**Report of the Portfolio Committee On Women, Youth and Persons with Disabilities on an Oversight visit to the North West and Gauteng Provinces From 18 – 23 April 2022, dated 06 September 2022**

The Portfolio Committee on Women, Youth and Persons with Disabilities (hereinafter referred to as the Committee) having undertaken an oversight visit to North West and Gauteng Province’s from 18 – 23 April 2022, reports as follows:

1. **INTRODUCTION**

The oversight activities of the Committee takes a cue from the provisions of section 55(2) of the Constitution (1996) which provides that “The National Assembly must provide for mechanism - (a) to ensure that all executive organs of the state in the national sphere of government are accountable to it; and (b) to maintain oversight of – (i) the exercise of national executive authority, including the implementation of legislation; and (ii) any organ of state”[[1]](#footnote-1). The Constitution places an obligation to the Executive to account on its actions, thus the National Assembly must set up mechanisms to hold them accountable. Therefore, the Portfolio Committee on Women, Youth and Persons with Disabilities considers site visits where implementation of legislation and policies takes place as a useful technique for oversight.

* 1. **BACKGROUND**

The Portfolio Committee on Women, Youth and Persons with Disabilities (hereafter the Committee) agreed to conduct oversight in two provinces namely; North West and Gauteng. The oversight visit emanates from observations made by the Committee concerning key issues that emerged during the quarterly report briefings and during annual reporting by the Department of Women, Youth and Persons with Disabilities (hereafter the Department), the Commission for Gender Equality (CGE) and the National Youth Development Agency (NYDA). In addition, cognisance was also taken of the recent engagement with the South African Human Rights Commission on its report pertaining to children with disabilities in special schools as well as the various reports by the CGE on shelters and visits to police stations and Thuthuzela Care Centres (TCCs).

The key issues that emerged in the Committee meetings served as an impetus for the oversight. These issues related not only to administrative concerns (office and accommodation, ICT) but also the implementation of the core programmes across all three institutions the Committee oversees. For example, the scourge in gender-based violence and femicide and the implementation of the National Strategic Plan (NSP) on Gender-Based Violence and Femicide (GBVF); the roll-out and effectiveness of the Sanitary Dignity Programme; disability related matters and services rendered by the NYDA. The Committee has not been fully able to analyse the programmes of the Department, the NYDA and the CGE except in reports submitted. Therefore, actual visits provide an opportunity for the Portfolio Committee to gather empirical evidence of the successes and constraints for each programme. The Committee would also become better informed having engaged directly with beneficiaries and stakeholders. In so doing, the envisaged visit created avenues for the Committee to interact with rural, peri-urban and urban communities about the following:

* gender-based violence and femicide (which included but not limited to access to rape kits at police stations, services rendered at Thuthuzela Care Centres, services rendered at specialised courts, access to shelters),
* services rendered through NYDA offices and assessment of youth-owned businesses supported by the NYDA;
* implementation of the Sanitary Dignity Programme – assessment of SDP value chain;
* concerns raised about safety of children with disabilities at specials schools and engagement with disabled people’s organisations,

**1.2 Objectives of the oversight visit**

The overall aim of this oversight visit was twofold; firstly, to create a platform for the Committee to assess the progress and outcomes of specific programmes by the Department, the NYDA and the CGE in addressing GBVF, gender equality and youth unemployment. Secondly; it sought to assess the progress made on the implementation of recommendations contained in research reports of the CGE related to GBV and the SAHRC on children with disabilities in particular.

Particular objectives were as follows:

**1.3 With respect to the Commission for Gender Equality (CGE):**

* To assess the CGE’s management and infrastructure of the provincial offices;
* To assess how matters related to complaints from civil society are dealt with at the provincial offices;
* To assess specifically the implementation of the recommendations outlined in the CGE’s Shelter report and engage with relevant stakeholders;
* To undertake follow-up visits with the CGE Provincial Commissioner at police stations, Thuthuzela Care Centres, specialised courts) to assess progress made on the recommendations proposed by the CGE; and
* To follow-up on outstanding matters identified by the Committee that related mainly to governance, human resources, finance and administration.

**1.4 With respect to the National Youth Development Agency (NYDA):**

* To assess the NYDA’s management and infrastructure of the provincial offices;
* To assess how services are rendered to youth at the provincial offices;
* To assess businesses funded by young entrepreneurs and engage with youth; and
* To interact with young people receiving training and young people placed in JOBS.

**1.5 With respect to the Department**

* To assess the Department’s management and infrastructure of the head office;
* To assess the factors facilitating and or constraining the success of the Sanitary Dignity Programme (SDP) in a province by engaging with key stakeholders; and
* To enquire about the roll-out of the SDP within the province and assess the SDP value chain and how it has manifested within a province (by engaging with the service provider/s responsible for manufacture/production, storage and distribution of sanitary products).

**1.6 With respect to the SAHRC**

* To assess what progress has been made in giving effect to the recommendations contained in the “*Report of the North West Provincial Investigative Hearing into the Lack of Safety and Security Measures in Schools for Children with Disabilities in South Africa***”** by visiting the North West School for the Deaf; and
* To engage with key stakeholders and identify what the subsequent improvements and challenges have been since the investigation by the SAHRC.

**1.7 The Committee delegation, attendance by the Executive; stakeholders and support staff**

The delegation consisted of Members of the Portfolio Committee on Women, Youth and Persons with Disabilities, North West Provincial Department of Education, South African Human Rights Commission, teachers from the North West School for Deaf, Commission for Gender Equality, National Youth Development Agency, staff of Grace Help Centre, staff of Ikaya Lethemba, Temba Police Station Management and Minister and officials from the Department of Women, Youth and Persons with Disabilities.

Members of the Portfolio Committee on Women, Youth and Persons with Disabilities

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| **Name of Member** | **Political Party** |
| Ms CN Ndaba | African National Congress (ANC) |
| Ms FN Masiko | African National Congress (ANC) |
| Ms T Masondo | African National Congress (ANC) |
| Ms A Hlongo | African National Congress (ANC) |
| Ms C Phiri | African National Congress (ANC) |
| Ms B Marekwa | African National Congress (ANC) |
|  |  |
| Mr L Mphithi | Democratic Alliance (DA) |
| Ms N Sharif | Democratic Alliance (DA) |
|  |  |
| Ms NF Hlonyana | Economic Freedom Fighter (EFF) |

Support staff in attendance:

Ms N. Nobatana, Committee Secretary

Ms N. Twala, Committee Assistant

Ms K. Abrahams, Content Advisor

1. SUMMARY OF PROCEEDINGS OF ENGAGEMENTS WITH THE PORTFOLIO COMMITTEE

This section provides an overview of the engagements that the Committee held with the North West School for Deaf, the South African Human Right Commission (SAHRC), the North West Provincial Department of Education, the Commission for Gender Equality (CGE), the National Youth Development Agency (NYDA) and the Department of Women, Youth and Persons with Disabilities, including site visits to entrepreneurs, shelters, a police station and women with a disability in Gauteng Province.

**2.1 Visit to the North West School for the Deaf, Leeudoringstad**

The Chairperson of the Committee outlined the background and the purpose of the visit to the school. She further indicated that the South African Human Rights Commission presented the Report of the North West Provincial Investigative Hearing into the Lack of Safety and Security Measures in Schools for Children with Disabilities in South Africa to the Committee**.** The purpose of the visit was thus to assess what progress was made in giving effect to the recommendations contained in the report and to engage with key stakeholders and identify what the subsequent improvements and challenges have been since the investigation by the SAHRC.

* + 1. **Highlights by the South African Human Rights Commission**

The Legal Officer from the SAHRC reported on the progress to date made in the school. He indicated that SAHRC launched the report on 8 August 2019 at North West School for the Deaf, North West Province. During the launch of the Report, the Head of Department of the North West Province –Department of Education affirmed the Department’s commitment to implement the recommendations contained in the Report. The SAHRC provided an overview of its monitoring process since the investigation was done and the outcomes hereto.

Broadly, the SAHRC’s monitoring revealed the following:

* The Department of Basic Education and North West Department of Education did not comply with their obligations to report to the Commission on the implementation of the Report.
* The shortage of educators, teacher assistants and hostel staff remains a challenge in Special Schools.
* There is lack of access to adequate healthcare services arising from the shortage occupational therapist, nurses and all therapeutic personnel.
* No certainty about the checking of any persons in contact with learners with disabilities against the registers in the Children’s Act and the Sexual Offences Act.
* Schools physical infrastructure, save for North West School for the Deaf, does not meet all legislative norms and standards to accommodate learners with special needs.
  + 1. **Presentation by the Provincial Department of Education**

The Deputy Director – General (DDG) of the Department of Education, North West Province provided an overview of progress made in implementing the SAHRC recommendations. These included:

* + 1. renovations of the school,
    2. accessible entrance and exit routes for emergency
    3. basic fire extinguishing equipment
    4. adequate fire, safety and security equipment
    5. fire prevention training
    6. mock emergency drills were done

**2.1.3 Key challenge identified by the NW Department of Basic Education**

* Retaining teachers and attracting staff as the school was a challenge given the it is located in a rural/farm area.
* In addition, the Provincial Department of Education also faced serious challenge with regards to compensating “ghost” teachers and are currently investigating the matter. Hence the departments lacked the requisite educators in terms of vacant posts but the compensation of employee budget was fully utilised.

**2.1.4 Progress and interventions**

* The DDG indicated that the Department has put in place a strategy to attract requisite staff with relevant skills with emphasis placed on attracting local people to assist in the school.
* The DDG also indicated that the school spent R50 million to procure assistive devices for learners for the financial year 2021/22.

**2.1.5 Presentation by NW School for the Deaf and the District Team**

The presentation of school was presented by the school principal and included the following:

**(i) Status of the school**

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| **ITEMS** | **CURRENT STATUS** | **PROGRESS/INTERVENTION** |
| Number of learners | 140 | Second year of Grade 12 enrolment |
| Number of teachers | 14 PL1 educators  1 PL2 Educators  0 PL3  I PL4 | All vacant management posts advertised  Closing date 22 April 2022 |
| Professional support staff | No professional nurse  No Speech Therapist /Audiologist | Recruitment processes completed. Awaiting appointment letters |
| Interpreter | No interpreter | Post advertised. Closing date 22 April 2022 |
| Hostel support staff | No Matrons and House Fathers | Deaf GSA were appointed however in the Phase lll of the Presidential Initiative they were not re-appointed because they receive Disability Grant. |

**(ii) School Governing Board (SGB) Functionality**

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| **ITEMS** | **CURRENT STATUS** | **PROGRESS/INTERVENTION** |
| SGB Elections complied with section 24 of SASA | The full complement of the SGB is constituted. | RCL Training: 22/02/2022  SGB Office Bearers meeting: 15/03/2022 |
| SGB meeting 2nd quarter 14/05/22 | Elections of the Office Bearers for the following year. | Reshuffle of the SGB Office Bearers |
| Interpreter | No Interpreter | Post advertised  Closing date 22 April 2022 |

**(iii) Stakeholder involvement**

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| **ITEM** | **CURRENT STATUS** | **PROGRESS/INTERVENTION** |
| SAPS, DSD  Thuthuzela Centre  Inclusive Education services  District Education | Emotional Abuse cases: 28/02/2022  Alleged Sexual Assault: 05/03/2022  Psychosocial support of the victims. Form 22 completed and submitted to DSD and Education. | Matter still with the Police  Parental involvement  Magistrate Courts; the alleged perpetrator appears today. |
| DSD  PanSALB | Life Orientation Programmes – every Friday.  SASL training for Parents: 04/04/2022 | Teenage Pregnancy  Substance abuse |
| Health | Local Clinic  Covid-19 Vaccination of learners: 12/04/20225 | Various ailments |

**(iv) Benchmarking**

With respect to benchmarking, the official from the district management team indicated that:

* The District-based Support Team visited schools for the Deaf in the Gauteng Department of Education, namely, St Vincent School for the Deaf and Sizwile School for the Deaf.
* The purpose of the visit was to benchmark on Safety of learners, Curriculum support, resources used to enhance teaching and learning for deaf learners and Human Resources so as to implement the recommendations of the SAHRC.

**(v) Alternative methods of assessment**

In term of alternative methods of assessment for deaf learners, standard concessions for alldeaf learners applied and that was in the form of adapted question papers. Furthermore, additional application for the following could also be sort such as extra time, adapted font, request for a Scribe and rest breaks. Concession applications are based on co-morbidities.

**(vi) Recommendations of the SAHRC for PED**

**DISTRCIT BASED**

| **RECOMMENDATIONS** | **PROGRESS** |
| --- | --- |
| Ensure accessible entrance and exit for emergency personnel and vehicles. | Entrance at NWSSD is accessible for emergency personnel and vehicles. |
| Training to staff and other officials in fire prevention, use of fire extinguishing equipment, emergency evacuations. | Training was last done in 2019 and due to COVID 19 no further scheduled training took place. fire extinguishing equipment's are regularly serviced and water tanks are always kept full with water. |
| Training was last done in 2019 and due to COVID 19 no further scheduled training took place. fire extinguishing equipment's are regularly serviced and water tanks are always kept full with water | Last done in 2019 |
| Fully stocked first aid boxes. | The SBST meeting convened on the 12/03/2022, resolved on the provision of additional first aid boxes to cater for all hostels. The Committee is representative of all stakeholders. |
| Filling of outstanding vacant posts. | Vacant posts of Professional Nurse and Speech Therapists are awaiting appointment letters. Vacant posts of Deputy Principal, 3 x Departmental Heads & Interpreter are currently advertised. Closing date 22/04/2022. |
| SGB compliance & properly constituted. | SGB is properly constituted and complies with the provisions of the SASA section 24. |
| Registers in the Children’s Act and Sexual Offences Act | Collaboration with DSD |

**(vii) Challenges**

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| **CHALLENGES** | **INTERVENTION** |
| Retention of qualified Educators, proficient in SASL. Only 3 qualified SASL educators out of 12 remaining. | Rural allowance (not allocated) |
| SASSA grant vs Teaching and Learning | Learners’ families are dependent on the Care dependency/ Disability grant and learners from all grades arrive 2 weeks after re-opening of schools to sort out grant payments. |
| Hospitality Studies Equipment lacking | Twinning with other local Secondary school which offer the same subject for practicals. |
| Learners with additional disabilities which includes SID. | Profiling of learners.  Parental involvement  Applying for curriculum extension |
| No Matrons and House Fathers –Support staff at hostels | Advertisements and appointments |
| Late appointment of personnel after the recruitment processes (some submissions done 2 years back) | Timeous Appointment by provincial HR |
| Feeder school offering CAPS and D-CAPS | Apply for curriculum extension to cater for SID/ MMID learners |

**2.2 Visit to Commission for Gender Equality Provincial Offices in Mahikeng, North West Province**

**2.2.1 Input by CGE Chairperson**

The Committee was welcomed by the Chairperson of the Commission to the office and indicated the mandate of the CGE followed by a broad overview of the structure. She further indicated that the CGE has 84 support staff including Commissioners and that the Commission had a high staff turnover and high vacancy rate. However, the CGE had adopted a recruitment plan to deal with high vacancy rate.

**2.2.2 Commissioners deployed to NW**

The Commissioner deployed in North West Province provided an overview of the CGE services rendered which comprised of Public Education and Information, Resource Centre and Communication Departments. The NW office received an equitable share of the budget. It focused on largely on customary and traditional marriages and issues of gender-based violence an femicide (GBVF); programmes at schools to deal with GBV in schools and engagement with communities in rural areas on issues related to GBVF. Furthermore, the Commissioner noted that meetings were held with the North West Department of Basic Education in the Province on learner pregnancy given the high rate.

**2.2.3 Overview by NW Provincial Manager**

The Provincial Manager of the Commission presented the programme of the North West Provincial Office to the Committee. The presentation included the following:

(a) Execution of the mandate

* The role of the Provincial Manager is to build stakeholder relations and co-ordinate the provincial office in order to reach the objectives of the Annual Performance Plan.
* The role of Public Education and Information is to foster public understanding of the CGE and gender equality through information and advocacy initiatives.
* The Legal Department’s main function is to attend to complaints handling, court monitoring and holding of public investigative hearings.

(b) CGE staff component

* Commissioner responsible for the province: Commissioner Sediko Rakolote
* Back – up Commissioner: Commissioner Nomasonto Mazibuko
* Back – up Commissioner: Commissioner Nthabiseng Sepanya/Mogale
* Provincial Manager: Ms. Joyce Khutsoane
* Office Administrator: Mr. Malepa Medupe
* Legal Officer Assisting North-West – Mr. Masilo Letsoalo
* Acting Office Assistant: Mrs Pulane Ndou

The Provincial Manager was appointed on 1 March 2021 for the North West Province and the Office Administrator was appointed on the 1 May 2021. It was a very challenging financial year for the office as all the staff members resigned prior to March 2021and the previous Office Assistance passed on 1st June 2021. Notwithstanding that, the office managed to achieve the targets as stipulated in the APP 2021/2022 financial year.

(c) Overview of NW CGE

* The CGE in the Province is a member of the Trafficking in Person (TIP) Provincial Task Team and they held numerous public awareness session on TIP to taxi ranks in areas such as Rustenburg, Klerksdorp and Botswana Border Post sharing information and also distributing pamphlets.
* The CGE is part of the Victim Empowerment Programme Forum (VEP) in the North West Province. The Department of Social Department is the lead department working together with other Government Departments such as SAPS, Department of Social Development, Department of Health, Department of Education, Department of Justice and Constitutional Development and Civil Society Organisations (Crisis Centres etc.).
* The CGE also held 2 high level meetings with the North West House of Traditional Leaders and presented on the CGE mandate, GBVF and Customary Marriages to the North West House of Traditional (NWHTL) with support from the North West Commissioners.
* An overview of the geographical areas (urban vs rural) covered in the NW by the CGE in terms of Outreach, Advocacy and Access to Justice Interventions was also listed.

(d) Stakeholder engagements and collaboration

The Provincial Manager indicated that the Commission held engagements with different stakeholders as follows:

* Department of Education- The office had a meeting with Department of Education officials HOD and Chief Director with regard to high rate of pregnancy in North West Schools.
* SAPS – The CGE NW Office was requested to do a presentation to all station commanders in the Dr. Kenneth Kaunda Municipality on the CGE’s mandate, vision, programmes and GBV and we also monitored some Police stations within the province.
* The CGE North West office was invited to Inter-Departmental Quarterly meeting for women and children program by OSW, whereby Gender Focal Persons from all different Departments, municipalities and Parastatals are called for quarterly meeting for reporting and planning on women and children’s program.
* Office on the Status of Women invited the CGE to visit the shelters within the province in the following areas namely; Potchefstroom, Klerksdorp, Taung and Vryburg.
* Department of Arts, Culture, Sports and Recreation invited the CGE North West to address the Traditional Healers and Leaders on GBVF.
* Moropa Development and ECO Girls SA invited the CGE to their, “Intergenerational Dialogue on “Culture & Stigma Surrounding Menstruation” the main discussion was on raising the voice against Period Shaming and for inclusion of Boys and Parents in Menstrual Matters.

The Commission also indicated that they have also established partnerships and collaboration with the following organisations:

* Signed Memorandum of Understanding with the North West House of Traditional Leaders
* Signed Memorandum of Understanding with the Faith Based Organisation (FBO)
* Signed Memorandum of Understanding with SALGA
* Department of Rural, Environment and Agricultural Development
* Local Radio Stations: Mafikeng, Mmabatho, Ratlou, Aganang, Bokone Bophirima, Vaaltar and Motsweding FM (National)
* SAWID
* COSATU
* North West University

(e) Public Education and Information Department (PEI)

The PEI through the support from the Office Administrator managed to coordinate the stakeholder engagement sessions one per/every quarter as stipulated in the APP 2021/22 in the following areas and identified these key issues:

* Vryburg (Dr Ruth Segomotsi Mompati) - Resistance by men to attend events which discuss GBV
* Wolmaransstad (Dr Kenneth Kaunda) - Lack of training to upskill women to access financial and empowerment programmes; Lack of mentorship programmes for women to sustain small business; Issues of estates and succession remain a challenge
* Klerksdorp (Dr Kenneth Kaunda) - LGBTIQA continue to suffer discrimination; Lesbians remain vulnerable, hate crimes such as corrective rape, are still high
  + Rustenburg (Bojanala) - Lack of information on contraceptives to teenagers; Access to family planning in some clinics; Illegal abortions resulting in health complications; Teenage pregnancy seems to be on the increase.

(f) PEI: Training workshop on gender and development

The Commission conducted the following training:

* Training the Civil Society organisation on Gender and Development at Mafikeng -Ngaka Modiri Molema District Municipality.
* Training the Civil Society organisation on Gender and Development at Vryburg- Dr Ruth District Municipality.
* Training the Civil Society organisation on Gender and Development at Rustenburg- Bojanala District Municipality.
* Training the Civil Society organisation on Gender and Development at Macquassi- Dr Kenneth Kaunda District Municipality.

The purpose of the training was to provide participants with information and skills to plan and develop gender responsive programmes and to mainstream gender in their programmes.

Furthermore, the Commission further conducted training on gender mainstreaming in the following municipalities:

* Ngaka Modiri Molema: Ratlou Local
* Dr Kenneth Kaunda: Klerksdorp Local
* Dr Ruth Mogomotsi Mompati: Taung Local
* Bojanala: Ramotshere Moilwa and Kgetleng

The following were the key issues emanating from the workshops conducted on gender mainstreaming:

* No proper budgeting for gender related programmes.
* No gender policy.
* There is no budget for gender activities.
* Lack of political will and frequent change of officials.

(g) Media and Communication

Furthermore, the CGE provided overview of media advocacy and outreach campaigns (e.g. sexual reproductive health, GBVF) through community radio stations (e.g. Mafikeng) and the listenership (e.g. 122 000). These ongoing awareness campaigns on people’s rights includes the right to apply for maintenance and application for protection order.

(h) Complaints handling

During the financial year 2021/2022 the province opened 15 new and closed 42 old files. A total of 20 files were pending as at 31st March 2022. 12 files related to GBV, 2 labour, 3 culture and tradition, 1 health care, 1 pertaining to general discriminatory practice (falling outside of the CGE mandate) and 1 sexual offence complaint.

The CGE also indicated that a meeting with stakeholders like DOJ&CD was held to assist complainants in completing maintenance application form. Furthermore, the CGE and DOJ&CD had agreed to conduct a workshop on the process followed when applying for an interim protection order and the consequences thereof.

(i) Media and other reports on N.W. Province

* + The CGE is monitoring the case of 2 Mahikeng Police officers accused of raping a 20-year-old woman March 2022 have been released on bail of R 3000.00 each. The men aged 26 and 36 years old appeared in the Molopo Magistrates Court on the 13th of April 2022 and the case was postponed to the 13th of May 2022. This case has been reported in the media.

(j) Challenges identified by NW CGE Office

* The NW province is too vast and due to budgetary constraints, the office is unable to reach everywhere but rely on partnerships/networks and use of different media platforms.
* Gender mainstreaming is still a challenge in municipalities as they experience change in leadership.
* Communities have limited knowledge on their rights and functioning of different institutions.

**2.4 Visit to the Grace Help Care Centre in Rustenburg**

The Committee visited the Grace Help Care Centre (funded NPO) which is situated in Mooinooi at the Madibeng Service Point in Bojanala Platinum District Municipality. The centre has 30 beds and accommodated 30 women who are victims of gender-based violence (GBV). Its service includes a 24 hr crisis centre, accommodation for victims of human trafficking and a shelter for victims of GBV for a period of 6 months. It also accommodates school going children and babies. This centre has been funded by the Department of Social Development (DSD) since 2006.

Funding for the facility for the past 5 years were as follows: R1 150 000 for 2015/16 financial year, R900 000 for 2016/17, R870 000 for 2017/18, R1 000 000 for 2018/19 and R1 200 000 for 2019/20. It is indicated that the facility is subject to the minimum norms and standard and are striving towards the progressive realisation thereof. Moreover, the DSD ensures adequate monitoring of compliance and capacitating implementers through training and resource mobilisation.

The CGE in its State of Shelters Report, conducted an investigation on Grace Help Centre to assess if the shelter adheres to norms and standards as required by the Department of Social Development (DSD). It investigated issues related to training of staff, funding etc. and made the following findings:

* The DSD has not properly advised the Commission on what informs the decrease of funding of shelters, etc.
* The DSD pays funding late and this affects the implementation of projects and programmes in the shelters.
* The DSD did not submit the required information before and during the investigative hearings. Relevant information was only submitted after the hearings as a result the information has not been interrogated.
* The DSD has not developed a proper funding model to ensure it protects victims of crime and as a result some shelters have been closed or were not receiving funding.

In terms of progress report received from the North West Department of Social Development (NWDSD), the CGE reported that:

* The NWDSD advised that non-compliance could result in risk factors for the NWDSD and therefore assist the organisation in complying with the compliance checklist before signing off as per the service level agreement.
* The NWDSD had not adequately responded on whether they have examined the costing model and the equitable share formula and to what extent they have done so. NWDSD had not stated if the costing model can be improved and to what extent. There was inadequate progress from the NWDSD in complying and implementing the Commission’s findings and recommendations.
* The NWDSD had not responded to the Commission’s findings of a funding decrease to the shelters and the Commission’s findings on developing a proper funding model to protect victims of crime.

In this regard, the CGE made a follow up with the NWDSD on the progress report regarding the implementation of the Commission’s findings and recommendations in June and August 2021 by dispatching correspondence to the NWDSD. The NWDSD did not respond nor update the Commission on the progress and the Commission takes note of that as non-compliance of the Commission’s report.

The Commission then made a recommendation that the cost centre model and the equitable share should be studied in detail to ascertain whether it works out fairly for all shelters. The DSD must provide a plan with proper timelines on how late payments of funding will be addressed so that shelters and in turn survivors are not affected by late payments.

**2.5**. **Visit to the National Youth Development Agency’s office, Rustenburg, North West Province**

The Committee visited the provincial office of the National Youth Development Agency (NYDA) which is located in Rustenburg and engaged with the support staff in the offices. The NYDA North West has centers in four district municipalities, viz; Bojanala Platinum, Dr Kenneth Kaunda, Ngaka Modiri Molema, Dr Ruth Segomotsi Mompati.

The Centre in Rustenburg services 5 local municipalities (LMs) in the Bojanala Platinum District Municipality, namely; Rustenburg LM, Madibeng LM, Moses Kotane LM, Kgetleng Revier LM and Moretele LM. The office has 12 support staff and 2 interns.

The centre offers the following products and services:

* Grant programme
* Business Consultancy Services Voucher programme
* Mentorship
* Business Management Training
* Sales Pitch and BBBEE workshops
* Cooperative Governance training
* Market Linkages
* JOBS programme
* Job preparedness workshop
* Life Skills programme

**2.5.1**. **Visit to Tshenolo Mokgara Guest House, Rustenburg Beneficiary of the NYDA**

The guesthouse is run by a 30-year-old male in Rustenburg. The business was started with the assistance of the NYDA Voucher Programme. The owner received a Business Plan Voucher and a Marketing and Branding Voucher to an amount of R49 997.00 in February 2020. The amount covered equipment for the business and assisted the owner to brand the establishment. The grant enabled him to buy linen, bedding, a microwave and kitchen utensils for the business. The business employed 4 permanent staff members (including owner) and 2 temporary staff members. The owner also indicated that NYDA has provided him with assistance that allowed his business to grow and become a better provider of services. The business has received a three-star Grading from the North West Tourism Board Grading Council.

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| The owner indicated the following challenges experienced by the business:   * Covid -19 * Cancellation of bookings * High rates and taxes * Delayed payments from certain clients |
| He indicated successes as being able to build initiate and expand his business.  **2.5.2 Visit to Motover F Pty Ltd, Rustenburg, Beneficiary of the NYDA**  The business owner indicated that the business provide construction, steel works and fabrication. He further indicated that he attended the training at SEDA and then applied for a grant which enabled him to buy equipment for the business. In addition, the owner indicated that he received Marketing Strategy and Plan Voucher from the NYDA. The NYDA Grant amounted to R48 810.00 and was received in June 2019. He indicated that before Covid-19, the business employed 4 permanent staff members (including owner). The business experience the following challenges:   |  | | --- | | * Covid -19 * Lack of space for the workshop * Access to market |   The owner indicated a key success as being able to purchase equipment to start the business. Also, having the knowledge on how to run the business after acquiring skills from training.  **2.6. Visit to NYDA office, Ekurhuleni, Gauteng Province**  The Committee visited the provincial office of the NYDA which is located in Kempton Park, Ekurhuleni and engaged with the support staff in the offices. The Centre Coordinator also explained the relationship between the NYDA and the Ekurhuleni District Municipality. The office has 9 support staff and 2 interns and has advertised for the post of the receptionist which will be filled in June 2022.  The Centre Manager indicated that the NYDA is offering the following products and services:   * Product and Services offered at the Centre * Skill Development and Training * Mentorship * Market Linkages * Business Consultancy Voucher Programme * Business Grants   **2.6.1 Visit to Gym Clinic Limited, Beneficiary of the NYDA, Gauteng Province**  The Committee visited the facility which was funded by the NYDA and engaged with the business owner. The owner indicated that the facility existed established in September 2010 and registered as an entity as from 16 June 2016. The gym was started solely without any financial support from third parties, apart from the assistance of Teboho Phello (the owner of Gym Clinic (Pty) Ltd and with the support of his mother and late grandmother. Gym Clinic always had one mission and vision which is geared towards the fitness market. It focuses on *inter alia,* people that have the will to workout but lack the confidence and low self-esteem. The establishment became necessary as it discovered that, there are no local gyms in the surrounding area (specifically within the 18 km radius) and it realised an opportunity to serve a market that is often forgotten about by making fitness an enjoyable experience.  Services Provided to the Public:   * Bodybuilding, * Aerobics classes, * CrossFit training, * Personal Training, * Boxing, * Body/ Health Assessments,   The owner indicated that he submitted proposal to the NYDA on 17 September 2020 and received funding on 7 December 2021 to the value of R94 000.00 to purchase more equipment for the gym. He further indicated that he received a voucher which was used to create a financial system for the gym, which is very helpful and which allows the facility to keep proper track of all historical financials of the gym.  He further indicated that the gym has grown from where it started with 40 clients (during the period of 2010-2011) and currently having over 300 active clients. From 2010- 2022, our data base has over 10 000 members who have trained at Gym Clinic.  He also indicated that the business faced the following challenges:   * More equipment required as more clients are joining the gym and are short of (mainly) cardio equipment such as treadmills, cycling bikes, step machines, etc. Given the late disbursement, the owner would have to wait a couple of months before being eligible to reapply for further funding. * Expanding the gym premises and the property is now being rezoned to full business rights, as it had a right of Consent Use. * Financial assistance required in order to purchase more equipment noting that the gym premises is being extended to a double storey property.   As the gym expands and grows, this will lead to more employment for which the owner attributes to as success.  **2.6.2 Visit to Bongi Hands of Gold, Beneficiary of the NYDA, Gauteng Province**  The Committee visited Bongi Hands of Gold Project which is a full drop- service in laundry (washing, drying, folding and optional ironing) and house- keeping (domestic cleaning). It also provides spring cleaning, fumigation, mattress cleaning, carpet cleaning, wall cleaning, ceiling(pvc) cleaning. The business was registered in 2019 and the owner received a Grant Voucher to the value of R49 990.50 to buy equipment such as washing machine, tumble dryer, scan and rail. The owner indicated that she started the business in 2014 from a family home. She also indicated that she conducted a workshop assisting clients and the community to learn more about stain removal, washing methods for different fabrics and cleaning detergents. She indicated that the business faced the following challenges:   * **ICT**: The owner uses manual book-keeping method to record business transactions nothing saved electronically. She indicated that she would appreciate if she can record her business information on a laptop for safe keeping. * **HR:** The owner unable tohire more people because of financial constraints. * **Working environment**: The family home from which she operates her business is not a conducive working environment. She has managed to purchase building materials but was struggling to build an out building to house the laundry business this was due to financial constraints (she requires R19 000 for labour). * **Equipment**: The owner indicated she needed more washing machines since she will be embarking on industrial projects. She is also using home detergents to clean homes of clients and laundry and required sponsors for detergents. * **Packaging for laundry**: The owner indicated that she was using refuse bags to package clothes instead of wrapping plastic which cost R500. * **Branding**: The owner also indicated that she did not have a branded uniform.   **2.7. Visit to woman with disability in Phola Park, Ekurhuleni**  The Committee visited and engaged with Ms Mabika, who has disability due to her medical condition and has been bedridden for two years. She indicated that she requires an assessment for a specialised wheel-chair due to her size and weight. The special wheel-chair will assist her with mobility as she was confined to her bed and housebound which affected her quality of life. Ms Mabika also informed the Committee that she had received no formal assistance from the Department of Women, Youth and Persons with Disabilities and was not contacted either when asked by the Chairperson of the Committee. The Committee made a follow-up call with the official from the Department to whom the referral was made an established that no assistance had been rendered to Ms Mabika. To this end, the Committee undertook to refer the matter to provincial counterparts dealing with disability specific matters for the province.  **2.8. Visit to Ikhaya Lethemba Shelter, Gauteng Province One Stop Centre for Victims of Gende Based Violence, Gauteng Province**  The Committee visited Ikhaya Lethemba Shelter and was welcomed by the Head of Department (HOD): Community Safety, Provincial Department of Community Safety. The HOD provided an overview of Ikhaya Lethemba Shelter and indicated that it provides comprehensive professional, integrated, and coordinated psychosocial, and CJS support to general and complex cases of GBV. The shelter also offers free 24/7 residential care and provisioning support to victims of GBV and is a replication 2nd Ikhaya Lethemba in Evaton, Gauteng Province. The Deputy Director: Professional Services, Gauteng Department of Community Safety then provided a progress report in terms of the implementation of the recommendations emanating from the CGE’s State of Shelter’s report, 2020. The presenter indicated that the shelter implemented the following recommendations:  **(i) The GDCS sexual harassment policy in its legislative framework does not refer to the Code of Good Practice on the Handling of Sexual Harassment Cases in the Workplace, 2005. The GDCS sexual harassment policy is not gender neutral, as it fails to accommodate and/or refer to members of the LGBTIQA+ community.**   * Department of Community Safety Sexual Harassment Policy was reviewed and submitted to CGE in 2020.   **(ii)** **The IKL policy fails to make provisions for members of the LQBTQIA+ community upon admission to the shelter**   * The policy does not exclude LGBTQIA+ it is inclusive of all vulnerable groups although not segregated * Internal sensitisation on LGBTQIA+ done by Thami Dish Foundation * Held LGBTQIA+ peaceful march in Khutsong in March 2022 * Plans to hold LGBTQIA+ seminar in May 2022   **(iii)** **IKL does not have adequate policies, such as a Grievance Policy and Employee Wellness Policy**   * Shelter has a directive on mediation and disciplinary process * Wellness sessions is in line with the therapeutic work * Wellness clinics launched in 2021 and monthly wellness sessions are held * Psychosocial education and wellness programme implemented as an additional support to victims * Plans to review Ikhaya Lethemba Policies in June 2022   **2.9. Visit to CGE’s Head Office and meeting with Commissioners**  The Committee visited the CGE’s office and conducted a walk about to the offices. The Committee then held a meeting with the Commissioners. Several issues of concern were brought to the attention of the Committee as raised by Commissioners. A decision was taken that the matters of concern be tabled formally in a report with the Committee at the next Committee meeting.  The Committee was made aware of the issue of part-time Commissioners who were not paid resulting in a dispute lodged by part-time Commissioners. In addition, concerns were also raised about delays in approval for applications which hampered the work of Commissioners.  The Committee commended the Chairperson of the Commission for ensuring that Commissioners Mazibuko and Dibeela-Mothupi were converted from part-time to full time Commissioners and indicated that this will assist the Committee in starting the process of filling of vacancies in the CGE.  **2.10. Visit to** **Temba Police Station, Hammanskraal, Gauteng Province**  The Committee visited the Temba Police Stations in Hammanskraal, Gauteng Province accompanied by the CGE Commissioners and officials. The Chairperson of the Committee indicated that the CGE as part of its core activities were assessing various police stations particularly in hotspot areas to determine how services were rendered insofar as GBV was concerned. The CGE had previously visited the police stations and made findings and recommendations. As such, the purpose of the Committee’s visit was to assess how far the station had come in implementing the recommendations made by the CGE.  **2.10.1 Presentation by the Commission for Gender Equality (CGE)**  Commissioner Ohara provided context and background of the CGE’s visits to police station and Temba Police Station in particular. The CGE Researcher then presented and overview of the findings, recommendations, follow-up and progress. The Researcher indicated that the police station was visited on 8 December 2021 as part of the CGE’s GBVF Hotspots oversight and monitoring which is to be implemented for the financial year 2020/21. The station was represented by the Acting Station Commander Colonel Godfrey Zwane, Sergeant Grace Ramagoma, Captain JK Biloane and Captain Pitso Diphapang. SAPS representatives have thoroughly explained their operations in terms of handling GBVF or Domestic Violence cases to include two options, firstly the victim can choose to open a case docket, secondly she/he can choose to apply for a protection order or to request for the two processes to run concurrently. The case docket procedure involves opening of the docket, obtaining statements, transporting the victim to the Jubilee hospital for examination, psychosocial support if needed and placement in a shelter. The psychosocial support to victims is offered by Imisebe ye Langa which is an NGO in the area and has office space within the police station. On the other hand, the police will also be hunting for the perpetrators. In terms of application of the protection order, SAPS do all the necessary documentation and submit them to the Magistrate court for granting of the protection order.  Temba Police Station is housing the Family Violence, Child Protection and Sexual Offences unit (FCS) which assist in further handling of the GBVF cases from medical examinations, placement to the shelter, investigations, and prosecution. The FCS officers outlined their flow chart of handling GBVF cases as referred from various stations and even took the CGE to the storeroom to observe the various Evidence Collection kits (D1, D7, DB) and the termination of pregnancy kit for those victims wishing to do so. The officers were concerned about the high rate of GBVF cases due to substance abuse, the withdrawal of cases because of delay in DNA result and informal settlements which often comes as monetary tokens. The FCS have explained that the reason for the station to be categorised as hotspot or to be seen as one of the stations with high rates of GBVF cases is due to vast demarcation. The station serves three provinces namely Gauteng, Limpopo and North-West, while the FCS serves five stations which are Temba, Lewatle, Dube, Rietgat and Hamanskraal.  The Researcher indicated that the police station has a total number of 349 support staff members of which 113 are females and 236 are males. She further indicated that 67 staff members were trained to deal with cases related to domestic violence, 48 staff members trained to deal with sexual offences cases and 67 staff trained to deal with gender based violence. She also indicated that 41 cases related to rape were withdrawn, 31 withdrawn cases on domestic violence on women and 10 cases related to domestic violence on children were withdrawn. She also indicated that 31 cases related to domestic violence (rape) were referred for prosecution per month, 42 cases related to domestic violence on convictions on overall cases referred for prosecution and 29 cases on overall cases referred for prosecution were acquitted. The acquittal of cases in courts were due to lack of sufficient evidence, loopholes when questioning by witness, withdrawal of cases in court, DNA issues and insufficient investigations.  **2.10.2 Presentation by Temba Police Station Management**  The Acting Station Commander indicated that from 1 April 2022, a new police station will operate which will service the North West Province and will ease the burden of Temba Police Station. This new police station would service 10 villages in the area and would alleviate the pressure on Tembe Police Station. The station has good relationship with the Community Police Forum (CPF) and stakeholders in the area. The Acting Station Commander attributed the high rate of cases of GBV due to alcohol abuse. In addition, he also indicated that there was a high rate of withdrawal of cases in the area and that the police station does not withdraw cases. To this end, it was noted that cases are withdrawn in court often due to a lack of evidence or witnesses. A concern noted by the Acting Station Commander was the incidents of false rape charges being laid by females as the alleged perpetrator is blackmailed to pay the alleged victim in order for no charge to be laid or for the charge to be withdrawn. Moreover, charges are often withdrawn against the alleged perpetrator when families agree to paying for ‘damages’. He also indicated that SAPS conducts awareness campaign on GBV in communities and using community radio stations. Furthermore, awareness raising was also conducted in schools in conjunction with the Sexual Offence Unit.  **2.11. Visit to the office of the Department of Women, Youth and Persons with Disabilities**  The Chairperson having officially welcomed Members of the Committee, Minister and officials of the Department to the meeting indicated that the Committee had invited the Department to accompany them for the entire oversight along with officials from the Commission for Gender Equality and National Youth Development Agency. The non-attendance by the Department during the oversight was noted with concern by the Committee. Furthermore, the Chairperson indicated that the Committee would not be conducting a walk about of the offices as the Department indicated that they would move to the new offices by end of March 2022.  Hereafter, the Chairperson provided an overview of the oversight week and the issues that emerged. To this end, the Chairperson also indicated that the Committee visited Ms Mabika a disabled woman in Thokoza Township. A brief overview of Ms Mabika’s physical impairment and living conditions was provided. The Chairperson indicated that Ms Mabika had not received any assistance from a government social worker via a home visit nor from any official from the Department of Health to assess her rehabilitation needs. The Chairperson had referred Ms Mabika’s case to the Chief Director, Ms Mabelebele to assist. The Committee was informed by Ms Mabika that Ms Mabelebele had not rendered any assistance as requested by the Chairperson.  **3. Observations**  This section reflects the observations of the Committee during the oversight visits in both provinces.  **3.1 North West School for the Deaf and the NW Provincial Department of Basic Education**   1. **SAHRC recommendations**: The Committee commended the Department of Education for ensuring the renovation of the school after the fire to accommodate the deaf learners and for the progress made in ensuring building compliance and fire safety. However, the Committee was concerned by the slow pace of progress in implementing all of the SAHRC recommendations. The Committee whilst commending the NW Department of Education on some of the visible progress made at the school, the Committee was not satisfied with the overall slow pace of implementation of the recommendations made by the South African Human Rights Commission and noted that it was an indictment on the rights of learners with disabilities and their families. To this end, the Committee noted that in the venue it was seated in for the meeting the basic requirements for fire safety were not implemented for e.g. installation of flashing lights linked to smoke detectors. The Committee was concerned that the progress report presented to the Committee did not contain time frames in terms of implementing the outstanding recommendations of the SAHRC. 2. **Lack of consequence management**: The Committee queried what consequence management was implemented with regards to the fire incident that took place in 2015. The Committee was concerned that no officials were held to account nor was any person held liable for the arson and the death of 4 learners. 3. **Staff allocation for the school and province**: The Committee was concerned by the lack of permanent staff members and teachers at a school that requires a full staff compliment that is permanent to ensure stability. The Committee was not satisfied with the manner in which human resource information was presented as it provided no clear sense of how many teachers and professional staff were actually employed within school, at a district level and in the province and what the specific vacancies were. 4. **“Ghost” teachers**: The Committee noted with concern the issue of payment to “ghost” teachers and questioned how these investigations were undertaken to verify the actual number of teachers employed in posts at school versus those receiving a monthly salary. 5. **Vacancies**: The Committee was concerned that interviews for a nurse, speech therapist and audiologist were conducted, a recommendation was done by the school but the Department had not appointed or filled the posts. The Committee questioned how the school is expected to operate without the requisite professionals in place. The Committee noted with concern vacancies for Sign Language Interpreters and hostel staff. To this end, the Committee questioned if the post for interpreter would be filled. The Committee noted that staffing allocation for the hostel both weekdays and weekends was not presented and the Committee had to ask. The Committee was concerned that burnout of staff was inevitable if they had no reprieve. 6. **Hostel**: The Committee was alarmed by the prolonged absence of permanent house father and matron at the hostel. The Committee was equally concerned that teachers and general assistants were doubling up their time to take on this additional responsibility after hours to care for the learners at the hostel. The Committee noted this was unacceptable and the arrangement whilst commendable was not sustainable. The Committee was concerned that the lack of staff could potentially impact on possible incidents of GBV and sexual abuse in hostels. 7. **Staff retention**: The Committee noted the challenges around attracting staff to work at schools in rural areas and the need for incentives. Hence the Committee queried, what plans were in place to retain staff in schools located in rural areas. 8. **HR**: The Committee noted with concern the implications of an incorrect advertisement being placed and enquired as to who signed off the advert. The Committee was concerned that the Human Resource of the Department was not present in the meeting whilst challenges regarding vacancies and recruitment in schools were discussed. 9. **Finance**: The Committee noted with concern the lack of a financial report which was only presented verbally to the Committee. The Committee was not satisfied. with the lack of detailed information on finance, mitigation strategies etc. The Committee also asked if money was returned to Provincial Treasury in 2021/22. 10. **Assistive devices**: The Committee welcomed the allocation for assistive devices but was not satisfied with the lack of details to substantiate what the need was per learner and the costs incurred to procure the assistive devices. It also unclear how the total allocation was derived at without knowing what the needs of the learners were and the cost per device. Without the requisite details, the Committee noted the oversight is compromised and cannot be done effectively. 11. **Collaboration with universities**: The Committee queried whether the Department had engage with Universities to assist in schools with the support of student social workers, speech therapy, occupational therapy, physiotherapy and psychology. 12. **Fire safety**: The Committee was concerned that mock emergency drills were not done regularly but are very important in saving lives of children at the school. 13. **Training**: The Committee noted that the training of staff was last done in 2019 in terms of fire safety which was attributed to impact of the COVID-19 regulations. The Committee was not satisfied with that response and wanted to know what are the plans to continue with training in 2022. 14. **First aid training**: The Committee noted the importance of first aid training for staff and therefor asked whether the staff was trained in first aid to assist learners when required. 15. **Exit strategy for learners**: The Committee noted a lack of exit strategy for learners leaving school or those who have passed Grade 12. Collaboration with TVET colleges and the NYDA was key in this regard which the Committee noted should be explored. 16. **Incident of abuse**: The Committee noted with concern the sexual abuse incident of a learner at the school and asked what preventative measures were put in place to try and avoid another incident especially at the hostel given the staffing capacity constraints that impacts on learner supervision and safety. GBV, Learner pregnancy: The Committee noted the importance of the life orientation programme and sexual reproductive health. The Committee noted the concerns raised by the teachers of learners experiences of GBV within their home and communities. To this end, the Committee enquired about Department’s and school’s relationship with the Department of Police and the Department of Social Development in order to assist learners in need. 17. **Psycho-social support**: The Committee reiterated the importance of psycho-social support to learners who have been abused as such the Committee asked the school’s psycho-social support offered. 18. **Learner absenteeism**: The Committee noted with concern the school absenteeism of learners during SASSA pay-out days as highlighted by the teachers at NW School for the Deaf. As such the Committee requested clarity about the availability of learner transport and what the interventions by school management to address the absenteeism. 19. **Sign language**: The Committee was concerned that most teachers were not trained in sign language and questioned what was being done to address the matter as this disadvantaged the deaf learners. The Committee noted that the performance of learners who were taught by educators competent in sign language performed well in those subjects which was welcomed. 20. **Marking Grade 12 examinations**: The Committee noted with concern the marking of examination paper for learners with disabilities by persons who were not conversant in sign language which negatively impacted on the matric pass rate as only one matriculant passed. 21. **Sanitary Dignity Programme (SDP)**: The Committee noted that no reference was made to the SDP and therefor queried whether learners benefitted from that programme. The Committee also enquired on whether the Department had any the relationship with the Department of Women, Youth and Persons with Disabilities not only in relation to SDP but GBV, youth and disability related matters as no mention was made of this. 22. **Extra-mural activities**: The Committee noted the importance of having extra-mural activities for learners. 23. **Undocumented learners**: The Committee queried whether the school had undocumented learners and how it dealt with it. 24. **Dropout rate**: The Committee sought more information about the drop-out rate at NW School for the Deaf. 25. **School Governing Body (SGB)**: The Committee welcomed the report of a fully functional SGB but requested clarity on the reshuffling of SGB. Furthermore, the Committee noted with concern the revelations made by a member of the School Governing Body from NW School for the Deaf at the meeting about serious challenges and matters affecting the learners. The Committee reiterated that these required urgent attention.   **3.2 South African Human Right Commission (SAHRC)**   1. The Committee sought more clarity on the number of investigations done in schools for learners with disabilities in North West Province and how many of the recommendations were implemented by the Department. To this end, the Committee reiterated that importance of following up on the implementation of recommendations and to use the powers to subpoena a department to obtain the requisite information if nothing is forthcoming.   **3.3 Commission for Gender Equality- North West Province**  **3.3.1 General**   1. The Committee was concerned about the location of the CGE’s Provincial Office to service the entire North West Province but was overall pleased with the state of the office. 2. The Committee enquired about the status of the office during the Covid-19 lockdown period and how the office was operating given the restrictions. 3. The Committee was concerned by the notion of lack of political as in issue that emanated from the CGE’s gender mainstreaming workshops in municipalities. 4. The Committee enquired as to whether there were any challenges encountered by the CGE when recommendations were not implemented by government departments or entities.   **3.3.2 GBV**   1. The Committee requested an update of programmes of the CGE in mines where there is high rate of GBV issue. The Committee also requested more information on cases of femicide in the province. 2. The Committee enquired about the CGE strategies to deal with cases of GBV in the province whether closure of a case was considered as success. The concern noted by the Committee was that the number of GBV cases reported in the media still appeared to be high which brought into question what impact the CGE was having in this regard. 3. The Committee was concerned about high teen pregnancy in the province and asked what measures were in place by the CGE to assist young girls. 4. The Committee noted that the issue of human trafficking was not mentioned in the presentation and requested more information on the issue. 5. The Committee queried how many police stations are in North West Province and how many were complying with policy and laws issues related to GBV.   **3.3.3 Complaints handling**   1. The Committee was concerned by the low number of cases that were reported in the previous quarter to the Committee and by the backlog of cases. 2. The Committee queried what impact the CGE’s programmes had on the community and how the CGE measures its impact. To this end, the Committee questioned whether the low number of complaints related to the CGE’s impact on the community. 3. The Committee also requested more information on cases that were closed.   **3.3.4 Vacancies**   1. The Committee asked what are the current vacancies in the office and what is the current staff complement in the office.   **3.3.5 Other**   1. The Committee raised concerns about ex-miners and challenges experienced claiming from the compensation fund and enquired whether the CGE could assist. 2. The Committee enquired whether the CGE noted any challenges experienced by foreign nationals receiving services in the country given that the North West Province is bordering with Botswana.   **3.4 Grace Help Centre**   1. The Committee commended the CEO for starting the shelter in the area but was concerned about the security measures at the centre and the safety of the residents. 2. The Committee was pleased with the overall cleanliness of the shelter. 3. The Committee welcomed the measures in place to enable children school and acknowledged the transport challenges and cost incurred. Notwithstanding that, the Committee noted with concern the undocumented minors who were unable to attend school and have lost out on months of receiving an education. 4. The Committee reiterated the importance of an exit strategy for women leaving the shelter and youth once matriculating. 5. The Committee noted that it was important for the victims to be made aware of the length of stay at the shelter. Notwithstanding that, the Committee acknowledged the shelter’s challenge of not being able to refer residents on to secondary housing facilities after 6-months if they have nowhere to go. 6. The Committee welcomed the support offered to women with court cases. 7. The Committee acknowledged the funding challenges experienced by the shelter and requested more detailed information on the funding received from the Department of Social Development versus the funding needs of the shelter. To this end, the Committee was concerned about the lack of electricity to the shelter and the dispute around what was still owing by the shelter in terms of an outstanding account balance. As such, the Committee sought more clarity around what the actual running cost of the shelter was and what shortfall the shelter was experiencing.   **3.5 National Youth Development Agency Office- North West Province**   1. The Committee welcomed the training offered to staff but queried whether it was SAQA accredited. 2. The Committee noted the need to align with the 4th Industrial Revolution and therefor asked the NYDA how it was influencing government to look at shifting to 4th Industrial Revolution insofar as youth development was concerned. 3. The Committee welcomed the programmes and services rendered by the NYDA questioned how the NYDA was measuring the impact of its programme on the community. 4. The Committee noted with concern that no provision has been made for youth over 18 years of age living in shelters and identified this as a gap. Hence the Committee, enquired whether the NYDA had an exit strategy to deal with youth who have no alternative support structures, who leave shelters at the age of 18 years. 5. The Committee was impressed with the businesses of the visited that were supported by the NYDA and reiterated that the NYDA needed to market these businesses within government. Hence the NYDA to facilitate, having NYDA funded businesses on Government’s supplier databases. 6. The Committee noted that in order to ensure that youth owned businesses were sustained in the long run, the NYDA needed to facilitate mechanisms whereby youth procured the services offered by other youth funded entrepreneurs. 7. The Committee noted that whilst the NW Province had huge potential, it required vigorous marketing to attract more tourists and therefor young entrepreneurs were tasked with finding innovative ways of marketing their services and products in a holistic manner that would attract tourists to visit the province. 8. The NYDA should facilitate SABS approval and explore copywriting for Motiver F Pty Ltd in Rustenberg. In addition, the NYDA should link Motiver F with the Gym Clinic in Gauteng to explore options of producing gym equipment.   **3.6 National Youth Development Agency – Ekurhuleni, Gauteng Province**  **3.6.1 General**   1. The Committee was concerned that the NYDA employed personnel from other Provinces such as Limpopo Province at the expense of employing local residents. As such, the Committee sought clarity about the relocation costs incurred. 2. The Committee welcomed the training offered and sought more information on when the last training was provided to learners and how many youth attended. 3. The Committee noted the grants process and queried who all approves grant in the office. 4. The Committee questioned whether merely accepting cv’s were enough to job placement and what else needed to be done to ensure the success rate and uptake. The Committee was not satisfied with the NYDA just receiving CVs and indicated that emphasis should be placed on active lobbying and matching youth in search of employment with industry opportunities. 5. The Committee was concerned about the workload of a job placement officer and therefore queried whether these persons had the time to link cv’s of applicants to other stakeholders. 6. The Committee remained concerned about youth in rural areas and as such enquired how the NYDA reaches out to communities especially rural communities to advertise the products and services of the NYDA. 7. The Committee noted with concern that the 1st floor was not accessible for persons with disabilities. 8. The Committee was not satisfied with the turnaround time for grant approval and application as this disadvantaged the intended beneficiary from growing their business. 9. The Committee noted with concern the challenges experience by the owner of laundrette which was largely attributed to poor mentorship, lack of business management, inadequate record keeping skills, inappropriate procurement of equipment for the intended business use and suitable premises to conduct the business.   **3.6.2 Board, Vacancies**   1. The Committee noted the changes to the structure in terms of the administrative support provided to the Office of the Chairperson of the Board. The Committee questioned whether the changes were not premature whilst acknowledging the need for the new Board to determine what structure would be most efficient and effective. 2. The Committee noted the vacancies in terms of executive positions and queried how many had been subsequently filled since the NYDA’s last quarterly report briefing. 3. The Committee enquired as to whether the 100 days’ campaign is still ongoing or is it only for 100 days.   **3.7 Ikhaya Lethemba Shelter, Gauteng Province**   1. The Committee was concerned by the negative attitude expressed by the official receiving guests at the reception area. 2. The Committee commended the facility for being clean and which offered hope to the community that they will be assisted. 3. The Committee was impressed with the services on offer at the shelter but also acknowledged the financial constraints. 4. The Committee requested an update on the shortage of forensic nurses. The Committee also wanted to know how many women, children and how many school going children are housed in the shelter. 5. The Committee welcomed the relationship of the shelter between the FCS and NPA unit. 6. The Committee was concerned about the lack of options for persons from the LGBTQIA+ requiring help with regards to GBV matters and thus enquired how the shelter was assisting those victims. 7. The Committee noted the progress on the implementation of recommendations by the shelter pertaining to the CGE’s State of shelters report. 8. The Committee noted the relationship between the shelter and the Commission for Gender Equality. 9. The Committee reiterated the importance of an exit strategy for women leaving shelter and enquired about the shelter’s plans in this regard.   **3.8 Commissioner for Gender Equality – Gauteng CGE**  **3.8.1 General**   1. The Committee was pleased with the state of the head office. 2. The Committee noted with concern the numerous issues raised by the CGE related to internal matters and the impact it has had on working relations between Commissioners as well as Commissioners and staff. Given the nature of the issues raised, the Committee proposed that the CGE undertake its internal processes and submit a formal report to the Speaker of the National Assembly and the Committee in this regard. 3. The Committee also enquired whether the CGE has finalised the filling of vacancies in Limpopo Province.   **3.8.2 Follow-up at Temba Police Station**   1. Having visited the Temba Police Station, the Committee enquired whether the CGE had conducted awareness campaigns on GBV as the Committee deemed awareness programmes to be key in dealing with the scourge of GBV in the area. 2. The Committee noted that there were 10 cases of GBV for children that were withdrawn and noted this as a concern. Hence the Committee, requested more information and questioned what assistance was provided to children that were abused. 3. The Committee noted that the CGE indicated that there was one social worker servicing victims of GBV at the police station and enquired how the social workers provide 24 hour services to the victims and after working hours. This was noted with concern that one social worker servicing the police station with a high case load was insufficient.   **3.9 SAPS - Temba Police Station, Gauteng Province**  **3.9.1 General**   1. The Committee was concerned that the police stations was not clean especially the reception area and enquired whether there were cleaning services provided at the police station. The Committee also enquired as to whether there was provision for alternative electricity supply when there is load-shedding. The Committee noted with concern that the poorly lit corridors and areas in the police station posed as a risk for employees and victims of crimes requiring services at the precinct. 2. The Committee enquired whether the police station had private rooms to take statements for victims of GBV. 3. The Committee asked whether there were any complaints against police officials and if any, what steps has been taken to deal with complaints if any and was pleased when the Station Commander indicated there was none. 4. The Committee asked whether there were any dockets that had gone missing and was pleased when the Station Commander indicated there were none. 5. The Committee also enquired about the turnaround time when responding to telephone calls from community members and was pleased with the response received. 6. The Committee also enquired about what measures were in place to gauge the level of satisfaction by community regarding the services rendered by SAPS.   **3.9.2 Staffing**   1. The Committee was pleased that women police officials were reported to be on duty working during every shift to assist victims of GBV. 2. The Committee asked whether there was any para-legal person to assistance offered to victims of GBV when capturing statements but the Station Commander informed members there was none.   **3.9.3 GBV**   1. The Committee reiterated the importance of conducting awareness campaigns and enquired whether police officers were involved. To this end, the Committee commended the police station for conducting awareness programmes at schools on GBV as this was fundamental for building trust between schools and police officials. 2. The Committee was pleased with the working relationship between the CPF and SAPS. 3. The Committee noted the services rendered by the FCS unit and the challenges experienced in dealing with cases which related to evidence, withdrawal of cases etc. 4. The Committee noted with concern the administrative burden placed on SAPS officials as well as cost implications for complainants that open cases at Temba police station but have to commute to Mahikeng court where the case will be heard. 5. The Committee questioned whether closing of unlicensed liquor outlet was the only way of fight gender-based violence in the area. 6. The Committee was concerned that alcohol abuse was cited as the key reasons for contributing to the high rate of GBV in the area. Notwithstanding that, the Committee reiterated that patriarchy and imbalance of power relations played a significant role in GBV which should not be overlooked or downplayed. 7. The Committee acknowledged the false rape cases opened and the leverage used to illicit money from an alleged perpetrator as emphasised by the Acting Station Commander. However, the Committee cautioned that these cases are miniscule in relation to the significantly high number of actual GBV incidents the majority of whom are perpetrated by males. 8. The Committee noted that the station had rape kits in stock and according to the Acting Station Commander it had never run out of stock. 9. The Committee noted that there were fewer cases of rape case between boys/men opened at the police station according to the Acting Station Commander. Notwithstanding that, the Committee reiterated that because of the stigma attached many of these case go unreported and police officials should be aware. 10. The Committee noted the high number of cases logged in the Domestic Violence register since the start of the month.   **3.9.4 Training**   1. The Committee noted with concern the low levels of training provided to SAPS officials to deal with GBV which was attributed to the impact of the COVID-19 regulations. However, the Committee noted its dissatisfaction with using COVID as an excuse for why so little training had taken place as virtual platforms could have been utilised to conduct the training. The Committee also sought more information about what is contained in the curriculum of the training provided in the training manual given to police officials.   **3.10 Department of Women, Youth and Persons with Disabilities**  **3.10.1 General**   1. The Committee noted with concern that the Department did not accompany the Committee during oversight visit as requested by the Committee. 2. The Committee noted with concern the ICT matters that were outstanding and problematic and questioned whether the Department had addressed these issues. In addition, the Committee asked whether the post of Director: ICT was filled as this was a critical position.   **3.10.2 Case of Ms Mabikwa**   1. The Committee noted with concern that the Chief Director: Rights of Persons with Disabilities Programme did not assist Ms Mabikwa as per the Committee’s formal request for the Department to intervene. To this end, the he Committee requested the Chief Director, via telephone call whilst conducting the home visit, to indicate to the Committee what she had done to assist Ms Mabikwa after receiving the request from the Committee. 2. The Committee questioned whether the Department was aware about the case of Ms Mabikwa that appeared in the media.   **3.10.3 Youth development**   1. The Committee was concerned with the manner in which the Department was dealing with issues related to youth development and questioned the relationship the Department had then with the NYDA. Hence, the Committee was unclear what Programme 5 of the Department was doing for youth development in the country and therefore questioned the impact of Programme 5 given the high rate of youth unemployment.   **3.10.4 Sanitary Dignity Programme (SDP)**   1. The Committee was concerned that they could not conduct oversight over projects/programme on Sanitary Dignity Programme given that there was no tender awarded to a service provider to implement the Sanitary Dignity Programme in Gauteng Province for the financial year 2022/23. To this end, the Committee sought more information as to when the tender process would be finalised in order to distribute the Sanitary Dignity Packs as this was an indictment to the beneficiaries. The Committee noted with concern the cost of 10 pads at R18 a pack for the previous financial year and questioned what inform the pricing as this was a matter that had been raised previously with the Department. 2. The Committee commended the provision of packs for persons with Albinism, the Committee questioned why these packs were so expensive at R72 per pack and encouraged the Department to ensure that cheaper packs are sourced.   **4. Recommendations**  **4.1 North West Secondary School for the Deaf and the Department of Education**   1. The Department of Education should implement a plan to either renovate or build other schools for learners with disabilities at special needs schools and ensure that adequate budget is allocated in that regard. 2. The NW Department of Education should implement consequence management against staff who signed off the incorrect advertisement for the positions at the NW School for the Deaf. 3. The NW Department of Education should prioritise the filling of vacancies at schools for learners with special needs. To this end, the Committee reiterated that the vacant posts at NW School for the Deaf, in particular the boarding house, be filled as a matter of urgency in addition to recruiting educators competent in sign language as well as health care professionals such as an audiologist/speech therapist, an occupational therapist, a psychologist and a school nurse. 4. The NW Department of Education should address the training needs of educators at the NW school for the deaf insofar as sign language is concerned. 5. First aid training at the NW Secondary School for the Deaf should be extending to include learners. 6. The NW Secondary School for the Deaf together with the NW Department of Basic Education should collaborate with TVET colleges and the NYDA on exit strategies for learners leaving school or has passed Grade 12. 7. The NW Department of Education should investigate the matter of matric learners at NW School for the Deaf in reviewing the manner in which the final grade 12 papers were marked. 8. The Committee recommended that the National Department of Basic Education ensures that reasonable accommodation is applied to learners with disabilities when undertaking their examinations and measures should be implemented to enable these learners to gain access to do this e.g. extra time allocated 15 minutes for every hour of a written paper; use of sign language as a medium to conduct examinations in. 9. The NW Department of Education should address all issues of concern at the NW Secondary School for the Deaf by convening a meeting of all key stakeholders to resolve matters and then submit a plan on how to deal with these issues. This should be inclusive of the longstanding matters of the fire that resulted in deaths of learners; loss of belongings of the learners and staff affected. The Committee expects a report to be submitted to the Committee within 30 days after the meeting. This report should be sent to the Committee by 21 May 2022. 10. The NW Department of Education was requested to report on progress made with regards to the implementation of the recommendations made by the South African Human Rights Commission within 30 days.   **4.2 South African Human Rights Commission**   1. The SAHRC should use its powers to subpoena the NW Department of Education to enforce the implementation of the recommendations as outlined in the report on children with disabilities in special schools. 2. The SAHRC should consider extending its assessment of schools for children with disabilities nationally   **4.3 Commission for Gender Equality - North West Province**   1. The CGE should include municipal councillors when conducting gender mainstreaming workshops. 2. The Provincial Office should submit a report on all police stations in the province that do not allow CGE to conduct its work. 3. The CGE should conduct more outreach programmes and do more awareness campaigns in communities on the role of CGE. 4. The Committee should also hold a joint meeting with the Portfolio Committee on Police and the Department of Police to discuss the issue of Members of Parliament, Members of Provincial Legislatures, CGE Commissioners and support staff not being allowed in police stations to do their work. The Committee should issue a statement in Parliament on the behaviour of police officials at police stations that hinder the work of Chapter 9 institutions and Members of Parliament. 5. The CGE should ensure uniformity in terms of employing staff in all provincial offices.   **4.4 Grace Help Centre, North West Province**   1. The CGE should assist the centre and deal with challenges identified to ensure the effective running of the shelter by arranging a follow-up meeting to discuss the challenges and the way forward. 2. The Committee should also engage with the Department of Social Department on assistance provided to shelters that are lacking and not uniform. 3. The Office of the Premier along with the Provincial and National Department of Social Development should as a matter of urgency address the plight of 8 undocumented foreign national children that need to be reunited with their parents in Cape Town that are residing at the shelter. 4. The Department of Social Development should develop an exit strategy and collaborate with the NYDA to assist women and youth leaving shelters.   **4.5 National Youth Development Agency Office- North West Province**   1. The NYDA should work with the NW Department of Education, to identify teachers competent in sign language to be employed at a school such as the NW Secondary School for the Deaf. 2. The NYDA should collaborate with the NW Department of Education to explore options of employment of youth via the Presidential Youth Employment Initiative to address the capacity constraints at learners with special educational needs schools. 3. The NYDA should work with the Commission for Gender Equality in the province on GBVF programmes. 4. The NYDA should collaborate with the NW Provincial Department of Social Services on an exit strategy for youth leaving shelters when they are 18 years old. To this end, the NYDA should develop a strategy in this regard and submit a proposal to the Committee for consideration. 5. The NYDA should ensure that government departments procure goods and services from NYDA funded entrepreneurs. To this end, the NYDA should also market products and services of the NYDA funded entrepreneurs e.g. Tsenolo Guest House in the North West Province.   **4.6 National Youth Development Agency – Ekurhuleni, Gauteng Province**   1. The NYDA should engage with the landlord to ensure that the first floor is made accessible to persons with disabilities in wheelchairs. 2. The NYDA should also utilise Members of Parliament constituency offices to conduct their training programme and engage with youth. In addition, the NYDA should collaborate with university faculties and departments like psychology, occupational therapy and social work to have students to assist and run training programmes under supervision. Such a partnership will be lucrative as it provides opportunities for students to gain clinical experience in the field and for the NYDA it can increase its coverage and reach more youth through its life skills programme. 3. The NYDA should develop a strategy to improve on their branding, communication and marketing the NYDA products/programmes in order to attract youth. The NYDA should also partner with SABC as a strategy to market NYDA products. 4. The NYDA should conduct programmes in the rural areas to market products/services of the Agency. 5. The NYDA should look at its organisational structure and fill some of the vacancies of the executive positions. 6. The NYDA should increase the number of young entrepreneurs receiving grants and also engage with municipalities to employ more young people. 7. The NYDA should improve on its turnaround times to approve and allocate grants to beneficiaries. 8. The NYDA should develop a legacy project to that would leave a significant impact on the lives of young people in the country. 9. The NYDA should enhance its marketing and communication strategy and consider use of influencers to do that on various social media platforms but also use Board members in advertisements to increase visibility. 10. The NYDA should also focus on young people in sports and the creative arts industry and collaborate with the Department of Arts, Culture and Sport in this regard. 11. The NYDA should assist Bongi Hands of Gold laundry business with mentoring services (business plan, marketing, financial management, procuring industrial equipment) and assist with building a premises in order to conduct the business. The laundry service should be extended to include dry cleaning as part of the medium to long term business plan. 12. The NYDA should ensure that the owner of Bongi Hands of Gold has the mentor accompany her to established laundromats to learn from best practice. 13. The NYDA should reassess its mentorship programmes and business skills programme to determine its relevance and effectiveness.   **4.7 Ikhaya Lethemba Shelter- Gauteng Province**   1. The shelter should prioritise victims from the LGBTQIA+ community on its premises. 2. Management at the shelter should ensure that front of staff is adequately trained and appropriately skilled to receive visitors and victims of GBV.   **4.8 Meeting with Commissioners of the CGE**   1. The CGE should table its concerns formally in a report to the Committee for consideration having followed all internal processes. 2. The CGE should ensure that the researchers papers are published and accessible.   **4. 9 Temba Police Station**   1. Temba Police Management should ensure proper signage at the entrance to the precinct that outlines services offered to victims of GBVF and other crimes. In addition, the station’s management should ensure that the precinct cleanliness and hygiene is improved along with ensuring adequate lighting during load shedding. 2. The Department of Community Safety should train more police officials to deal with GBV issues and ensure that male staff attend. 3. The Committee should write to the Department of Justice and Correctional Services and note with concern the administrative burden for complainants and police officials regarding gender-based violence cases opened at Tembe Police Station but lodged at the Mafikeng Court in North West Court instead of a local Johannesburg courts in Gauteng Province.   **4.10 Department of Women, Youth and Persons with Disabilities**   * 1. The Department should take action against the Chief Director of Programme 4 regarding her failure to assist Ms Mabikwa as per the Committee’s request.  1. The Department should continue to deal with the request of the Committee to assist Ms Mabikwa. 2. The Committee noted the challenges faced by the North West School for the Deaf in the North West Province and requests the Department to assist the school. 3. The Department should look into an exit strategy for 18-year-old women leaving shelters and copy the model used in Ikhaya Lethemba shelter to other Provinces. 4. The Department should also engage the Department of Social Department on an exit strategy for women (18 years) leaving shelters. 5. The Department to improve on monitoring and evaluation for Programme 5 on issues related to youth. 6. The Department should provide the report to the Committee on the issues of the Sanitary Dignity Programme. 7. The Department should submit a report to the Committee on the process of acquiring new office space. The Committee should engage with the Department of Public Works and Infrastructure on the issue of the new offices for the Department of Women, Youth and Persons with Disabilities. 8. The Committee should write to the Gauteng Premier’s Office to raise concerns on the issue of the Sanitary Dignity Programme and indicate that the Committee expects consequence management for person/s responsible for not awarding tenders to service providers to distribute pads. 9. The Department should look at the building offered by the Department of Public Works and Infrastructure (DPI) to the Department of Social Development for the purpose of housing shelters as indicated by the CGE. The Department should also look at shelters for LGBTQIA+ persons.   **4.11** **Department of Social Development**   1. The Department of Social Development should provide a progress update on the implementation of the recommendations made by the CGE as per its State of Shelter Report. 2. The Department of Social Development should develop and implement an exit strategy for women and youth aged 18 years leaving shelters. 3. The Department of Social Development should assess the situation of undocumented minors at shelters and youth care centres and intervene accordingly. |
| **Report to be considered**. |

1. [↑](#footnote-ref-1)