service Delivery Model and the White Paper is comprehensive in its intention to provide a wide variety of services and programmes to children, the framework fails to encompass a child's right approach on programme planning, along with a vague implementation strategy whereby different departments are allowed to address children's issues from their own perspective or need, which then leads

to conflicting priorities. Quoting respondent OO (NASC), “we all have to start singing from the same page and same song sheet entitled – Best Interest of the Child.” This means that all stakeholders, government departments concerned and NGOs need to get together and draw up a comprehensive and integrated programme for street children. There are other obstacles and constraints in the policy documents, some of which include lack of interdepartmental co-ordination, lack of skilled personnel and shortages of human resources, lack of material and financial resources, undefined service provisions, poor participation and representation of children especially street children in policy and programme development.

THE ROLE OF LOCAL AUTHORITY: THE JOHANNESBURG MUNICIPALITY

Johannesburg like many other big cities in Africa and the world is increasingly confronted with a rising number of street children. The exact figure for street children in the city is not known due to the fluidity and transient life style of this category of vulnerable children. Nevertheless, in a survey conducted on the situation of street children in Gauteng, the research revealed that there are about 3200 street children in Gauteng. It must be clarified here that this is just an estimated number of street children, based on the assumption that all street children will be found in shelters. The initial part of the survey, when combined with the location of the shelters, showed that only 73% of street children live in shelter catchment zones. Therefore, there are more street children in Gauteng province and Johannesburg in particular than this number reveals. The 3200 estimated number is just the tip of the iceberg of street children (Ward et al 2007).

The rising number of street children in Johannesburg has been attributed to poverty, inequality, increasing urbanization, unemployment, inadequate housing and family disintegration. Poverty was identified by respondents as the factor that contributes the most to children taking to street life in Johannesburg. Due to lack of stable sources of income, parents are likely to pull their children from school and expect them to supplement family income. As a result most of these children take to the street to do petty

business, beg or petty thievery (Mehta 2000). Poverty may also result in dysfunctional parenting behaviour, which subjects children to various forms of violence within the family.

Another crucial factor identified is the housing condition of families in Johannesburg. The situation is either overcrowding on some of these households or some elements of child abuse. Violence and sexual abuse in families is cited as a contributing factor in children turning to street life in Johannesburg. This vile is manifested in actions such as parental rejection, strict parental discipline. In addition, the situation of families within the lower socio-economic category is worsened by the general housing shortage in townships and informal settlements in Johannesburg.

It has been identified that most street children come from informal settlement and squatter camps (Nyalunga 2006). Most of these parts of the municipality do not receive enough in terms of service provision. Instead the municipality's actions sometimes have been evictions. This approach results in destruction of property and homelessness for many families. The evictions also destroy the community support systems, and break up of families result to children taking to the streets. By so doing, the municipality becomes part of the street children problem rather than creating conditions which foster their development and access to their rights.

Problems with accommodation in Johannesburg started in the early twentieth century and consolidated during apartheid period when discriminatory principles based on race in allocation of houses led to the creation of shacks and slum yards (Beavon 2004). At about 1906, businesses in the town increased and the demand for additional labour grew and attracted many people including African, coloured and also unskilled Afrikaners. This phenomenon resulted to shortage of accommodation for the rising number of multi-racial working class. The problem of accommodation in Johannesburg has continued until present day where shortage in accommodation is now compounded with continuous influx of both young and old from rural areas and rich and poor from neighbouring

countries. The rising population in the city has also meant that service delivery be constraint.

This research focuses to a greater extent on the City of Johannesburg because over the past two decades the city has experienced drastic increase in population both residences and the homeless. During the period of 1996-2001, the city's population increased by 22.2 percent. This increase has been attributed to the creation of jobs and the relatively high incomes of its inhabitants which have acted as a magnet for people flowing in to the city. Statistics from the city's webpage indicates that in 1996, over a million people were employed in the formal economy. This number grew to 1.3 million in 2004 with a net gain of 317 000 jobs over this period. Between 2003 and 2004, formal sector employment increased by 48,000 jobs (Beavon 2004).

These statistics may indicate that it is all 'honey and roses' in the city of Johannesburg, but it is sad to reveal that unemployment rate is equally on the rise. The city in 2004 had unemployment rate at 32 percent. In 1996 unemployment rate within the city stood at 27.6 percent and in 2004, it had risen to 32 percent. With more unemployed and underemployed people living in the city, the net result is homelessness for those who cannot afford accommodation.

Municipalities are constitutionally responsible for the delivery of a range of services to residents. The constitution mandates local authorities to provide services to communities in a sustainable manner, to promote social and economic development, and to promote a safe and healthy environment. In addition, the Local Government White Paper of 1998 reiterates local government's responsibility for the provision of basic services on the basis of an incremental approach (Nyalunga 2006). Service delivery is therefore a core concern of local government in South Africa in improving the living conditions and environment of its citizens, including street children.

In an effort to address the plight of street children in Johannesburg, the City's Human Development Directorate developed a framework called 'Championing Rights and

Opportunities'. This framework is a strategic tool for safeguarding and supporting poor household and building prospects for social inclusion. It provides for the following interventions: provision of safety nets to vulnerable groups, prevention of intergenerational poverty by investing in children living in Johannesburg and building social cohesion among all city residents. It must be however noted here that this framework is still in its draft form and not yet developed into a policy document as it was revealed by Interviewee AA at the City Council and quoted below.

“There is no policy yet strictly targeting street children. But the council has a draft strategy which helps to address street children. Since it is still a draft, it is still to be amended and developed to a policy.” (Interviewee AA, Johannesburg City Council)

This situation indicates that for years, the plight of street children were not a concern or a priority for the Johannesburg City Council and just recently have the City Council thought of drafting a framework that will help tackle the problem of street children in Johannesburg. On the other hand, this could also be because it is recently that the number of street children has drastically increased and calling for attention.

The particular areas of needs identified by the city's Human Directorate for children living and working in the streets include physical needs such as food, clothing and medical care, family security, education and skills training. The Johannesburg municipality has adopted the developmental approach in addressing the problems street children experience. Programmes undertaken include outreach, rehabilitative, developmental, preventative and management information.

Outreach programmes seek to gather information on the areas where children living and working on the street are located. The programme also seeks to mobilize children around other programmes and to create education campaigns. Rehabilitative programmes centre on counseling and support services in terms of placements. Developmental programmes aim at developing street children to their maximum potential by providing access to their rights as South African children. Preventative programmes seek to mobilize and address

issues around family and the community that contribute to children taking to the streets as an alternative. And the management and information programme is designed for the purpose of monitoring and tracking and sharing information about children living and working in the streets.

These programmes look very promising in addressing the problems of street children. But it should be noted that this is still a draft policy document as was disclosed by Interviewee AA (Johannesburg City Council) that "...this document is still in a draft form and implementation plans are still to be consolidated." Such a big project for street children will require resources both financial and human and how committed the City Council is with regard to the budget is doubtful. An integrated approach to street children problem requires availability of enough resources especially financial resources. Already it was revealed that the municipality does not have a dedicated budget for children living and working in the streets. As a result, they seek to focus only on preventive programmes. In addition other programmes preoccupy local authorities especially the FIFA 2010 World Cup. In this regard most local authorities are working hard to keep their municipalities clean by adopting the 'sweep clean' approach (Swart-Kruger 1990).

Addressing street children problem requires a holistic and integrated approach because of the myriad problems street children are experiencing and also because their needs are interrelated. In addition to an integrated approach towards street children is the need for proper coordination and partnership among stakeholders; which is not clearly defined by the draft policy document. The nature of coordination between the national, provincial and local tiers of government in addressing the plight of street children is very crucial for the success of the project implementation.

According to Section 154 of the Constitution, the national government and provincial governments by legislative and others measures, must support and strengthen the capacity of municipalities to manage their own affairs to exercise their powers and to perform their functions. Municipalities are a decentralized body of the government but because they assist in implementing government policies, they need to be supported financially in

the implementation of government policies. Often municipalities provide services to children living and working in the streets but these services and programmes are not sustainable due to lack of funding. As a result projects are untimely terminated leading to a waste in resources and time and exacerbation of the situation of street children in the municipality.

SOUTH AFRICAN POLICE SERVICES (SAPS) AND STREET CHILDREN

The South African Police Service (SAPS) also plays an important role in addressing the plight of street children in the country. Historically, police services were used as social service agency to which people tended to handle the problem of street children. It is from police cells that most street children entered social policy programmes. In addition, authoritative figures in the community including the police were inclined to view street children with disapproval and to take punitive action against them. These authority figures considered street children to be criminals and to be involved in criminal activities. As a result, arrest and detention of street children was a routine (Agnelli 1986 cited in Swart J 1990). For instance in an intensive study carried out in Brazil on the statistics, convictions and attitudes about criminality of street children, it was revealed that although many people considered street children to be criminals, very few really are. Street children are commonly convicted of petty offences. However, they are not engaged in criminal activities, though they may be arrested because of such suspicion (Swart J. 1990). The arrest and detention of street children have created a particular mindset and understanding of police force by these children. Any meaningful intervention by the police in the lives of these children requires first of all building trust and a change of mindset in both parties, if not all will be a waste of time and resources.

It has also been the priority for police to ‘sanitize the streets’ by removing street children from public view, by so doing clearing ‘undesirable’ elements from the street for important upcoming events (Ennew 1986). This approach by police force is still being practiced today in South Africa. For instance, it was reported by Daily News in Nov

2007; that Durban street children suddenly disappeared from the city after what is believed was a major police crackdown in preparation of the FIFA preliminary draw. This incident was reported by some social workers who worked at a Durban shelter, that these children were picked up by metro police and charged with loitering and were taken to Westville prison. It has also been revealed that while these children are in custody, they are sometimes placed with adult and hard-core criminals.

Even though this practice has been corrected, it was reported by respondents from NGOs who handle issues of street children involved with law disputes that the procedure to get street children out of the police station is such a lengthy and time-consuming process which needs to be adjusted. "...the police don't work hand in hand with us. They don't know our policy and so they don't know how to handle these street children in a better way" (Interviewee II, NGO). Going through the court process for placement in shelters is a difficult one. This study does not look at the Justice procedure but assesses SAPS programmes for street children.

In South Africa, the SAPS is managed by the Department of Safety and Security. Apart from the function they perform in terms of support and management, the police force is traditionally divided into two sectors of operational activity: patrol and investigation. Specifically, uniformed patrol personnel of the police force, patrol the streets both to detect crime and provide a visible presence that is believed to have a crime deterrent effect (Legget T 2003). Other methods by which police increase their visibility in the country include conducting crime prevention operations, such as roadblocks, building raids and cordon and search operations. They are also involved in traffic problems and accidents, whether or not criminal activity is involved and to maintain order at public gatherings.

Within the SAPS, there are a range of services which are consigned to more specialized units. One of these units which is of importance to this study is the Social Crime Prevention Unit which hereafter will be called SCPU. The SCPU officials study factors that contribute to crime and violence. They implement programmes which have do with

violence against children and women, programmes which try to curb or prevent young people from getting involved in criminal activities. Specifically with street children, programmes have been designed in conjunction with shelter programmes to see to it that street children are involved in activities that can keep them away from criminal activities. These programmes include entertainment programmes and sporting activities.

Respondents from SAPS reported that their programmes are not governed by any policy as such. For example, interviewee HH (SAPS) disclosed that “Since there are no policies that inform us the police, we don’t have any particular strategies of programmes.” Even though the services they render to street children are social welfare in nature, the social package is not defined. For example, the White Paper for social welfare doesn’t make mention of the nature of police involvement with street children. This makes it difficult for the SCPU to keep track with their work with street children as far as social welfare services for these children are concerned. Another problem identified with the work of SCPU officers with street children is in line with the fact that the nature of intervention by this unit has to do with preventing crime among vulnerable groups. Arguably, it can be said that these officers working with street children already have an inclined mind of criminality attached to street children. And if this be the case, it will obviously impart the programmes design for street children.

NGOS’ PROGRAMMES AND SERVICES TO STREET CHILDREN

Nongovernmental organizations play a pivotal role in offering social services and programmes to communities with various needs. As earlier mentioned, they are better positioned to deliver social programmes and services because of their location and proximity to the communities where they render these essential needs. Many NGOs are applauded for their efforts in service delivery to poor and vulnerable people. Notwithstanding the success NGOs are able to record, the sector is known to be incapacitated especially financially and personnel wise. Therefore it is important to examine the role of these NGOs and the factors influencing and or affecting effective and quality welfare services to street children. Thus, in this subsection, an attempt is made to

determine the attainment of government's objective of reunifying street children with their family through partnership with NGOs. In so doing, this section of the chapter examines issues surrounding effectiveness such as human capacity, funding and approaches as well as programmes for street children. In this analysis of effectiveness, it is imperative to apply the framework of effectiveness knowing that there are challenges confronting NGOs in that regard.

TOWARD THE ATTAINMENT OF EFFECTIVE REUNIFICATION

As Khamba (2006) points out, it is not ideal to measure the effectiveness of NGOs on standards that are not agreed upon between them and government. The danger here is that it could result in misleading conclusions. In this study therefore, general measurements such as approaches to street children by NGOs, availability of funds and personnel capacity are used to determine the extent to which NGOs are able to effectively achieve the goal of reunifying and reintegrating street children back to their family and society at large. Three NGOs (shelters) were involved in this study. In order to better understand the work and involvement of these NGOs with street children, it is imperative to give a brief description of these NGOs so that one gets a better understanding of their work and the surrounding environment in which these NGOs operate.

The first NGO that was visited during the study is the Twilight Children Organization. Twilight Children Organization is a non-profit organization formed in 1983 as a response to the situation of street children in the city of Johannesburg especially in Hillbrow where it is located. The organization was formed with the main purpose of improving the quality of life experienced by homeless children living in Hillbrow, Johannesburg. Currently the organization is able to host more than 100 boys and feed over 200 street children daily in their soup kitchen programme. Over the years the organization has recorded some successes in terms of training young people in different skills, enrolled children in local schools and has recently inaugurated an IT centre which will help boost the profile of the young people that graduate from this shelter programme.

Another organization visited during the study is The House Shelter for Girls in Berea. The House Shelter for Girls is a registered non-profit organization which was opened some 10 years ago through the personal initiative of an individual who was deeply concerned with the situation of street girls in particular. Being a shelter for street girls, they do not strictly operate in the rules of children's homes. This is because most of these girls are grown ups and some have children that need to be cater for. It was admitted by one of the respondents that working with street girls or operating a shelter for street girls is quite challenging and different from other shelters. This is because there is this notion held by many in the community that street girls are prostitutes and because of this, the operation of the shelter is looked upon with skepticism. Nevertheless, the shelter focuses on skills development and has been able to record some successes as many young girls have been assisted to set up an operational business.

Lastly, Othandweni which is one of the branches of MES (Metro Evangelical Services) is a registered non-profit organization that offers diverse services to street children within the greater Johannesburg. This organization has been in existence for the past 14 years and the mission has been to offer holistic and developmental services to street children and youths with the aim of empowering them to become healthy and independent citizens. This aim is achieved through 3 centre units of their projects: Basic Care and Promotion of Human Rights, Sport and Recreation, and Training and Education Unit. Through these projects, the organization has been able to transform the lives of many street children as many have graduated from the programmes and are able to obtain employment.

In addition to these organizations visited during the research study, is an umbrella organization for all street children organization in the country - the National Alliance for Street children. It must be acknowledged that this research benefited from the conferences and workshops organized by this umbrella body. The alliance also provided expertise on the situation of street children and work of NGOs with street children.

These NGOs are registered with the Department of Social Development. This implies that the NGOs work in partnership with the department in implementing policies addressing the plight of street children. According to the Children's Act, the main objective is to reunite and reintegrate street children back to their family and society in general. As it was revealed by the respondents, all NGOs for street children comply with the Children's Act. However, different strategies, programmes and sometimes approaches are utilized in order to attain the objectives of the policy document. This issue leads us to the next subsection which looks at how strategic interventions in the form of programmes and services employed by NGOs working with street children are undertaken and achieved.

Strategic interventions by NGOs

Even though there are a number of organizations that provide programmes and services that specifically target street children, there are NGOs specifically dealing with street boys and others having to do with street girls while some combine both boys and girls from the streets. The three organizations involved in this study were strategically selected. Twilight Children Organisation deals only with boys but has recently opened its doors for street girls to learn skills in beads work. The House is strictly for girls and Othandweni accommodates both boys and girls. In spite of these differences, it was discovered that these NGOs employ similar programmes that aim at social development of the child such as schooling, diversion programmes, and skills training. For the sake of this study, a broad view of the programmes and strategies will be assessed with the focus on how effectively they are able to reunite and reintegrate these children with their family and society at large.

Most of the shelter programmes are broadly divided in to three phases which include prevention, early intervention and continuum care. The prevention phase focuses on family preservation such as basic care and promoting Human Rights which will be elaborated in the latter part of this section. Early intervention phase focuses on holistic developmental programmes such as drop-in centers, resource and assessment center, diversion programmes, sport and recreational activities, training programmes and job

placements. Continuum care entails providing transitional housing to youth at risk. Broad strategies employed to accomplish the above-mentioned programmes include acting as guardians to these children so that the principles of the UNCRC are enforced, providing alternatives to street dwelling through sport and recreational activities, empowering them through skills training and job placement for them to become independent and providing family group conference in order to minimize institutionalization of these children.

The basic care and Human Rights unit embarks on programmes such as meeting physical needs through outreach, family preservation and formal/informal training. The physical needs such as food, clothing, blankets, shower facilities and accommodation are also provided to street children. According to Othandweni's annual report for 2007-2008, the success of these activities depends on mutual trust by the children and this trust is established during outreach programmes.

Most street children organizations carry out outreach programmes which open up avenues for the organization to get in contact with street children and to build or gain trust to work with these children especially the new comers in the streets. Within the outreach programme, outreach workers visit hotspots where street children spend most of their time on a daily basis. During these visits, information is gathered regarding needs, new children on the street and the problems they are experiencing. In a situation where a child is arrested, the outreach worker acts as the child's guardian during court hearing and attempts are also made to trace any of the child's relatives. This effort is linked to the family preservation programme- which is aimed at building up families in order to prevent the children to run to the streets, or reuniting children with their family.

Training programmes include both informal and formal training. Informal training operates in drop-in centers where children and young people living in the streets come at different days to learn specific skills such as security, baking, welding, driving, dress making, plastering and carpentry. For example, the girls at The House Shelters are trained in baking and dress making. These trainings help them to become independent and to earn a living. More often, these training programmes are for those who do not fit the

criteria for formal training. Formal training is offered to children who have either passed grade ten or grade twelve and other tertiary education. They are channeled to specialized formal trainings.

Specifically at Othandweni shelter, upon graduation students are placed in internships at different work places to receive in-service training. The reason for this, as one of the documents explains, is that not all the students are ready for the job market and therefore need some introduction to the labour market and working conditions. As revealed by one of the respondents, another problem encountered is that most jobs are not secured in terms of duration. Depending on the financial capacity of the NGO, the trainee who successfully gets in to the job market, is given a transitional housing for six months, whereby the NGO pays a minimal rent of R200 per month. During this phase they are given other support so that they become independent and not return to the streets.

This snapshot of the kind of programmes being implemented by most of the NGOs working with street children shows that there are many ways in which street children can be approached. Also evident is the fact that due to the interrelated nature of problems experienced by street children, programmes aimed at alleviating the condition must take a holistic approach by providing integrated services (Muntingh et al 2006).

About 80 percent of the respondents affirmed that it is difficult to provide all the programmes and services to street children in one organization or shelter because these NGOs have limited staff capacity and financial resources. The practice amongst the NGOs visited during the study is that they network with one another so that a complete, holistic intervention which is developmental is offered to street children. Most of the NGOs operate on a smaller scale and are only able to offer particular services. As a result, services that are not being offered at one organization, special arrangements are made with other organizations for the children to receive other skills or services needed. The most common is the information technology skill which is so much demanded in the job market. As one responded from the Twilight Children Organisation pointed out, that

the newly inaugurated IT centre will not only serve the young people in the shelter, but many others.

As Volpi (2002) points out, many of the NGOs are in fact more effective when they operate on a smaller scale. This means that a certain number of street children are admitted in to shelter programmes depending on the capacity of the organization and particular programmes are followed. On the other hand, stand-alone programmes are not necessarily effective as they provide only partial solutions to the myriad problems street children experience in their daily lives. Their development in life is affected by many factors in society including national laws and policies on education, social protection, health, child labour, juvenile crime, social work and adoption. The involvement of NGOs interventions at this level is crucial and can spur changes in the environment affecting street children and strengthening the impact of these services.

Good programmes for street children are not limited to basic assistance to children in the streets or shelters. As such, the ongoing provision of food, clothing, and medicines has been the practice of many in the community. This is because mere assistance does not motivate children to be integrated with the family and society. Rather, programmes for street children should incorporate development oriented activities through integration in to the family, school and labour market.

Reuniting the street child with the family is the main objective of government's policy being pursuit by NGOs working with children living and working in the streets. Achievement of this objective is viewed and measured differently by implementers. For example one of the respondents from the NGO sector mentioned that "if in a day they are able to provide food and accommodation to the children, to them that is success" (Interviewee PP). Yet to some, if the street child is able to go through the shelter programmes, these are listed as achievements, because the young person leaves the shelter with some skills that will enable him or her to be independent out there. It is listed in Othandweni's annual report (2006/2007) in a more organized and formalized way, that the process of reunification and reintegration must be assessed by the social worker to

determine achievement from the beginning when the child is admitted into the shelter to the end when he or she becomes independent or united in the family.

However, a view of street children's programmes seems to be lacking in consideration to the family of the child. Intervention for street children needs to take in to account the family's capabilities and the will to receive their child. Whatever the case, as earlier mentioned, reintegration is a gradual and delicate process that requires intervention through counseling for children and parents, confidence building, conflict resolution and sometimes financial help.

Reintegration into families is equally done through pedagogic or entrepreneurial programmes that involve enrolling the child in a school or offer professional training depending on the child's ability and interest, while monitoring the process of reuniting the child with the family. However, it was disclosed by most respondents that most street children do not usually accept formal education. This may be because most of these children may have developed psychological and behavioural problems that affect concentration, and other school social relations. Nonetheless, this necessitates the development of an alternative way of educating them. These children are mostly put into other skill training programmes whereby they are taught different skills and then specialize in the one they can better fit. Still, some of the children drop out in the course of these programmes perhaps because they are not based on the young person's specific capacities and desires.

The street child who successfully goes through a training programme is placed on internship in a company or sometimes left on his or her own to search for a job. It is discovered that job placement or integration in the labour market in South Africa is a real problem for young people from shelter programmes. As it was pointed out by one of the respondents from the Department of Social Development that "In order to monitor the effectiveness of the programmes and projects, we look at the number of children placed in shelters and the number that successfully graduate from there. We equally look at the number of those getting jobs. However, it has been observed that very few of the children

are able to obtain employment in companies” (Interviewee LL, Department of Social Development).

The problem here might be that the imparted skills do not meet labour market demands, or that employers are just reluctant and skeptical to accept them because of certain stereotyped beliefs against street children. For these reasons, it could be concluded that ex-street youngsters are denied the privilege of getting employed in a company. The problems discussed above also revolve around the issue of funding, which is what will be discussed in the next subsection.

NGO Funding

Funding to NGOs is central for the continuity and sustainability of programmes, projects and the NGO in the long run. Majority of the respondents from NGOs expressed their dissatisfaction with the subsidies they receive from the government. They pointed out that the services they provide to street children are costly and vast. Yet they receive fewer subsidies than other children’s home. For example Interviewee DD pointed out that “Children should be protected by the same act. Don’t put some children in chapter 13 and others in chapter 14. What decides a child to fall under this chapter and others in another? They need to be in one chapter. This affects the funding and implementation of programmes. For example Children under shelters have R26 a day under chapter 14 (shelter) and R300 a day under chapter 13 (place of safety) even though they are all registered as children’s homes.”

As a result some of the programmes and projects are put on a halt, delayed or forcefully terminated. On the part of the department which is mandated to ensure that policies for vulnerable children including street children are implemented, explains that there are many NGOs that are funded by the government, more than 400 in Johannesburg alone. In conjunction to this, other complaints included the fact that social workers working with NGOs receive smaller salaries than their colleagues working with the Department of Social Development and other government institutions. It was disclosed by interviewee

EE that “People who have experience working with NGOs, the department comes and recruits them to work at the department. To solve this, the government should close or reduce the salary gap.” Still another interviewee revealed that “There are insufficient experienced committed social workers employed for the reunification programme at either Department level or NGO level – NGO’s just get social workers trained and then government offers positions with double the amount of salaries which NGO’s offer” (Interviewee OO, NGO). Consequently, most of these social workers at the NGOs prefer to work as temporary staff while seeking for better employment with well paying government institutions and organizations. The problem with salary difference has a bearing on the quality of services offered by these social workers working with the NGOs.

Many NGOs try to overcome the problem of funding by embarking on an ongoing fundraising and creating contacts with individuals, corporate world, foreign donors, trusts and foundations. By so doing they are able to generate funds for projects and be able to complete their programmes. According to the government, the funding of NGOs delivering social services involves a calculation of payment based on a per capita amount for children staying in residential facilities. The 1999 financial policy included a transformation or change of calculation to a new method which involved funding NGOs on the basis of well designed programmes. Such programmes would have to demonstrate that they can produce the necessary outputs. A good example of this practice can be seen in the relationship between the Gauteng Department of Social Development and the Othandweni Shelter. One of the respondents from one of the NGOs pointed out that they have the best relationship with the department because “the government chose them to be among the best three organizations in Johannesburg and as a result, they get 10 percent of the Gauteng social services integrated budget” (Interviewee KK, NGO).

The kind of relationship that exists between the NGO and the department has a great implication on the way in which services rendered by the NGO and the way in which the two collaborate with each other. An example of this scenario is clearly demonstrated in the way the department relates with Othandweni shelter and The House. As stated by one

of the respondents from The House, that their relationship with the department is different from other organizations because the department hardly visits to find out how they are doing their work, and that they hardly come around to assess or assist in the work (Interviewee PP). This state of affairs implies that the two parties don't care about the work the other is doing. This also implies that the one may not necessarily account on what is being done with regard to addressing the problem of street children. On the contrary, as earlier mentioned, Othandweni Shelter enjoys a privilege relationship with the department and this is reflected in the way in which the department has responded financially to the organization.

These two distinct examples of the kind of working relationship between the Department of Social Development and the NGOs reveals that if a good working relationship exist between two collaborating partners, there will be better results in terms of output, it will act as an incentive for the two party depending on the where the comparative advantage lies. This is evident between the department and Othandweni, whereby the department has decided to increase its financial assistance to the organization due to the output of the organization.

Over all, still in the problem of funding very little progress has been made in implementing the new programme-based method of financing NGOs called for in the White Paper for Social Welfare in the 1999 and 2004 financing policies. Even though there are instances where government has switched to the programme-based approach in funding NGOs, calculation of funds transferred to NGO service providers is still for the most part based on the old technique. This situation indicates that there is not only a lack of precise guiding principles, but there is a lack of political will to effectively fund NGOs especially those offering statutory services.

In a submission made to the Minister of Social Development, NACOSS (2004) cited in Streak & Poggenpoel (2005), estimates that "government financing constitutes less than 30% of total costs." It also reveals that "the Department's financing of welfare services often stay at the same level for years with no increases given. The time period has been

up to twelve years in some cases. Yet the cost of providing the same services continually escalates, let alone the cost of expanding and reaching out to the poorest of the poor and doing more to meet their increasing demands. The result of this practice is overloaded personnel who work with salaries that are half of those paid to their compatriots, and with no guarantee of any annual increases...” (Streak & Poggenpoel 2005). Such financial squeeze has an impact on the quality of services delivered and also on the people that services are designed to reach.

With regard to disparity in salaries for social workers in NGOs and government institutions, the amount paid per social worker post to NGO delivery agencies is not supposed to cover the full salary of the social worker according to the government financial policy. The salary of these social workers is based on a formula which includes a percentage of the salary of social worker with a particular level of experience, plus a specified amount of administrative back up. The subsidies paid to NGOs to cover social worker salaries appear to be around 50 to 60 % (although the proportion may vary) of what is paid to a government social worker. This disparity in salaries affects the quality of services offered in NGOs and the accessibility of these services. NGOs have been hit hard by insufficient priority given by government allocating funds to social welfare services. This approach by government has led to a situation whereby many street children projects have come to a halt and programmes suspended (evident in one of the annual reports of these organizations). It has also led to a disincentive for the young people to stay on to the end of the programme.

Government funds NGOs in order to attain a certain objective. It is therefore imperative that government fulfils its obligation in order to obtain good results. NGOs have continued to play a central role in street children programmes. However, with the financial limitations, limited capacities, NGOs alone are not able to significantly reduce the number of children in the streets. There is therefore a need for effective collaboration and cooperation between government and NGOs to adequately promote the positive development of street children. The nature of this kind of partnership will be the focus of the next subsection.

COLLABORATION BETWEEN GOVERNMENT AND NGOS

Although some amendments have been made with regard to policies addressing street children problems, such as the transformation of street children shelters from Chapter 14 to Chapter 13 of the Act which involves the Child and Youth Care Centre so that street children may benefit equal services and treatment given to children in child and Youth care centres. It is however revealed in the study that inadequate specific attention is being given to the needs and circumstances of street children. This situation can be attributed to a weak collaboration between government and NGO officials in addressing the problems of street children.

Non-Governmental Organizations played a key role in fighting apartheid and have remained vocal during the first decade of democracy in the country (Penderism 2006). In an effort to establish an environment which is conducive for them to operate, the new democratic government embarked upon legislative, fiscal and institutional arrangements which permit NGOs to carry out their operations without restrictions and intimidation (Khamba 2006). Despite this benign state of affairs, collaboration and funding remain contentious issues.

As explained in the literature, collaborative relationships depend on the recognition by all the partners that they need each other's capacities, strength, facilities and personnel to accomplish any task (Adekanmbi and Mphinyane 1996, Commuri 1995, Fisher 1995, and Mphinyane 1996). Magagulen et al (1997) equally contend that collaborative relationships also depend on a sound organizational and financial framework. This means that collaborating social partners need to establish an organizational as well as a financial framework which will sustain the collaborative venture. Equally important in a collaborative relationship which is necessary in this analysis is for partners to have a common vision, similar objectives, established communication structure that will create a harmonious relationship.

In examining the relationship between government and NGOs, Commuri (1995) and Fisher (1995) revealed that governments' relationships with NGOs generally ranged from

supportive to facilitative, neutral, regulative, repressive, ignored and cooperative. In their opinion, if the relationship between government and NGO is facilitative, supportive, or co-operative, then collaboration is likely to be effective. However, if the relationship between them is repressive, neutral, or regulative, then the nature of collaboration is likely to be ineffective.

Based on Commuri, (1995) and Fisher's analysis, it could be asserted that the nature of relationship between NGOs and Government in post-apartheid era is a collaborative one. However, of interest to this study is the degree of collaboration between these two partners. This is because both the government and NGOs recognize that they need to partner with each other in order to reach their target population and goal, but how effectively they are working with each other affects their objective. If a strong collaboration exists between the two with each partner respecting and fulfilling their given responsibility, a better result will be attained. The reason for this assertion is because it was hypothesized earlier that an effective response to the plight of street children will depend on the nature of the relationship between Government and NGOs. This hypothesis was based on the assumption that government as policy formulators should provide an enabling policy environment whereby appropriate policies and legislations are there to give guidelines to tackle the problems of street children. Meanwhile NGOs, in their effort to implement these policies to achieve the objective of reunifying and reintegrating street children with their family and into the society, should be given the necessary human and financial backing which are so desperately needed.

According to Hudson (1987) the degree of collaboration between social partners will depend on factors such as formalization which is the extent to which collaboration is formalized by administrative and legislative arrangements, intensity which is the amount of investment by each social partner and standardization which is the mode of interaction agreed upon between the collaborating social partners. Following Hudson's (1987) analysis of degree of collaboration between partners, it is evident that a lower administrative and standardized mode of interaction exist between the government and NGOs and therefore a weak collaborative relationship is experienced between the two

parties in addressing the problems of street children. This is because firstly, as it was mentioned by respondents from NGOs that, there is the tendency for government officials to concentrate on policy making process. According to Fulcher 1989, cited in Bourk (2000), distinguishing between policy and implementation suggests to people that governments are in charge that is the boss (researcher's emphasis). This assertion implies that NGOs are merely there to administer what has been decided by government. This practice indicates lack of formalization in policy process.

Another instance that was mentioned was the issue of bureaucratic red tape with regard to flow of funds, placement of children, and registration as an NPO. NGOs registered with the Department of Social Development receive funds from the government in order to implement programmes set by the government for street children. Notwithstanding the fact that these funds are limited, the flow of funds is not consistent. Some international donors channel funds to NGOs through the government and NGOs complained that the process of accessing these funds is time consuming, cumbersome and full of red tape.

NGOs also complained that the process of placing a child in a shelter was time-consuming and full of unnecessary bureaucratic processes. This is because every child is expected to own an identity document as a requirement in court procedures. However it is realized that most street children are not in possession of these documents. To obtain these documents at the Department of Home Affairs is equally full of constrained paperwork which goes a long way to complicate the work of NGOs working with these children. Officials at the Department of Home Affairs are surely aware of this difficulties and the fact that most street children are not in possession of ID book. The Department of Home Affairs should collaborate with NGOs in order to get these documents for street children.

Another explanation that can be given for a weak collaboration between government and NGOs in tackling the problem of street children is in the area of policy and legislative arrangements defining the rules and standards of governance within nonprofit organization. Government in trying to create an enabling collaborative environment

between them and NGOs officially passed the nonprofit Organizations Acts 71 of 1997. The Non-Profit Organizations directorate has also been established at the National Department of Social Development consistent with the Non-Profit Organization Act of 1997. Every shelter for street children is expected to register with the department and obtain an NPO number that will permit the NGO to operate under a set standard of governance and also benefit from tax exemption and to receive subsidies from the government to undertake proper accounting and provide audited statements to government.

As earlier mentioned, in many cases good policies are outlined for proper financing of activities and achievement of goals. However, the problem lies in the slow implementation process of policies and this can be attributed to a lack of an implementation plan, limited resources and even lack of political will. In this present case, the Department of Social Development released a report recommending that more resources be allocated for the implementation of the Non-Profit Organization Act (Penderis 2006). This statement reveals that the Act was not adequately being implemented.

In addition Tessa Brevis, an attorney with the Non-Profit consortium is quoted by Penderis (2006) as saying that “while there has been reform of legislation relating to NGOs in post-apartheid SA, the implementation of that legislation is quite problematic”. Departments such as the Non-Profit Directorate and the Exemption Unit in the South African Revenue Service - both created to support the NGO sector in terms of the new legislation-are understaffed. In addition, the registration process even though is not too difficult, it is time consuming, often taking several months. Until the registration has been completed, NGOs may be unable to obtain funding, as prospective donors typically require an NPO number before they even consider financing an Organization.

On the part of government officials, respondents from the Department of Social Development admitted that there is an outcry from NGOs about insufficient funds from the government. Yet there is little the government can do because it is funding more than

400 NGOs within Johannesburg alone. The government assumes that most if not all NGOs receive funds from international donor agencies and industries. Respondents from the department also indicated that most NGOs do not account for these funds they receive, and added that funds provided by the government to NGOs do not reach the specified number of beneficiaries (Interviewee LL). This implies there is mismanagement of funds and corruption on the part of NGOs.

These issues discussed above reveal a weak collaboration between government and NGOs sector. However, a low degree of collaboration was also perceived among NGOs in terms of competition for donor attention, and the number of children exited from shelters at the end of the programme course. Apparently, donors fund projects that are based on good, well-articulated proposals that have a clear mission, clear goals and objectives, implementation and evaluation plans. NGOs that have developed this kind of technical expertise for project proposal may not be willing to share it with the other NGOs who may be lacking this kind of expertise.

Not only is there competition for donor attention, it was also acknowledged by some respondents from NGOs that there is competition amongst NGOs to exit more children from the shelters so that such successes recorded through the number of street children who graduate from shelter programmes will be acknowledged by government in terms of support for grants. It is natural that when organizations see themselves competing for a certain achievement, they do not collaborate especially if collaboration will lead to copying each other's strategies (Mphinyane 1993).

Nonetheless, respondents from NGOs, affirmed collaboration among themselves in areas such as strategic projects and programming. As explained earlier, NGOs collaborate with each other in order to accomplish the objective of reintegration and reunification of a street child with the family and society at large. This nature of collaboration amongst NGOs working with street children needs to be reinforced because a holistic approach is required to handle the multifaceted problem street children encounter. The nexus between

government and NGOs must be mutually reinforced as a foundation for a better response to the plight of street children.

In spite of the State's commitment through its conviction of promoting the wellbeing of children, circumstances such as street children will depend on a more conducive policy environment and mutual collaboration in terms of cooperating and coordinating activities and programmes between the State and NGOs dealing with children especially street children. This argument is based on the assumption that synergistic partnership between government and NGOs working with street children will translate into a more efficient and effective response to the plight of street children.

While acknowledging governments' efforts in protecting the rights of children through the enactment of various policies and legislation, these efforts are not adequate enough to have a positive impact in the lives of street children. It was noted that government's efforts may be having some positive effects on the plight of street children, but to have an impact on the general situation of street children nationally, the government needs to double its commitment and efforts in funding and in social service provision by way of costing the implementation of policies. And because the cost of implementation of the new Children's Bill has not been finalized, the operation of shelters for street children on an equal base as child and youth care centers cannot be implemented. In fact, the implementation of this bill is not yet in effect.

The lack of costing of the implementation of these policies is evident in the lack of appropriate human and financial resources and thereby a lack of quality services. There was a loud cry for more trained social workers in the field and a steady flow of funds in order to accomplish programmes and projects designed to tackle the problems of street children. Most NGOs experience difficulties in accomplishing projects as a result of limited capacity to render services. The demand for intervention in the lives of street children far exceeds the capacity to render services. As a result there is a high degree of reliance on volunteers to render services and in the situation where there is no financial support, this has quality implications (Muntingh et al 2006).

The Neoclassical model in development paradigm emphasize that the State is not in the position to provide welfare services when they assert that prosperity should be paved with a maximum of free markets and a minimum State intervention (Esping-Anderson G. 1990). The crux of the matter is that markets cater only to those who are able to perform in them. It is therefore argued in this study that government ought to lead efforts in welfare provision to the poor in areas such as resource mobilization from the private sector. The State has a constitutional responsibility to improve and protect the wellbeing of the people especially the poor and vulnerable. However, private sectors need to be incorporated into this venture.

As to whether the government was effectively responding to the plight of street children, respondents especially those from NGOs; expressed concern about the lack of commitment by government in efforts to respond to the problems of street children. Many cases of not honouring meeting appointments, or invitation for street children workshops were cited. Also mentioned was the lack of follow-up and monitoring of street children in shelters for evaluation of progress in projects designed. All these go to show that there is little cooperation and coordination of activities and programmes between the State and NGOs.

CONCLUSION

This chapter discussed government's response to the plight of street children through various programmes and services rendered by key government institutions including the Department of Social Development, the Johannesburg City Council and the SAPS. Given that NGOs in partnership with the government offer a bulk of these services, their programmes were also assessed and the nature of collaboration between government and NGOs was also examined to determine if this has a repercussion in the programmes and services rendered to street children.

In this chapter, it was discovered that the government has much focused on policy issues in terms of formulating policies and has almost left the implementation of policies exclusively in the preserve of NGOs. This has influenced the way in which government and NGOs collaborate in achieving the objectives set for vulnerable children including street children. NGOs need to adopt a 'direct approach' not only to be conduit of government, but with the hope to influence the direction of government policy (Mgoqi NC 2005). In addition, though government has enable a conducive environment for collaboration with NGOs by repealing apartheid legislations and creating policies that permit NGOs to flourish in offering social services to people, it was discovered that the execution of these policies is still problematic as the units are understaffed and the registration process is time consuming.

Despite the limitations of this study, it can be fairly concluded that a very low degree of collaboration exist between the government and NGOs working with street children. This is because of the constrained bureaucratic red tape and a lack of commitment which exist in government departments. Coupled with the fact that NGOs are understaffed, poorly funded, the issues surrounding street children within the country still has a long way to be properly tackled. All these factors discussed in this chapter, indicate that the government is not fully responding to the plight of street children in the country.

CHAPTER FIVE

CONCLUSION AND RECOMMENDATION

The main objective of this research was to assess South African government's response to the plight of street children, taking the case of street children in Johannesburg inner city. By so doing the researcher sought to examine the policies and legislations that address the problems of street children in the country. Furthermore, programmes and services rendered by some government institutions and nongovernmental organizations (NGOs) were equally investigated so as to better understand the importance of collaboration between government and NGOs in rendering services to street children.

The main policy document that seeks to address the problem of street children in the country is the 2005 Children's Act which is amended in the 2006 Children's Amendment Bill. In the view of the fact that South Africa is a signatory to international laws such as the United Nations Convention on the Rights of the Child (UNCRC) and the African Charter on the Rights and Welfare of the Child, the relevance of the Children's Act was also assessed in view of the rights outlined in these international laws. Other policy documents of various government institutions and NGOs were equally incorporated in to the study for a better understanding of how these organizations are tackling the problem of street children in the country.

The research study revealed that though government has demonstrated its commitment to children's rights issues by drafting the Children's Act, and dedicating a section of the Bill of Rights to children's issues, more still needs to be done with regard to street children's problem. After realizing that shelters for street children were not entitled to equal benefits as other children's homes, Chapter 14 for shelters was later changed to Chapter 13 for Child and Youth Care centre in the new Children's Amendment Bill of 2006. Regardless of this move, the effect of these changes does not reflect in the difficult experiences of street children because the cost of implementation of this policy has not yet been finalized.

Equally affecting the implementation of these policies is the acute shortage of social welfare practitioners. As it was revealed in the study, the country is in a serious need of social workers both at the Department of Social Development and NGOs. This problem is further compounded by the fact that social workers in NGOs receive less salary than their colleagues in governmental institutions. As a result, most social workers in NGOs work on a temporal basis while awaiting appointment at governmental institutions or better funded organizations. This mind-set affects the nature and quality of services rendered at the NGOs.

Given that majority of the programmes and services are rendered by NGOs, there is the need for government to sponsor programmes and projects of these NGOs. However, it was revealed that the subsidies NGOs receive from the government is insufficient compared to the tasks and interrelated problems street children face in life. It was disclosed that each street child receives about R15 less than what another child in children's homes receives. Knowing fully well that street children have diverse circumstances that need to be tackled, this amount of money is less sufficient.

The circumstances street children find themselves is associated with child-specific physical and emotional problems that necessitate specialized and well designed programmes. Government policies providing these needs have been enacted but programmes that aim at addressing the plight of street children require capacity in terms of human and financial resources. In their collaborative work with NGOs, government needs to increase its commitment in terms of funding and supporting the work and initiatives of NGOs working with street children. More social welfare practitioners need to be trained and deployed to work with NGOs.

In order to understand government response to the plight of street children, programmes and services of other government institutions such as the SAPS and the Johannesburg City Council were equally incorporated into the study. It was discovered that little coordination of activities exists between government institutions working with street

children. This situation has led to duplication of projects and activities for street children and also leading to a waste of resources. In addition, some government institutions are guided by additional policies due to the nature of their work demand. In particular SAPS which is guided by the law enforcement code whereby if there is a police patrol and street children are found in crime spots, they will be arrested and charged before any action taken to place them in shelters for rehabilitation.

Even though the Department of Social Development is mandated to ensure that the needs of vulnerable children and poor people are met, the department cannot accomplish this objective alone. There is need for better coordination of activities of different departments so that a comprehensive social protection and support package is offered to street children. For example, the circumstances of street children require the efforts of the Department of Housing to address the accommodation problems of street children and their families. The Department of Education needs to plan on how these children can go back to school and be welcomed in any classroom. The Department of Labour has to reiterate the importance of incorporating these youngsters into the labour market, so that they can be employed by companies.

Clearly, the reason for children being in the streets is a complex one. Therefore, response to the plight of street children needs commitment to both financial and in human resources by the government and nongovernmental organizations working with street children. It was identified that the government and NGOs do not collaborate effectively to address the problems of street children. As discussed in the literature review, collaborating partners have specific goals, vision to accomplish and in this case, the Department of Social Development and NGOs dealing with street children have the goal of reuniting and reintegrating street children with their families and society at large. This objective cannot be accomplished without financial and human resource capacity. It was discovered that social workers in the department only involve themselves with supervisory work instead of working together with social workers based at the NGOs. NGOs also experience inconsistent in-flow of funds from government which in the long run affects the work.

The fact that the number of children living and working in the streets is rising, government needs to revise its strategy for reuniting and reintegrating street children to the society and to strengthen its relationship with NGOs working with street children because these NGOs are doing the bulk of the work. There is a danger and at the same time is a caution that with the forth coming FIFA World Cup being hosted in the country, focus should not be on keeping the streets clean by rounding up street children as has been the case, but Social Development Department, Local Council, SAPS and NGOs, should collaborate in a coordinated manner in addressing the problems street children experience in life.

BIBLIOGRAPHY

- African National Congress (1994) *The Reconstruction and Development Programme Programme – A policy framework*. Johannesburg: Umanyano Publications.
- Agnelli S (1986) *Street Children: A Growing Urban Tragedy*. London Weidenfeld and Nicolson.
- Allsebrook, A., & Swift A. (1989). *A Broken Promise*. Great Britain: Hodder & Stroughton.
- Atkinson, M. M. and Coleman, W. D. (1992) 'Policy Networks, Policy Communities and the Problems of Governance' *Governance: An International Journal of Policy and Administration* Vol. 5 No. 2.
- Baldauf S. (2007) *Social Workers in Short Supply in South Africa*. Mail & guardian September 26, 2007 Edition
- Beavon K. (2004) *Johannesburg: The Making and Shaping of the City*. Unisa Press, University of South Africa
- Benitez S. (2007) *State of the World's Street Children: Violence*. (Consortium for Street Children) London
- Berry, F. S., & Berry, W. D. (1999) *Innovation and Diffusion Models in Policy Research*, In P. Sabatier (Ed.), *Theories of the Policy Process* (pp. 169–200). Boulder, CO: West view Press.
- Blanc, C.S. (1995). *Urban children in distress: Global predicaments and innovative strategies*. Luxemborg: Gordon & Breach Publishers.
- Bourk M. J. & Worthington T. (2000) *The Policy Formulation Process*.
- Boyden, J. E., & Holden, P. (1991). *Children of the cities*. London: Zed Books.
- Brinkerhoff, D. W. (1996) 'Process Perspectives on Policy Change: Highlighting Implementation' *World Development*. Vol. 24 No. 9.
- Child Care Act No. 74 of 1983. South Africa. Government Publishers: Pretoria.
- Child Care Amendment Act 96 of 1996. South Africa. Government Publishers: Pretoria.

- Child Gauge 2007/2008.
- Childline South Africa (2003) *Submission on the Children's Bill – A National Policy*
- Children's Amendment Bill, [B 19B - 2006]
- Clay, E. J. and Schaffer, B. B (eds.) (1986) *Room for Manoeuvre, An Explanation of Public Policy in Agriculture and Rural Development*. London: Heinemann.
- Consortium for Street Children 2004, Information About Street Children – South Africa,
- Corey, G. (2001). *Theory and practice of counseling and psychotherapy*. Pacific Grove: Brooks/Cole.
- Davis, Wanna Warhurst & Weller 1988, *Public Policy in Australia*, Allen & Unwin: Sydney.
- Donald D, Swart-Kruger J. 1994. The South African Street Child: Developmental Implications. *South African Journal of Psychology*. 244:169–74
- Edwards, M & Hulme, D 1992. *Making a Difference: NGOs and Development in a Changing World*, London: Earth Scan Publications Ltd.
- Ennew J (2003) Difficult Circumstances: Some Reflections on “Street Children” in Africa. *Children, Youth and Environments* 13(1), Spring 2003.
- Ennew J. (1986) Children of the Street, *New Internationalist* Oct. (164): 10-11
- Ennew, J. (1994). *Street and Working Children: A Guide to Planning*. London:
- Ennew, J. (1995). Outside Childhood: Street Children's Rights. In B. Franklin (Ed.), *The Handbook of Children's Rights*. London: Routledge.
- Fischer, F. (1993) ‘Policy Discourse and the Politics of Washington Think Tanks’ in Fisher, J. and Forester, J. (eds) *The Argumentative Turn in Policy Analysis and Planning*. Durham, NC: Duke University Press.
- Follentine, S. (2004) Towards a Common Conceptual Understanding of Developmental Social Welfare and its Implications for Practice. Paper presented at the national conference for social service practitioners, Dialogue across Disciplines: Partnerships in Development. Pretoria

- Fortune D (1995) Helping the Street Children of South Africa: Profile of Ashoka Fellow David Fortune. SHARE International Archives.
- Fulcher, J 1989, *Disabling Policies: A Comparative Approach to Education*, Falmer Press: Philadelphia.
- Grindle, M. and Thomas, J. (1990) 'After the Decision: Implementing Policy Reforms in Developing Countries' *World Development*. Vol. 18 (8).
- Habib, A. (2004) *State and Civil Society Relations in Post Apartheid South Africa in The State of the Nation 2003-2004*
- Ham, C & M. Hill 1984, *The Policy Process in the Modern Capitalist State*, Wheat sheaf Books: Sussex.
- Juma, C. and Clark, N. (1995) 'Policy research in sub-Saharan Africa: An Emploration'. *Public Administration and Development*, Vol 15, pp121–137.
- Khamba N. (2006) *Social Welfare Delivery: A Case of Government Funded NGOs in Worcester*. University of the Western Cape
- Kaime T. (2005) *The Convention on the Rights of the Child and the cultural legitimacy of children's rights in Africa: Some reflections*. *The African human rights law journal*. Vol 5 NO 2 (221 – 238)
- Kingdon, J. W. (1995). *Agendas, Alternatives, and Public Policies* (2nd ed.). New York: Longman.
- Kopoka P.A. (2000) *The Problem of Street Children in Africa: An Ignored Tragedy*, Dar-es-Salam Tanzania
- Kruger J M, and Richter L M (2003) *South African Street Children at Risk for AIDS? Children, Youth and Environment* 13(1), spring 2003
- Le Roux J. 1996. *The Worldwide Phenomenon of Street Children: Conceptual Analysis*. *Adolescence* 31(124):965–71
- Leggett T. (2003) *What Do Police Do? Performance Management and the SAPS*. Institute for Scurity Studies ISS Paper 66, February 2003.
- Leong N. (2007) *The Transnational Advocacy Network: Framing State/NGO Relations in the Anti-Large Dam Campaign*
- Lindblom, C. E. *The Policy-Making Process*. Englewood Cliffs, New Jersey: Prentice Hall.

- Lipsky, M. (1993) 'Street-Level Bureaucracy: Dilemmas of the Individual in Public Services' in Hill, M. *The Policy Process: a reader*. Pp389–92 London
- Mamdani, M 1999. A Critique of the State and Civil Society Paradigm in Africanist Studies, In Mamdani M & Wamba-dia-Wamba E (eds.) *African studies in social movements and democracy*. pp 603-615. Dakar.
- Mehta D. (2000) Street Children and Gangs in African Cities: Guidelines for Local Authorities. UMP Working Paper Series 18
- Moran, R. & Moura Castro C. Street Children and the Inter-American Development Bank: Lessons from Brazil. Washington, D.C.: Inter-American Development Bank, March 13, 1997.
- Muntingh L, Elemu D, and Moens L, (2006) Report on the Survey and Analysis of street children in Zambia.
- NASC 2007 Annual Conference Document "Creating and Implementing the Future...Changing Africa
- No. 38 of 2005: Children's Act, 2005. Government Gazette, Vol 492 cape town 19 June 2006 No 28944
- Nyalunga D (2006) The Revitalisation of Local Government in South Africa. International NGO Journal Vol. 1 (2), pp. 015-020, November 2006
- Okumu M M (2005) Local Council Response to Street Homelessness in Welcom, University of the Witwatersrand Johannesburg
- Othandweni Annual Report 2006/2007
- Packree S. & Heinz de Boer, (2007) Durban's Street Children Moved to Westville Prison (November 22 2007 at 10:21AM, Daily News, Durban) <http://www.abahlali.org/node/2902>
- Panter-Brick C. (2003) Street Children, Human Rights, and Public Health: A Critique and Future Directions. Children, Youth and Environments. Volume 13, No. 1 (Spring 2003)
- Penderis M. (2006) All Reasonably Quiet on NGO front-for Now. Terra Viva
- Ponheiro P. (2006) World Report on Violence Against Children. New York: United Nations Secretary General's Study on Violence Against Children.

- Proudlock P, Dutschke M, Jamieson L, Monson J & Smith C (eds) (2008) South African Child Gauge 2007/2008. Cape Town: Children's Institute, University of Cape Town.
- Republic of South Africa, *Constitution of the Republic of South Africa Act 108 of 1996*
- Riker J. "Contending Perspective for Interpreting Government-NGO Relations in South and Southeast Asia: Constrains, Challenges and the Search for Common Ground in Rural Development" in *Government-NGO Relations in Asia: Prospect and Challenges for People-Centered Development*, Heyzer N, Roker J and Quizon A. (eds) New York: St. Martin's Press, 1995
- Shigetomi, S (2002) "The State and NGOs: Perspective from Asia. Institute of Southeast Asian Studies, Singapore
- Southern African Bishops' conference: Parliamentary Liaison office. Briefing paper 153 February 2006
- Streak J. & Poggenpoel S. (2005) *Towards Social Welfare Services for All Vulnerable Children in South Africa: A review of Policy Development, Budgeting and Service Delivery*. Idasa Occasional papers
- Streak J. (2005) *Government's Social Development Response to Children Made Vulnerable by HIV/AIDS: Identifying Gaps in Policy and Budgeting*. Idasa Occasional papers
- Sutton R. (1999) *The Policy Process: An Overview*. Overseas Development Institute Portland House Stag Place London
- Swart J (1990) Malunde. *The Street Children of Hillbrow*, Witwatersrand University Press, Johannesburg
- Swart-Kruger, J. & Richter, L. M. (1997) AIDS-related Knowledge, Attitudes and Behaviour Among South African Street Youth: Reflections on Power, Sexuality and the Autonomous Self. *Social Science and Medicine*, 45, 957-966.
- True, J. L., Jones, B. D., & Baumgartner, F. R. (1999) Punctuated-equilibrium theory: Explaining stability and change in American policymaker. In P. Sabatier (Ed.), *Theories of the policy process* (pp. 97–115). Boulder, CO: West view Press.

- UNESCO workshop report for street children in southern Africa, November 1994, Harare.
- United Nations Convention on the Rights of the Child, 1989
- Veeran, V. (2004) Working with Street Children: A Child-Centred Approach. *Child Care in Practice* Vol. 10, No. 4, October 2004, pp. 359-366
- Veeran, D. L. (1999). Perceptions of Policy Makers, Service Providers and Children From the Street: Policy Guidelines and Intervention Strategies. University of Natal, Durban..
- Volpi E. (2002) Street Children: Promising Practices and Approaches World Bank Institute, Washington
- Ward C., Seager J. Tamasane T. (2007) The Situation of Street Children in Guateng. HSRC Pretoria
- Ward, C. L. (2007). Monitoring the Well-being of Street Children From a Rights Perspective, In Dawes A., Bray R., & van der Merwe A. (Eds.), Monitoring child well-being: A South African Rights-based Approach (pp. 233-246) Cape Town: HSRC Press.
- Ward, C.L., Seager, J., & Tamasane, T. (2007). Street children: Report to the Department of Social Development, Provincial Government of Gauteng. Pretoria: Human Sciences Research Council.
- White Paper for Social Welfare (1997) Government Print

Internet Sources:

http://www.procor.org/community/community_show.htm?doc_id=712561 (accessed on 21th November 2008)

<http://www.streetchildren.org.uk/resources/details/?type=country&country=17> (accessed on the 10th October 2008)

<http://www.joburg.org.za/content/view/92/58/> (accessed on 17th November 2008)

<http://www.info.gov.za/speeches/2007/07082111151008.htm> (accessed on 21th November 2008)

APPENDIX

INTERVIEW GUIDE

DEPARTMENT OF SOCIAL DEVELOPMENT

1. What is your position within the Department of Social Development?
2. How long have you been working with street children?
3. What motivates you to work with street children?
4. How do you perceive the problem of street children with regard to homelessness and poverty?
5. What policies does the government hold with regard to street children?
6. What has been your experience in the process of formulating policies that address street children's problem?
7. How were these policies developed? That is who were those consulted in the formulation of policy and what were the considerations taken?
8. Where were the policies formulated? That is, at the national level or regional/provincial level?
9. What goals are intended to be achieved through these policies?
10. What approaches do policy makers consider in addressing the problem of street children through these policies?
11. What strategies are employed for the effective implementation of these policies?
12. Do you work in collaboration with NGOs and other organizations tackling the problems of street children? If yes, what kind of NGOs or organizations?
13. Describe the nature of the relationship between the Department and these NGOs
14. Do you have any forum together and for what purpose?
15. How often do you meet in a forum concerning street children?
16. Do the NGOs adopt the strategies and approaches set by the department?
17. Are these strategies coherent among all the NGOs dealing with street children?
18. How does the department monitor the application of the strategies and approaches?

19. How is the effect of the policy monitored? Ie what mechanisms are put for monitoring and evaluating the effect of the policy?
20. Does the department direct and sponsor the various programmes and projects of the NGOs?
21. What has been your experience working together?
22. What can be done to improve the working relationship between the department and NGOs?

NGO STAFF

1. What is your position within the NGO?
2. How long have you been working with street children?
3. How do you perceive the problem of street children with regard to homelessness and poverty?
4. What motivates you to work with street children?
5. What has been your experience working with street children?
6. What are the challenges you encounter working with street children?
7. How do you handle these challenges?
8. What policies govern your involvement with street children?
9. What is your view with regard to the policy addressing street children?
10. Are the policies accurate in tackling the problem of street children?
11. What can be done to improve the adequacy of the policies, and strategies?
12. What strategies and programmes are adopted for the implementation of policy?
13. How do you fund your programmes and how effective have these programmes been in addressing the problems of street children?
14. What are the constraints and obstacles you encounter in the implementation of policy addressing street children?
15. Is your organization registered with the department of social development? Why did your organization register with the Department of Social Development?
16. Describe the nature of the relationship between the NGO and the department.
17. Do you have any forum together and for what purpose?

18. How often do you meet in a forum concerning street children?
19. Does the NGO report to the department in case of any difficulty in the implementation process?
20. How would you like the relationship between the NGO and the department to be improved upon?
21. Do you work in collaboration with other NGOs dealing with the same issue?
22. Do you employ the same strategies and approaches in handling problems of street children?

POLICE OFFICERS

1. What is your position in SAPs?
2. How long have you been working with street children?
3. What has been your motivation working with street children?
4. What is your experience working with street children?
5. What are the challenges you face working with street children?
6. How do you handle these challenges?
7. How do you perceive the problem of street children with regard to homelessness and poverty?
8. In your opinion how can these problems be best handled?
9. What is the responsibility of the police towards street children?
10. What policy governs your dealing with street children?
11. How were they developed?
12. What is your view with regard to the policy addressing street children?
13. Are the policies accurate in tackling the problem of street children?
14. What can be done to improve the adequacy of the policies, and strategies?
15. What strategies or programmes are employed in the implementation of these policies?
16. What are the constraints you face in the implementation of these policies?
17. Is there a specific approach police officers employ in tackling the problem of street children?

18. Are these approaches applicable by all the police force nationwide or just in Johannesburg?
19. Do you work in collaboration with any state department or NGOs or any other organization with regards to street children?
20. If yes, which and why?
21. How do you collaborate with each other in handling the situation of street children in Johannesburg?
22. What is your experience working together?
23. How can this working relationship be improved?

JOHANNESBURG CITY COUNCIL

1. What is your position within the municipality unit for street children?
2. How long have you been working with street children?
3. How do you perceive the problem of street children with regard to homelessness and poverty?
4. What motivates you to work with street children?
5. What has been your experience working with street children?
6. What are the challenges you encounter working with street children?
7. How do you handle these challenges?
8. What policy governs your involvement with street children?
9. How were developed?
10. What is your view about the policy addressing street children?
11. Are the policies accurate in tackling the problem of street children?
12. What can be done to improve the adequacy of the policies, and strategies?
13. What strategies and programmes are adopted for the implementation of policy?
14. How is the effect of the policy or programmes monitored?
15. How do you fund your programmes and how effective have these programmes been in addressing the problems of street children?
16. What are the constraints and obstacles you encounter in the implementation of policy addressing street children?

17. Do you work in collaboration with the Department of Social Development?
18. Describe the nature of the relationship between the city council and the department.
19. Do you have any forum together and for what purpose?
20. How often do you meet in a forum concerning street children?
21. Does your unit report to the department in case of any difficulty in the implementation process?
22. How would you like the relationship between the city council and the department to be improved upon?
23. Do you work in collaboration with NGOs dealing with the same issue?
24. Do you employ the same strategies and approaches in handling problems of street children?

INTERVIEW GUIDE FOR EXPERTS IN THE FIELD

1. What are you specialized in?
2. How long have you been involved with issues concerning street children?
3. What is your motivation working with street children?
4. What is your experience in the field?
5. What are the challenges you face working in this field?
6. How do you handle these challenges?
7. How do you perceive the problem street children face with regard to poverty and homelessness?
8. In your view what is the best practical way of handling the problems street children face?
9. What policy does the government hold with regard to street children?
10. Do you know how these policies are formulated?
11. Do you think the formulation process is adequate?
12. Why and how
13. In your opinion are these policies adequate in addressing the problems street children face?

14. What do you think can be done to improve upon these policies? Or what areas of the policies need improvement?
15. What do you think are the best strategies and approaches to be adopted when working with street children?
16. What do you think are the best programmes and projects to be employed in the implementation of these policies?
17. What do you think the department of social development should do to address the problems street children face?
18. What do you think should be the involvement of any organization or institution with street children? For example: NGOs, police, the city council.