

# SHELTER SERVICES TO DOMESTIC VIOLENCE VICTIMS – POLICY APPROACHES TO STRENGTHENING STATE RESPONSES

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*This policy brief is the first in a series of briefs which consider the provision of shelter services to victims of domestic violence. It does so in relation to "Enhancing State Responsiveness to GBV: Paying the True Costs," a project of the Heinrich Böll Foundation (HBF) and the National Shelter Movement*

*of South Africa (NSM). The project, which is funded by the European Union, aims to support state accountability for adequate and effective provision of domestic violence survivor support programmes, specifically those associated with the provision of shelters for abused women.*

## INTRODUCTION

The 61<sup>st</sup> session on the Commission of the Status of Women emphasised that violence against women is so pronounced that it can be described as being an act of physical and psychological war waged on women.<sup>1</sup> Recent estimates indicate that the prevalence of intimate partner violence against women ranges from 16.3 percent in some countries in East Asia to as high as 65.6 percent in Central Sub-Saharan Africa.<sup>2</sup> In South Africa, gender-based violence as an act of war is a very real problem as the country battles with the stigma of reputedly being one of the most violent places in the world for women to reside.

For a number of reasons, the statistics in relation to violence against women are known to significantly under-estimate the extent of such violence. In regards to domestic violence, a contributing factor is that the police do not report on domestic violence as a specific category of crime. Domestic violence is often

not reported to the police, yet there were 275 536 domestic violence protection order applications in 2015/2016, an alarmingly high number.

Violence against women has a negative impact on everyone in society and must be addressed at all levels. In the long term, the financial and the societal costs in terms of the impact of violence are far more debilitating and resource-intensive than investing in services (such as shelters) to address it. Shelters contribute significantly to women being able to find ways of exiting from abusive relationships.

A policy brief collated by the Commission for Gender Equality in 2013<sup>3</sup> showed that the cumulative economic impact of domestic violence on government, the private sector and society as a whole is enormous and that the social cost of not addressing domestic violence can have far-reaching and devastating

<sup>1</sup> Address by the Special Rapporteur on Violence Against Women, Dubravka Simonovic, at the opening ceremony of the 61<sup>st</sup> Session of the Commission on the Status of Women, March 2017.

<sup>2</sup> *Ibid.*

<sup>3</sup> Stone K, Watson J and Thorpe J, 2013

consequences for society. The emotional and mental cost of not being able to access services and the life sentence of continued abuse, cruelty and violence affects not only the victims of domestic violence, but impacts on society as a whole. The state has to respond to the health costs entailed, the economy is impacted upon when victims of violence are not well enough to actively participate in it, and the social fabric of communities is chipped away. Children who grow up in domestic violence situations may have life-long secondary trauma; are often unable to focus on their education and likely to have learning challenges; and are susceptible to being both physically and psychologically unwell. They may grow up to view violence as a legitimate conflict resolution mechanism, thereby accepting it as the norm within relationships. This perpetuates a cycle of violence and trauma, negatively impacting on the well-being of society as a whole. The notion of a well-being economy<sup>4</sup> is pivotal to creating a different kind of social order – one where social organisation is structured around caring for those in need, in the interest of society as a whole.

Shelters provide critical services to those undergoing high levels of trauma – they provide a safe place to stay, psycho-social support, access to medical and para-legal services, skills development initiatives, and services to children. Shelter services to victims of domestic violence thus play a critical role in the care economy. Unfortunately, much of the services provided by the care economy are under-valued and under-resourced.

This policy brief follows on from studies conducted in 2012 and 2013<sup>5</sup> by the HBF and the Tshwaranang Legal Advocacy Centre to End Violence against Women focusing on shelter policy; funding and practice. The studies profiled a total of 8 shelters and the needs of 216 women who had accessed services at the shelters in the Western Cape and Gauteng. Through the HBF and NSM's

"Enhancing State Responsiveness to GBV: Paying the True Costs" project, this research was extended to a further 2 provinces, profiling 9 shelters, and the needs of 78 women in Mpumalanga and KwaZulu-Natal in 2016<sup>6</sup>. All four studies analysed trends in the implementation of government policy, the extent of funding available to shelters from the Department of Social Development (DSD) and the extent to which the needs of both shelters and their residents, were being met. Additional research has been done to update the 2012 and 2013 Western Cape and Gauteng studies.

This purpose of this policy brief is to draw on work done on shelters to provide insight into:

- The services provided to victims of domestic violence at shelters;
- The challenges that shelters are currently experiencing; and
- The extent to which government (particularly DSD) is providing adequate recourse to victims of domestic violence insofar as it relates to the provision of shelter services.

This brief draws on the new research and includes data collated based on:

- Semi-structured interviews with senior shelter staff;
- Administrative data, including Annual Reports, Audited Financial Statements and Service Level Agreements with DSD; and
- Government policy and budgeting.

## WHAT DOES LEGISLATION AND POLICY TELL US ABOUT THE STATES RESPONSE TO SOCIAL WELFARE SERVICES?

### POLICY BACKGROUND

The *Medium Term Strategic Framework* (MTSF) is government's overarching policy framework for service delivery in its five-year term from 2014-2019. The MTSF sets out a plan for how government will deliver on the National Development Plan (its policy vision until 2030) over its term of office. The *National Development Plan* sets the platform for the reform of social welfare services by identifying a critical need for reassessing the current social welfare system in terms of delivering services to socially 'vulnerable' groups. Shelter services for victims of domestic violence fall within the ambit of this reform. The reform is meant to include a review of the existing legislative and policy framework so as to take into account the current contextual realities of the service delivery needs of socially marginalised groups.

The National Development Plan recognises that the current model of partnership between the state and civil society for the delivery of services to socially 'vulnerable' groups is inadequately funded, poorly structured and incapable of responding to increasingly complex social issues. It also recognises that there is a need to restructure this partnership to develop a system which is socially equitable, financially viable and structurally efficient in meeting the needs of the most disadvantaged sectors of society. The MTSF uses this vision to set the goal of reforming funding to civil society organisations as well as reforming the system of service delivery with an improved partnership between the state and civil society, and the development of a resourcing strategy that includes funding norms and standards.

<sup>4</sup> Fioramonti R, 2017

<sup>5</sup> See Bhana K, Vetten L, Makhunga L and Massawe D, 2012 and Bhana K, Lopes C and Massawe D, 2013

<sup>6</sup> See Lopes C and Mpani P, 2017

Four years into the five-year term of government, the goal of reforming the state-civil society partnership model is far from being realised. Within the context of shelter services to victims of domestic violence, this can partly be attributed to the legislative and policy gaps in terms of clarifying the state's responsibility in providing such services.

## CURRENT POLICY IN RELATION TO SHELTER SERVICES

In relation to shelter services, there is no legislation at present that places a direct duty on a government department to fund shelters for victims of gender-based crime. The Domestic Violence Act (Act No 116 of 1998) places a duty on SAPS to assist domestic violence victims to find a suitable shelter. The National Instructions (7/1999) to the police on domestic violence makes provision for the police to assist with finding a shelter, making contact on behalf of the victim and transporting the victim to the shelter. It does not, however, make any reference to the establishment or funding of shelters.

The DSD's policy on '*Minimum Standards on Shelters for Abused Women*' requires the Department to facilitate and fast-track the provision of shelters. The *Minimum Standards* specifies that shelter services must provide for basic needs (e.g. accommodation, food, and clothing) as well as support, counselling and skills development.<sup>7</sup> It does not however clarify how shelters should be financed other than to indicate that existing facilities in communities, as well as departmental institutions, should be utilised.

In 2011, the DSD revised its policy<sup>8</sup> on funding to civil society organisations. In terms of this, shelters are required to meet the deficit in their finances through their own fundraising initiatives. It is, however, ultimately the role of the state to fund the care economy insofar as it relates to providing services to victims of domestic violence. The myth that this role should be funded through donor contributions and fundraising initiatives taken on by overstretched civil society organisations must be dispelled.

The South African '*Integrated Programme of Action Addressing Violence against Women and Children*' (2013-2018) sets the following short to long-term intervention targets in relation to shelter services:

- Harmonise, regulate and scale-up the provision of provincial safe house models (the white door/green

door model<sup>9</sup>).

- Scale up capacitated halfway-houses using the Khuseleka<sup>10</sup> model with linkages to existing Thuthuzela Care Centres (TCCs)<sup>11</sup> and other one-stop response services.
- Empower survivors of violence through long-term life skills, social and economic programmes to reduce their vulnerability and build on their resilience.

Four years since the drafting of the '*Programme of Action Addressing Violence Against Women and Children*,' it is still unclear as to what has been done to give effect to this plan. It appears to be a paper tiger that has not seen the light of day. It has not been translated into deliverable objectives that have been incorporated into the annual performance plans of DSD. In its 2016 annual report, the Department at national level therefore only reports on 2 performance indicators in relation to shelter services, namely that of developing 'Victim Empowerment Support Services' legislation and the establishment of 3 White Door Safe Space facilities (this against a target of establishing 10 facilities).

The DSD has also put in place a '*National Strategy for Sheltering Services for Victims of Crime and Violence*' (2013 – 2018) which sets out the roles of different government departments as part of an attempt to encourage inter-departmental collaboration. The strategy recognises that the DSD is responsible for the establishment of shelters as well as for funding it. However, it appears to understand 'establishment' in a very limited sense, in relation to civil society organisations making applications to the Department for formal registration and accreditation. There is a resounding silence on how shelters should be funded and the extent of support that DSD should provide.

At a presentation to Parliament in August 2017, DSD reported that it has capacitated 180 officials and stakeholders to render effective support to women in shelters. It also reported that it had set up 84 shelters nationally, 6 Khuseleka One Stop Centres, 13 shelters for victims of human trafficking and 205 White Door Safe Spaces.<sup>12</sup> Yet, in reality, the majority of shelters that DSD refers to have been established and are run by non-profit organisations (NPOs)<sup>13</sup> – DSD provides capacity and financial support to these organisations but this is done in ways that are often inadequate, posing a threat to effective provision of services to victims of domestic violence.

7 This is further asserted in the "*National Strategy for Sheltering Services for Victims of Crime and Violence in South Africa*".

8 See Policy on Financial Services Awards to Service Providers

9 Green doors are safe havens for victims of domestic violence while they wait to access full services. They are meant to be temporary places of safety

10 One-stop service centres for victims of gender based violence, offering a range of services, including psycho-social support, health care, and access to police and legal services.

11 TCC's are on-stop centres offering psychosocial, criminal justice and medico-legal services to victims of sexual offences.

12 Report to the Multi-Party Women's Caucus by Minister Bathabile Dlamini, 31 August 2017.

13 It is not entirely clear as to how many shelters are run by NPOs in comparison to those run by government however an anecdotal count by NSM provincial shelter movement representatives indicate that there are 7 government run shelters in South Africa. Two of the 19 shelters that participated in the HBF and NSM study were government-run institutions.

## FUNDING OF SHELTERS

Shelters are funded through the 'Restorative Services' programme of the provincial budgets of the DSD. The Restorative Services programme makes provision for crime prevention initiatives, victim empowerment, and substance abuse, prevention and rehabilitation. It is difficult to do a historical trend analysis of funding to this programme as DSD revised its budget structure in 2014/15. In terms of the old structure,

provincial departments only had 3 programmes, namely Administration, Social Welfare Services and Research and Development. The main reason for reforming the budget structure was to develop a separate programme for services to children and families. Provinces now allocate funding to 5 programmes, namely Administration, Social Welfare Services, Children and Families, Restorative Services and Development and Research. The table below shows the Restorative Services programme expenditure by province in relation to the total social development budget in the period from 2010/11 to 2016/17:<sup>14</sup>

**TABLE 1: RESTORATIVE SERVICES PROGRAMME EXPENDITURE BY PROVINCE AS A PERCENTAGE OF THE TOTAL SOCIAL DEVELOPMENT BUDGET, 2010/11 – 2013/14 AND 2013/14 – 2016/17**

PROVINCE	PROVINCIAL EXPENDITURE ON RESTORATIVE SERVICES IN 2010/11 – 2013/14	PROVINCIAL EXPENDITURE ON RESTORATIVE SERVICES IN 2013/14 – 2016/17
Eastern Cape	7.9%	12.3%
Free State	8.6%	11.1%
Gauteng	10.8%	10.6%
KwaZulu-Natal	8.9%	10.8%
Limpopo	2.9%	11.9%
Mpumalanga	6.7%	7.5%
Northern Cape	18.2%	19.8%
North West	14.8%	15.2%
Western Cape	16%	15.9%

The table shows the percentage range for the Restorative Services programme as being between 2.9 percent to 18.2 percent of the total social development budget in 2010/11 – 2013/14 and between 7.5 percent to 19.8 in 2013/14 – 2016/17. It must be borne in mind that expenditure on shelter services are but one component of the Restorative Services programme. The percentage of the Restorative Services programme allocated to victim empowerment ranged from 7 percent to 23 percent across the provinces in 2013/14,<sup>15</sup> not even a quarter of the Restorative Services budget in any of the provinces. The demand for social welfare services are projected to have almost doubled between 2010/11 and 2016/17. Notwithstanding this increase in expenditure on the whole, funding allocated to the Restorative Services programme across provinces has increased disproportionately. In real terms this increase ranges between 1 percent (in the Western Cape) and 22 percent in the Free State.<sup>16</sup>

In the period 2010/11 – 2013/14, transfers and subsidies to NPOs grew by 11.2 percent annually from R3.7 billion to R5.1 billion, an estimated 37 percent of the social development budget. It is expected to grow at an average annual rate of 8 percent between 2013/14 – 2016/17.<sup>17</sup> However, this is not enough. At a mere 1 percent of the total DSD budget at national level, it is not meeting social welfare demands. In the context of shelter services to domestic violence victims, the state is failing in its duty to provide adequate support in ways that promote the notion of substantive equality. This has resulted in a situation where most shelters operate in precarious situations with funding being an ongoing struggle. Most have, at some point, come to a point of crisis and faced closure. In the context of 275 536 applications for interim protection orders in 2015/2016, this is a travesty in terms of the due diligence that should be exercised by the state in providing recourse to victims of domestic violence.

<sup>14</sup> Table collated from information sourced from Provincial Budget and Expenditure Review, 2010/11 – 2016/17, National Treasury

<sup>15</sup> Budlender D and Francis F, 2014

<sup>16</sup> Provincial Budget and Expenditure Review, 2010/11 – 2016/17, National Treasury.

<sup>17</sup> Ibid.

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## WHAT DOES THE DATA TELL US ABOUT THE PROFILE OF WOMEN, HOW THEY ACCESS SHELTERS AND THE SERVICE CHALLENGES EXPERIENCED BY THE SHELTERS?

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### PROFILE OF WOMEN ACCESSING SHELTERS

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Most women are young and under the age of 36. Most have limited education; are unemployed and have limited access to other forms of income such as child support grants. Most also access shelters with their children. Shelters therefore had to cover the practical and day-to-day costs of most of the women, including costs related to the care of their children.

### ADMISSIONS TO SHELTERS

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Most shelters offer accommodation of between 3 - 6 months. Under exceptional circumstances, an extension of stay can be granted but this is not a recourse that shelters generally employ as doing so poses a financial challenge to them. In the Western Cape, for example, DSD restricts its funding contribution per resident to a 3-month accommodation stay. The cost of providing accommodation beyond this time-frame must be funded from other sources. In KwaZulu-Natal, shelters are set targets that they need to meet (i.e. a certain number of beneficiaries that must receive accommodation and psychosocial support services on a quarterly and annual basis). A prolonged stay at the shelter therefore decreases the number of beneficiaries that they can accommodate. A failure to meet set targets in terms of the number of beneficiaries reached may result in future funding decreases.

Social workers argue that a 3-6 month stay is insufficient to render a holistic service that is able to effect long-lasting change. It is also insufficient time to adequately prepare women for exiting from their relationships and setting up a home on their own should they so wish. Most shelters do not have the facilities or the capacity to offer second-stage housing. There is therefore a dire need in South Africa for women to have access to second-stage housing.

Most shelters have criteria in terms of admission. The research interviews indicate that some of the more common reasons for exclusions are if women are not South African citizens, if they have male children over a certain age and if they have a disability or mental health issues (these exclusions depend on the shelter's capacity – financial and expertise - to respond to these specific needs). Shelters will, however, always try their best to find the means to assist those who do not meet the criteria. This nonetheless reflects a gap in services for those who do not meet the criteria.

### SERVICES OFFERED AT SHELTERS

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In terms of the services offered to victims, shelters provide accommodation; 3 meals a day; toiletries or care packs; psycho-social support; skills-development programmes and assistance with health and legal matters such as accessing protection orders,<sup>18</sup> following up on domestic violence cases and assistance with divorce and maintenance issues. They also assist women with applying for grants and with applying for (or renewing) identity documents.

The approach to skills-development varies from shelter to shelter. There are 3 broad types of programmes. The first of these can be categorised as a programmes aimed at healing and restoring a sense of self and includes life-skills, mindfulness programmes, and initiatives that seek to help women recover from the trauma that they have experienced. Some shelters also encourage some level of exercise and physical activity. Most shelters also include programmes that seek to create an awareness of human rights and gender issues.

The second category of programmes relates to arts and crafts-type activities such as beading, painting, sewing and knitting. These programmes are meant to be therapeutic in nature and also offer the potential for income generation through the sales of crafts made. At a precursory glance, it would appear that income generated in this way is limited.

The third category of interventions are aimed at facilitating employment and include activities such as catering, computer literacy, finance management, employment readiness, and the compilation of CVs. The success of these initiatives in assisting women to find employment seems to depend on the way in which the programme is set up and the extent to which it prepares women for entering the job market. Some shelters set the women up in job placement programmes which seem to have a significant impact in boosting women's confidence to enter the job market. For example, in partnership with ABSA bank, shelter residents at one Gauteng-based shelter, undergo job shadowing at the bank to boost confidence in a work environment. They also report that 90% of the women who are trained in furniture upholstery are offered full-time employment, an indication that where skills programmes match needs in the market, the programmes can have a real impact in terms of assisting the women to become economically independent.

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<sup>18</sup> A legal mechanism aimed at preventing acts of domestic violence.

Given that most of the women at the shelters do not have an education and being economically active is important in helping them to leave violent relationships, these programmes are critical. However, there appears to be a need to ensure that they are more targeted, resourced and effective in assisting women to find entry-level employment. Within the context of little to no resources for such programmes, it would be interesting to see what could be achieved if the programmes were properly resourced.

## SERVICES OFFERED TO CHILDREN

In terms of the services offered to children, basic psycho-social support in the form of play and art therapy is on offer by most but not all shelters, as this requires a specific skills set that social workers are not all trained in. Children are often referred to outside specialists, such as Childline, for more in-depth psycho-social intervention. Some shelters are able to provide the facilities of a crèche with early-childhood development programmes on-site or have formed working relationships with crèches in the local community. In general, shelters have limited programmes for children. Some offer education outings, but this is contingent on the availability of resources.

A key service offering by shelters is assistance with school transfers (when deemed necessary) and ensuring that children are able to access schooling by providing transport or transport monies to get to school. Shelters also assist with costs related to schooling such as with the purchasing of school uniforms and stationery when needed. As shelters do not directly receive funding for services provided to children, this emerges as a policy issue requiring serious attention.

## STAFFING

Shelters generally require 3 kinds of staff members, those who take on administrative tasks and focus on the running of the shelter, including financial management and fund-raising, such as shelter managers; those who provide security and maintenance and upkeep of the shelter; and those who provide direct services to residents, such as social workers, social auxiliary workers, care workers, child minders and house mothers.

Shelters, on average, are not able to employ the staff required to meet the needs of shelter residents. Staff members therefore sometimes act in multiple roles to provide the services needed. This was particularly evident in 4 Mpumalanga shelters where one staff member in each shelter played the dual role of shelter manager and social worker.<sup>19</sup> DSD funding in the form of post-subsidies is minimal and limited to a few personnel. Most shelters depend on volunteer services to augment a meagre staff complement. Most of this work is not valued much in monetary terms, as is the case with most work provided in the care

economy. For example, the position of 'house mother' is a critical one, as this person is tasked with managing the smooth running of the shelter, including providing the necessary support to residents. Ideally, there should be at least 3 people taking on the role, so that shifts can be shared between day and night-time work and when leave is required. The house mother, care workers/care givers and social workers are critical resources to shelters, yet these posts are under-funded and remunerated at a low pay level. While social workers salaries are generally subsidised at a much higher rate than centre managers and other personnel, they earn much less than social workers employed by government departments. Not all provincial DSDs provide subsidies for centre/shelter managers despite the "**Minimum Standards on Shelters for Abused Women**" specifying that shelters must be run by responsible management. House mothers in the Western Cape, Gauteng and KwaZulu-Natal shelters are generally remunerated at a rate of about R2000 – R2500 per month while care workers at some Mpumalanga shelters earn as little as R1800 a month i.e. R50 a day. This is an indication of how care work is grossly under-resourced and undervalued.

Needless to say, inadequate funding for staff posts places a significant financial burden on the shelter to pay their staff market-related salaries. Given the funding challenges faced by shelters, staff morale is often impacted upon, notwithstanding their commitment and dedication. Staff turnover is affected when funding becomes a crisis. Many shelters are simply not able to afford the number of staff required, placing strain on staff members who are already thinly stretched.

## FUNDING

Funding emerged as the single biggest challenge facing the shelters. Most have gone through a funding crisis at one point or another, which resulted in them facing imminent closure or having to drastically reduce services. Few shelters reported to not have had funding challenges and/or funding shortfalls in the past 5 years. Of exception were a few who had managed to fundraise to build up some reserves which should be the norm for a financially stable organisation. Another example was a government-run shelter in Mpumalanga which operates on an annual budget of R1.1 million. The shelter manager reports that their expenses are fully covered by DSD. Another shelter, located in a government facility, operates on a budget of R28 million, by far the largest sum of funding, but this funding is provided by the Department of Community Safety. Ironically, this shelter does not receive funding from DSD other than the salaried positions of staff employed by another organisation to offer shelter residents psychosocial services. This shelter stands out as an example of a situation where a shelter is adequately funded, can provide the requisite services without taking strain and has a good partnership with the government department it receives its funding from. This illustrates that a different kind of

<sup>19</sup> This has since changed but not without creating another imbalance. In 2016/2017, Mpumalanga DSD mandated all shelters to employ social workers and provided a subsidy to cover the employment of the new personnel. At the same time, however, it cut its general funding to shelters. This has resulted in some shelters having to let go of other personnel. Social workers also earn significantly more than current shelter managers.

funding model and partnership with government is within the realm of possibility.

The DSD funding “model” varies from province to province and there is a dire need for both reviewing the model as it is not working well, as well as ensuring uniformity across the provinces. On the whole, the DSD seems to adopt an approach of funding a rate per ‘bed’ per day. This is true of every provincial DSD except for Mpumalanga, which provides a lump sum of funding disbursed in quarterly tranches, but which does not specify unit rate contributions nor does it refer to salary subsidies. Other than unit rate contributions, other provincial DSDs provide subsidies for salaried positions such as that of social workers and that of the housemother. At times, this includes the centre/shelter managers and even youth care workers but this varies from province to province. In some instances, DSD contributes funding towards community awareness campaigns, care packs for residents and some administrative expenses.

The rationale behind the funding model is difficult to understand. For example, most of the shelters face significant challenges in securing funding for basic necessities such as maintenance of their buildings (2 Mpumalanga shelters were in a particularly poor state of disrepair), security for keeping residents safe and skills development programmes for residents. The provision of skills development programmes are a requirement from DSD, but often an unfunded mandate, placing the burden of funding for these initiatives squarely on the shoulders of NPOs.

The approach of funding ‘beds’ without contributing, for example, towards the building within which the beds are housed and the security for keeping residents safe, is a serious abdication of responsibility on the part of the state. In very basic terms, there can be no beds without the building. There can be no people sleeping safely in the beds, without adequate security measures. In addition, the per diem rate at which the ‘women’ or ‘beds’ are funded is hopelessly inadequate. In KwaZulu-Natal, it amounted to a rate of R63 at the time of conducting the study but has since increased to R67. In the Western Cape and in Gauteng, the unit rate averaged at a rate of about R50 a day. This unit rate contribution is meant to cover residents’ accommodation, their 3 meals a day, transport costs and other day-to-day expenses. This is wholly insufficient, and as has been pointed out, the shelters cannot exist on a ‘bed’ rate in isolation of the range of other costs that are required to keep them in operation. The majority of shelters are compelled to source additional funding to make up funding shortfalls, an area of work that detracts from the focus of the provision of services. The funding of services to children is virtually absent and as a consequence, the service priority is on the women at the shelter. There is a serious social cost to not adequately addressing and investing in children who are victims of domestic violence and if we are serious, as a country, about raising a generation of children who are well adjusted and healthy from a psycho-social perspective, then investing adequately in their service needs post-trauma, must be a policy priority.

Almost all (13 of 17) NPO-run shelters that participated in the study specifically cited delays in funding tranches from DSD as a debilitating source of strain. This impacted negatively on service delivery, affected staff morale and placed shelters in situations where they had to go into debt in order to honour payment commitments. Organisations that are fortunate to have built up savings rely quite heavily on these savings during these times. For those who do not have this “luxury,” the impact is very significant. For example, two Mpumalanga shelters had to borrow money to buy food for their residents when funding tranches from DSD were delayed. In such situations, staff at shelters are forced to forego salaries for up to three months at times. For those who do not have this “luxury” the impact is very significant. For example, two Mpumalanga shelters specifically spoke of having to borrow money to buy food for their residents when funding tranches from DSD were delayed. Staff in these (as well as in other shelters that do not have sufficient reserves from which to borrow from during these delays) are forced to forego salaries for as much as up to three months at times. It would be a serious breach of contract if an NPO had to renege on any part of its commitment in its Service Level Agreement with the DSD. Given the skewed power relationships between DSD and NPOs, NPOs have limited recourse to hold DSD accountable when it reneges on its commitments. Although some organisations have tried. In 2010, the problematic funding model and manner in which DSD handled the disbursement of funds to NPOs resulted in a court case lodged by the National Association of Welfare Organisations and Non Government Organisations (NAWONGA) against the MEC for Social Development in the Free State. The court found in favour of NAWONGA and DSD was instructed to revise its funding model to NPOs.

To date, an appropriate, socially equitable and structurally efficient funding model has still not been developed, notwithstanding attempts made. When the services that shelters provide are already in short supply, we cannot afford a situation where shelters are struggling to survive due to inadequate and irregular funding. In a country beset with high rates of violence against women and children, we cannot afford to have shelters shut down.

An additional challenge that emerged as a significant source of frustration was the red tape associated with DSD funding. The administrative procedures associated with DSD funding are cumbersome and subject to change with short notice. They take up a tremendous amount of time and pose unnecessary stress to shelter management. One shelter took a principled decision to give up DSD funding as a result. Of interest, is the fact that almost all the shelters described their relationship with DSD as being a positive one, notwithstanding the many challenges cited. Given that NPOs are largely dependent on DSD funding, it might be prudent for them to do so.

## RESEARCH FINDINGS: MPUMALANGA & KWAZULU-NATAL DSD BUDGET ALLOCATIONS

For the 2015/2016 financial year (according to its 2014 Budget Vote), MP DSD had planned to increase the Restorative Services budget by over 51%. Of the overall allocation of just over R145 million, 23% (R32,798 million) was allocated to transfers and subsidies to Non-Profit Organisations. However, the final Restorative Services budget appropriation from 2014/2015 to 2015/2016 reflects a mere 13% increase for VEP services. Consequently, VEP has the lowest budget allocation of the Restorative Services four sub-programmes – a mere

15% of the overall Restorative Services budget and 1.7% of the Departments overall budget of R1.2 billion.<sup>20</sup>

In the 2015/2016 financial year, MP DSD under-spent in all four sub-programmes of the Restorative Services programme culminating in an overall under-expenditure of just over R10 million (refer to Table 2). VEP was the second least spent-on sub-programme.

**TABLE 2: MP RESTORATIVE SERVICES 2015/16 BUDGET FINAL APPROPRIATION & ACTUAL EXPENDITURE**

SUB-PROGRAMME	FINAL APPROPRIATION R'000	ACTUAL EXPENDITURE R'000	VARIANCE	% OF TOTAL BUDGET ON ACTUAL EXPENDITURE
Management and support	34 841	27 918	6 923	21
Crime prevention and support	52 135	51 019	1 116	38
Victim empowerment	21 597	20 368	1 229	15
Substance abuse, prevention & rehabilitation	36 497	35 696	801	26
<b>Total Expenditure</b>	<b>145 070</b>	<b>135 001</b>	<b>10 069</b>	<b>100</b>

Source: MP DSD Annual Report presented to MP Provincial Legislature, October 2016.

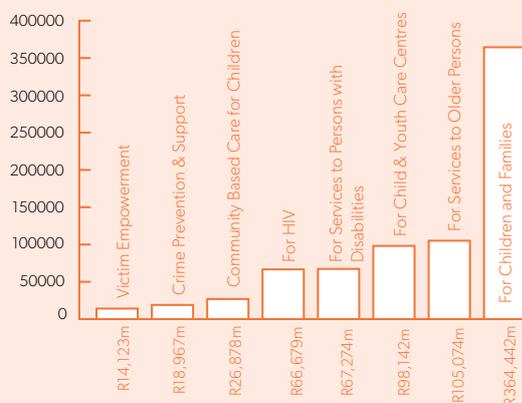
In its 2014 budget vote, KwaZulu-Natal (KZN) DSD had planned to allocate R284,950 million of its budget to Restorative Services for the 2015/2016 financial year. Of this amount, VEP was to receive the second lowest budget allocation of the Restorative Services four subprograms. However, actual expenditure, according to the KZN DSD Annual Report, reveals that VEP was the least spent-on subprogram of the Restorative Services Budget. Of the R283,062 million Restorative Services budget, 10% (R28,277 million) was spent on the VEP. The VEP allocation amounts to a mere 1% of the Departments overall budget of slightly over R2.6 billion.

Of the R28,2 million VEP expenditure about half (R14,123m) was transferred to NPOs rendering welfare and shelter for women ser-

vices. As can be seen by the graph, despite victim empowerment, and more specifically the provision of shelters, being a national priority, the amount allocated to NPOs working in the victim empowerment sector was less than the amount transferred to NPOs for other social welfare service areas in KZN.

Of the slightly over R14 million for Victim Empowerment, a little more than half (R7,169 million) was used to fund a total of 11 KZN shelters for women. The unit rate subsidy that the Department allocated to these shelters on a per-women per-day basis was R63 – an increase of R1 from the 2014/2015 subsidy of R62.

### KWAZULU-NATAL DSD BUDGET ALLOCATIONS



### DAILY UNIT RATE SUBSIDY IN KWAZULU-NATAL



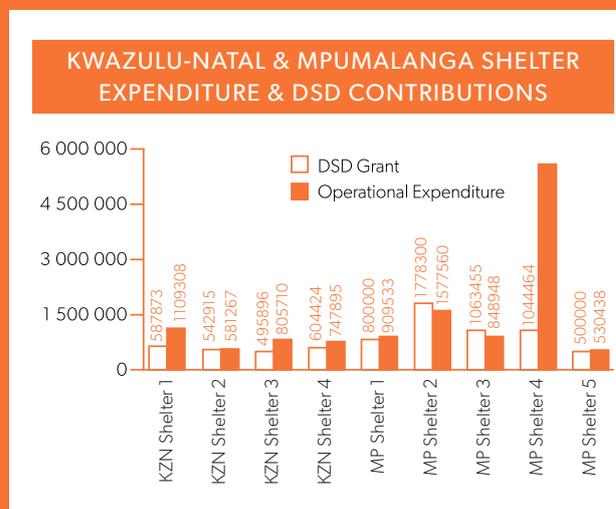
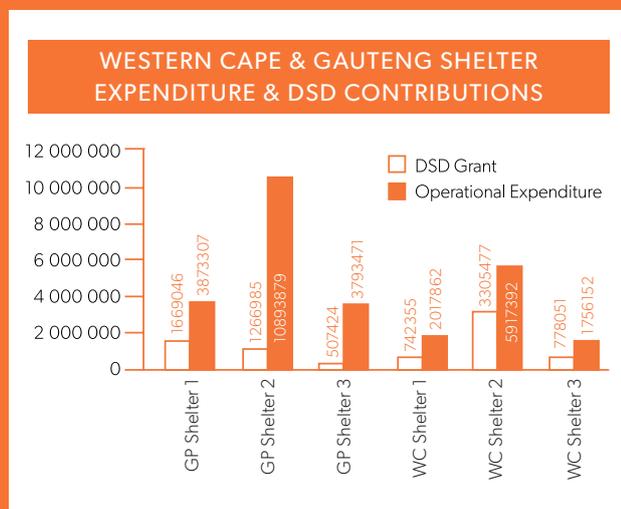
In 2015/2016 R63 per day equated to a monthly contribution per women at a rate of R1,916.25. In comparison, Child and Youth Care facilities received R2,372 per child on a monthly basis.<sup>21</sup>

<sup>20</sup> It is important to note however that only 19.2% of the Restorative budget was actually earmarked for transfers to NPO's delivering social crime prevention services, shelters for victims of abuse and services on prevention, and treatment of substance abuse (MP Provincial Treasury, Estimates of Provincial Revenue and Expenditure 2016/2016).

<sup>21</sup> DSD Review on the White Paper, 2016.

## SHELTER EXPENDITURE AND DSD CONTRIBUTIONS OF SHELTERS WHO PARTICIPATED IN THE STUDY

A total of 19 shelters participated in the study. Graphs 1 and 2 reflect the expenditure<sup>22</sup> of most of these shelters and the amount of funding provided by DSD.<sup>23</sup>



As can be seen from the graphs, the full cost of operating a shelter exceeded the contribution of DSD for the majority of shelters. For some, the variance was rather significant such as in the case of all 3 Gauteng shelters and Shelter 5 in Mpumalanga. These organisations offer a range of other programmatic services in addition to sheltering services. For example, the operating expenditure of just under R3.7 million for Shelter 1 in Gauteng includes the costs of providing victim empowerment support services at various police stations in addition to those associated to the running of the organisation's 2 shelters for women. In 2015/2016 VEP funding from DSD for the 2 shelters amounted to just over R1.66 million. This funding contributes to 75% of shelter personnel remuneration expenses and a minimal amount goes to the costs of operating the shelter. For example, on a monthly basis at 1 of the shelters, DSD funding only contributes R600 to the shelter's utility bills (i.e. water, electricity/gas), telephone and stationery expenses. Considering that the shelter accommodates 16 women and children on a monthly basis, R600 is not enough to cover the utility costs, let alone other administrative expenses. Shelter 2 in Gauteng also provides services to 'vulnerable' groups in addition to the provision of shelter services for women. In 2015/2016, the shelter received a grant of just over R1.2 million from DSD for beneficiary expenses and staff salaries. This funding only contributes to 65% of staff salaries. Running the shelter, including the other programmes on site, is costly. Bills for water and electricity, for example, are sometimes as high as R40 000 a month. When a shelter runs into financial difficulties, it often manages by delaying the payment of salaries, by reducing services and other provisions to clients, and by cutting down on awareness-raising campaigns. While the full operational expenditure of Shelter 3 in Gauteng in the 2015/2016

financial year was R3.7million, the shelter expenses alone amounted to a total of R2 050 886. The DSD funding contribution of R507 424 thus only met 24% of operational expenses. While DSD VEP funding covers the cost of running Shelter 5 in Mpumalanga, the shelter manager notes that their rent consumes the bulk of the budget, as does their groceries bill, as they make a point of ensuring that shelter residents are eating nutritional food. A challenge for the organisation is the lack of a motor vehicle, which DSD funding does not provide for. Not having a vehicle makes it difficult for the social worker and the housemothers to travel, especially at night, when there are urgent matters that need to be attended to. Their budget also does not make provision for building maintenance or security.

DSD funding for Shelter 1 in Mpumalanga was not sufficient to cover their operational costs for the year and they ended their financial year with a deficit of over R109 000. This shelter has tried to bring in alternative sources of funding, such as placing a donation box at a local tourist site, but this has brought in insignificant amounts of money. In 2016/2017, DSD funding to the shelter decreased by R200 000 – the reason cited by the Department for the reduction was that it needed the funds to fund another programme.

In the Western Cape, DSD funding contributions to three shelters ranged from 37% - 56% of operational expenditure. DSD funding to shelter 1 covers less than a 1/3<sup>rd</sup> of the shelters budget. While DSD also funds the shelters crèche, it does so at a rate of R15 per child per day – a contribution that does not in any meaningful way help the shelter to meet the nutritional and educational needs of the children. The shelter is finding it increasingly difficult to access

<sup>22</sup> As per Audited Financial Statements.

<sup>23</sup> For the purposes of this policy brief, these graphs do not include the income and expenditure of the government-run shelter in Mpumalanga nor the shelter that is funded by the Department of Community Safety in Gauteng.

funding to cover their operational costs. The shelter has adopted various cost-cutting measures, such as by switching from electricity to gas, but these measures result in minimal savings while costs of living continue to increase. At the time of the interview, the shelter did not have sufficient funding to cover its full costs for that month. Shelter 2 operates the only Khusuleka model in the province. The model has improved the centre's relationships with government and provided their clients with greater access to and prioritisation of services, the downside however is that there is no real monetary gain to running such a model. The shelter's annual operating budget is R8.6 million but this often depends on the funding that the shelter is able to source. In 2015/2016, DSD funding covered a little more than half (56%) of the shelters expenditure of near on R6 million that year. The shelter has to dedicate significant time and energy to raising the short-fall – made more challenging by changing trends in the donor environment. At the time of the research, the shelter had just been informed that it was losing one of its long-term funders - sheltering was no longer a priority focus for this donor. Shelter 3 ran at a deficit of just over R80 thousand in the 2015/2016 financial year. DSD funding had only helped cover 44% of the shelters expenses for that year. Fortunately, a funding application that the shelter had made to the National Lottery was approved in early 2016. This brought some reprieve to a stressful start of that financial year.

The full costs of operating the shelter also exceeded the contribution of KwaZulu-Natal DSD in all 4 KwaZulu-Natal based shelters. The shortfall was rather significant for Shelter 1 (deficit of R521,435) and shelter 3 (R309,814). Shelters managers, with the assistance of volunteers in some instances, dedicate a significant amount of their time to fundraising to cover shortfalls in salaries and running costs.

As a result of their efforts, 2 shelters have been able to purchase the buildings that the shelters are located in and most shelters receive regular in-kind donations of groceries and other goods from local businesses. Donations of this kind have helped shelters to reduce operating costs. Donor funding is not, however, guaranteed or predictable. Yet, in 2015/2016 the DSD in KwaZulu-Natal underspent on its budget by a total of R98 million, 15% of which was attributed to non-payment of NPOs.<sup>24</sup> This was partly linked to 3 three NPOs having shut down.<sup>25</sup>

The only 2 shelters whose operational expenses were less than their budget from DSD were based in Mpumalanga. DSD funding to Shelter 2 in Mpumalanga generally only covers 80% of their operational costs. The rest is usually sourced from other donors. The shelter would have run at a financial loss of over R140 000 in the 2014/2015 financial year had it not been for funding from the National Lottery. In 2015/2016, DSD was their sole funder. The shelter thus reduced their operational expenditure in that year. Shelter 3 in Mpumalanga is also currently solely funded by DSD. While the funding from DSD in the financial year of 2015/2016 proved adequately for the shelter to meet its operational expenses, the shelter building (which was donated) was however in a dilapidated state, with one room intended to house clients not suitable for habitation on account of extensive damage to the roof and cracks in the walls. The boundary wall of the shelter has collapsed, which further compromised the security of the shelter. At the time of the study, the shelter was awaiting approval from DSD before renovations could be conducted.

**"The approach of funding 'beds' without contributing towards the building within which the beds are housed and the security for keeping residents safe, is a serious abdication of responsibility on the part of the state. In very basic terms, there can be no beds without the building. There can be no people sleeping safely in the beds, without adequate security measures. In addition, the per diem rate at which the 'beds' are funded is inadequate. When the services that shelters provide are already in short supply, we cannot afford a situation where shelters are struggling to survive due to inadequate and irregular funding. In a country beset with high rates of violence against women and children, we cannot afford to have shelters shut down."**

<sup>24</sup> *Ibid*

<sup>25</sup> *Lopes C and Mpani P, 2017.*

## THE POLICY ROAD AHEAD – STRATEGIC SPACES FOR INTERVENTION

"In relation to shelter services, there is no legislation at present that places a direct duty on a government department to fund shelters for victims of gender-based violence."

### WHAT ARE THE POLICY PRIORITIES?

In September 2017, at a meeting with the Multi-Party Women's Caucus in Parliament, the Minister of Social Development, Bathabile Dlamini, reported that DSD had developed a draft *Victim Empowerment Support Services Bill*, which has gone to Cabinet for approval. The purpose of the bill is to regulate victim empowerment services, especially shelters for abused women and children. The legislation is intended to close the gaps in existing victim empowerment legislation.

The draft Victim Empowerment Support Services Bill makes provision for the establishment of Khusuleka One-Stop Centres, shelters for victims of crime and violence, and White Door Safe Spaces.

But while the Bill also makes provision for the establishment of a National Victim Empowerment Committee to co-ordinate victim empowerment services, the bill is still silent on the establishment and funding of shelters. The bill presents a strategic opportunity for social advocacy and mobilisation in developing a policy response to shelters that addresses the current gaps and loopholes of the existing legislative and policy framework. Active engagement with the bill is necessary from civil society as the drafts to date have been disappointing and lacking in the content needed to address the plight faced by shelters.

Based on the research, the following is a summary of the areas of policy reform that should be prioritised:

- **Adequate funding of statutory services:** While legislation makes provision for victims of domestic violence to be referred to a shelter, the state has relinquished responsibility for adequately funding shelters. This must be addressed within a legislative/ policy framework.
- **Develop a resourcing strategy:** The MTSF (2014 – 2019) requires that social development funding is improved by developing a resourcing strategy that will include funding norms and standards. The strategy must ensure adequate resourcing and should use

incentives to promote integration (e.g. by allowing for budget pooling or special ring-fenced funding for integrated services and ensuring a coherent social welfare system that integrates well with other sector departments).

- **Rework the funding model and ensure uniformity across the provinces:** The funding model utilised by DSD to fund shelters must be overhauled and reworked, taking into account the contextual realities faced by shelters and the needs of domestic violence victims. The same model should be applied to all the provinces. The model should be adequately funded, properly structured, efficiently administered and financially viable.
- **Reduce red tape and ensure timeous payment of tranches:** DSD should lessen the administrative burden entailed in the submission of reports on the part of NPOs. Simple, effective ways of reporting should be devised that are not unnecessarily onerous. In addition, DSD must ensure predictability by adhering to payment schedules - all payments must be made on time, mindful of the financial strain on NPOs and, in turn, on domestic violence victims, when NPOs are not paid on time.
- **Adequate funding for services provided to children:** The revised funding model needs to cost and provide for comprehensive services for children at shelters. These costs should be offset against the long-term cost to society for not providing appropriate recourse to children who are victims of violence.
- **Equalised partnerships:** The 'partnership' between DSD and NPOs should be built upon the notion of an equal partnership. In such a partnership, the power relationships are equalised and NPOs have an important role to play in giving feedback in what works and what does not work. One practical example here is that NPOs should provide DSD with insight into developing reporting and administrative mechanisms that are designed to hold them accountable in ways that are efficient, effective and not cumbersome.

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Designed by Tamzyn La Gorce

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