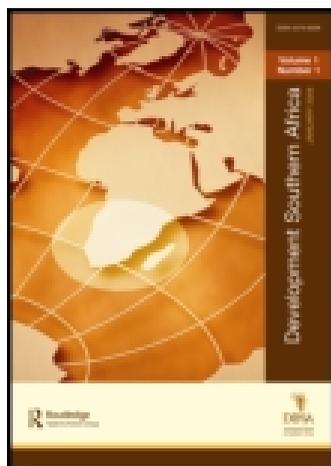


This article was downloaded by: [University of Pretoria]

On: 22 January 2015, At: 23:39

Publisher: Routledge

Informa Ltd Registered in England and Wales Registered Number: 1072954 Registered office: Mortimer House, 37-41 Mortimer Street, London W1T 3JH, UK



## Development Southern Africa

Publication details, including instructions for authors and subscription information:

<http://www.tandfonline.com/loi/cdsa20>

### Government responses to street homelessness in South Africa

Vinothan Naidoo<sup>a</sup>

<sup>a</sup> Department of Political Studies, University of Cape Town

Published online: 05 Feb 2010.

To cite this article: Vinothan Naidoo (2010) Government responses to street homelessness in South Africa, *Development Southern Africa*, 27:1, 129-141, DOI: [10.1080/03768350903519408](https://doi.org/10.1080/03768350903519408)

To link to this article: <http://dx.doi.org/10.1080/03768350903519408>

PLEASE SCROLL DOWN FOR ARTICLE

Taylor & Francis makes every effort to ensure the accuracy of all the information (the "Content") contained in the publications on our platform. However, Taylor & Francis, our agents, and our licensors make no representations or warranties whatsoever as to the accuracy, completeness, or suitability for any purpose of the Content. Any opinions and views expressed in this publication are the opinions and views of the authors, and are not the views of or endorsed by Taylor & Francis. The accuracy of the Content should not be relied upon and should be independently verified with primary sources of information. Taylor and Francis shall not be liable for any losses, actions, claims, proceedings, demands, costs, expenses, damages, and other liabilities whatsoever or howsoever caused arising directly or indirectly in connection with, in relation to or arising out of the use of the Content.

This article may be used for research, teaching, and private study purposes. Any substantial or systematic reproduction, redistribution, reselling, loan, sub-licensing, systematic supply, or distribution in any form to anyone is expressly forbidden. Terms & Conditions of access and use can be found at <http://www.tandfonline.com/page/terms-and-conditions>

# Government responses to street homelessness in South Africa

Vinothan Naidoo

*This paper reviews government responses intended to assist the street homeless in South Africa. The paper demonstrates that in South Africa the legislation and policy responses to the problem of street homelessness have been to a great extent shaped by the broader circumstances of a larger population living in informal housing, with whom the street homeless share intimate ties through social instability and economic poverty. This context has resulted in an intersectoral legislative and policy framework shaped mainly by two sectors – Social Welfare and Housing – that has prioritised various preventive measures to reduce the structural, social and economic risks and vulnerability of becoming homeless on the street. Given its nature, this framework has been and continues to be highly dependent on effective collaboration and coordination between government departments.*

**Keywords:** homelessness; street homelessness; welfare housing; public sector housing

## 1. Introduction

This paper reviews government responses to homelessness in South Africa, with a specific focus on the street homeless with no fixed shelter. It addresses the following question: given the socio-economic complexity of homelessness, how have the specific needs of the street homeless been addressed in view of the broader demands of a larger population who live in informal or inadequate housing? Guided by this question, the paper reviews the legislative and policy frameworks for the street homeless. It specifically analyses the content, and the related challenges, of government interventions being carried out within these frameworks.

The paper draws on legislative, policy and technical documents generated by government departments, and interviews with government officials and law makers during 2005, including subsequent formal communication with these officials in order to update information. It is concerned, in particular, with responses to homelessness by national and provincial government in South Africa. To obtain a fuller picture of the state's response, the paper should be read in conjunction with du Toit's (2005) research on local (metropolitan) government responses to homelessness, given the increasingly important role of large cities in instituting measures to assist the urban street homeless.

## 2. Defining homelessness in South Africa

Street 'homelessness' is a visible manifestation of being without shelter. The nature and extent of socio-economic poverty in South Africa has, however, meant that the notion of being homeless has been subsumed under a broader definitional umbrella, where significant numbers of people have access to shelter but where the quality of these structures is judged as being inadequate. The consequence of this situation has been a shared response

---

Senior Lecturer, Department of Political Studies, University of Cape Town. Correspondence: [vinothan.naidoo@uct.ac.za](mailto:vinothan.naidoo@uct.ac.za)

mainly by two government sectors – Housing and Social Welfare – to alleviating underlying problems affecting the homeless.

This broader definition of homelessness, embracing both absence and poor quality of shelter, has been used by a number of researchers with reference to South Africa. Most notable is Olufemi, whose inner-city survey of Johannesburg defines the homeless as including, inter alia, ‘those living in squatter/shack housing; [as well as] those living on the streets or pavements (chronic or transient homeless)’ (1998:227). Elsewhere he observes that several social and economic factors have ‘aggravated’ the risk of homelessness: poverty, non-affordability of rent, unemployment, family disintegration, physical abuse, lack of skills, partial education or none, and violence (Olufemi, 2002:460). Racially segregated and highly restricted urban settlement for Africans under apartheid contributed to these social and economic problems, as Olufemi explains with reference to Johannesburg:

The chronic African housing crisis and the associated proliferation of sub-letting and squatting that are the hallmarks of contemporary Johannesburg have their roots in the apartheid policy of restricting African participation in expanding the economy of Johannesburg and preventing large-scale building of new housing. (1998:225)

Aliber similarly describes the homeless as an ‘amorphous category’ (2002:12) among the poor, generally meaning hundreds of thousands of people living in informal squatter settlements. In describing the economic conditions of this segment of the poor, he notes that ‘[m]any are former farm workers... wage earners in urban areas who cannot afford decent housing there, and for whom the costs of commuting into and out of the city are a significant burden’ (Aliber, 2002:12). Like Olufemi, Aliber refers to the social and economic factors that aggravate homelessness, adding that although those people living ‘on the street’ might represent a different category, there was ‘no clear line separating the two’ – although the street homeless were typically lone individuals or children who had severed ties with disintegrating families or lost ties with social networks.

In his paper on metropolitan government responses to homelessness, du Toit (2005) also describes the social and economic complexity that accompanies a wider definition of homelessness, pointing out that an informal Human Sciences Research Council study (Aliber et al., 2004) observed that many of the ‘homeless’ individuals taking shelter in front of its building in Pretoria were not necessarily removed from society but function as part of social structures in informal settlements and townships surrounding the city, and had gravitated to the city in search of employment. This observation leads du Toit (2005) to suggest that the homeless population in South Africa can be roughly divided into three groups: *informal settlement dwellers*, *temporary overnight sleepers* and *detached homeless people*. For informal settlement dwellers and temporary overnight sleepers, who may have temporary access to inadequate forms of shelter, being homeless on the street is in part a way of coping with the difficulties of securing stable employment.

The social and economic complexity of street homelessness in South Africa is also observed by Rogerson (1998:15), who emphasises the need to differentiate the homeless from the community of urban poor living in inadequate shelter such as hostels, backyard shacks, garages and outbuildings. This complexity includes the question of who gets counted as ‘homeless’ within and across countries, which often reflects political and

related policy arguments. Tipple and Speak observe, for instance, that while homelessness as a concept varies considerably from country to country, and sometimes within countries, there is ‘little doubt that people living on the streets, under bridges, and in structures not designed for residence are homeless’ (2005:350). However, they point out that this broad definition is not fixed, and could include or exclude squatters or inadequately housed persons.

These varying definitions have made it difficult for the South African Government to distinguish the street homeless, in policy interventions, from people who are inadequately housed. Statistics South Africa has alluded to this difficulty when describing its experience counting homeless people in the 2001 Census. No published data appear to be available from this census on the size of the street homeless population, although Statistics South Africa reports that the homeless, defined as persons found living in the streets, in public toilets or under bridges, were counted (Statistics South Africa, n.d.). Statistics South Africa officials said 11 391 homeless persons were listed on their database, but acknowledged that there were on-the-ground difficulties with counting them and that this was likely to be an under-count (personal communication, 20 August 2007).

Statistics South Africa (n.d.:13) notes that an accurate count ‘requires a better understanding of “homelessness” and what it means in the South African context’. This candid admission is to some extent reflected in Tipple and Speak’s description of a vague and potentially shifting margin (also referred to as blurring the threshold) between homeless and inadequately housed, which could present difficulties for ‘estimating the scale of policy interventions needed’ (2005:350). Similarly, in considering the definitional, ideological, and socio-cultural ‘barriers’ to establishing a clear and consistent interpretation of homelessness, Olufemi (2002:456) finds that there is ‘remarkably little consensus among policy makers, researchers, local authorities and voluntary housing organisations as to the definition of “homeless”’, where the meaning attributed to homelessness has important implications for quantification and policy.

Observations such as these raise important questions about policy responses for the street homeless, intimately connected as they are in South Africa to a significantly larger population living in inadequate shelter. The following section considers a variety of definitions of homelessness, as a background to the analysis in Sections 3 and 4 of the intersectoral legislative and policy interventions adopted by two South African government sectors.

## 2.1 Some definitions of homelessness

South Africa, with its considerable social and economic development problems, offers a good illustration of the challenge government administrations face in trying to respond coherently to complex or dynamic societal phenomena with unknown or unanticipated characteristics. At the heart of this challenge is the need to formulate policy that encompasses this complexity but is at the same time unambiguous and can be implemented expediently. The following definitions give an idea of what policy has to cope with:

- Homelessness is a condition of ‘detachment from society, characterised by the absence or attenuation of the affiliative bonds that link settled persons to a network of interconnected social structures’ (Caplow et al., 1968:494, cited by Glasser, 1994:3).
- Carliner (1987:119 and 122) starts by asking whether homelessness is a housing problem. Although in one sense it surely must be by definition (i.e. lack of housing),

Carliner sees it as being closely linked to changes in the economy, demographics and income distribution, which can create housing problems in certain places and for certain populations.

- Hendler (1996:6) refers to the post-apartheid emphasis on ‘mass housing’ to ask how the circumstances of homelessness differ and to what degree responding to homelessness can be said to be about delivering houses to the poor, including low-cost or low-income housing, social housing and subsidised housing. He believes that these policy options do not necessarily show an appropriate concern for social and economic obstacles or individual capacities likely to cause or exacerbate the condition of being homeless.
- Burns (1992:3 and 11) argues that the source of homelessness is a syndrome that includes job losses, cutbacks in social funding and family instability. Because homelessness is clearly more than a lack of roofs, providing shelter is but one solution.

Definitions such as these confirm that the physical condition of being homeless (without shelter, i.e. ‘street homeless’) is driven or influenced by a variety of dynamic latent social and economic factors. With this background in mind, Sections 3 and 4 look at the legislative and public policy measures taken by the South African government to address street homelessness.

### **3. Legislative framework for homelessness**

Given the above definitions, and the South African context, we need to ask whether the legislative framework captures the complexity of the social and economic circumstances of street homelessness. This has a direct bearing on how the street homeless are defined in relation to the inadequately housed. The statutory responses to homelessness in general do appear to capture this complexity. National legislation in South Africa, while not dealing directly and specifically with ‘homelessness’ or the ‘street homeless’ in any one statute, does otherwise respond, through a variety of legislation, to the social and economic conditions or circumstances of the street homeless.

Perhaps the most visible legal reference to the issue of homelessness is in South Africa’s Constitution (Republic of South Africa [RSA], 1996), which recognises a need to redress past discriminatory practices and neglect related to shelter and social services. Section 26 of the Bill of Rights states ‘Everyone has the right to have access to adequate housing’. This wording, it could be argued, covers the circumstances of both the street homeless, who have no shelter at all, and those who do have access to shelter but which may be considered inadequate. The circumstances covered by section 26 are expanded in South Africa’s National Action Plan for the Promotion and Protection of Human Rights (RSA, 1998), which, although in strict terms a policy document, is directly informed by the Constitution. This Plan covers the special needs of the homeless (especially children), inherited racial disparities in access to and quality of shelter, disparities between rural and urban dwellers, and backlogs in moving informally sheltered individuals to more formal housing (Naidoo, 2003:30). There is further reference to shelter in section 28 of the Constitution’s Bill of Rights, which states that every child has the right to ‘basic nutrition, shelter, basic health care services and social services’.

Street homelessness, as argued above, means more than just lack of shelter: it is intimately connected with social and economic conditions. Such conditions, or at least the factors that influence them, are outlined in section 27 of the Constitution, which states that everyone has the right to have access to healthcare services, sufficient food

and water, social security and social assistance, and not to be refused emergency medical treatment. The Social Assistance Act (Act No. 13 of 2004) further specifies the state's responsibilities in this area by making provision for 'grant[s]-in-aid' and 'social relief of distress' (RSA, 2004). The National Health Act (Act No. 61 of 2003) also specifies a role for national health bodies in providing 'social' health services; however, it is not clear whether such services include those situations alluded to in section 27. This Act does, however, include the street homeless, as persons for whom access is acknowledged as being especially difficult (RSA, 2003).

The Housing Act (Act No. 107 of 1997 as amended) – while not referring to 'homelessness' by name, or even the situation of being 'homeless' – includes provisions such as section (1)(e)(iii), where national, provincial and local spheres of government must promote the 'establishment, development and maintenance of socially and economically viable communities and of safe and healthy living conditions to ensure the elimination and prevention of slums and slum conditions' (i.e. inadequate housing) (RSA, 1997). Sub-section (viii) of the same section also states that the government must promote the 'meeting of special housing needs including, but not limited to, the needs of the disabled'. These 'special housing needs' have in policy terms been extended to the building of shelters for temporary accommodation of the street homeless.

This has also been taken up, in legislative terms, in the provincial Social Welfare sector, where the Government of Gauteng passed the Gauteng Street Children Shelter Act (1998), administered by its Department of Welfare and Population Development (Gauteng Provincial Legislature, 1998). Although the Act deals mostly with the administration of shelters, its definition of street children not only covers the circumstances of children in survival situations and in need of shelter, but also recognises that their family environment, characterised by poverty, overcrowding and abuse, may have the effect of detaching them from caregivers, and thus from these sheltered settings.

Finally, the Children's Act (Act No. 38 of 2005) elaborates on section 28 of the Constitution by making explicit reference to children, as a distinct population group in vulnerable social and economic situations such as street homelessness (RSA, 2006). The Act, administered by the Department of Social Development (DoSD), refers to the provision of 'structures' as an intervention to ensure the social, emotional and intellectual development of children (section 2(d)), and also proposes other services that show evidence of a more comprehensive and fundamental appreciation of the latent vulnerabilities of street children. This includes the development and strengthening of community structures to help care for and protect children (section 2(e)); and the Act states (under the definition of 'child labour', which would in reality cover street-side begging) that children must not be required or permitted to perform work or provide services that are inappropriate to their age. The fact that homeless children often do adult work is evident in a number of local and international sources that document instances of children 'working' on the street but sleeping at home (see Dunford, 1996:32). Finally, the fact that street children are often seen working on the street was mentioned in various interviews conducted for this paper, including with the DoSD (24 February 2005), the Western Cape Department of Social Services and Poverty Alleviation (15 March 2005), and Safer Cities (Durban, 18 October 2004). Finally, in seeking to establish a 'best interest of the child' standard, the Act accepts that the 'capacity of parents' and caregivers to provide for the emotional, intellectual and other needs of the child will influence decisions about how appropriately they are being cared for (section 7(1)(c)).

The significance of the Children's Act is its acknowledgement of the latent social and economic constraints that affect children's welfare, taking into account the circumstances of their families and primary caregivers. The provision of structures is then not treated in isolation from the effect of these constraints.

The following section discusses policy measures taken by the South African government in response to street homelessness.

#### 4. Policy framework for homelessness

The policy framework for street homelessness, like the legislative framework, implements various sectoral interventions (primarily in the Housing and Social Welfare sectors) designed to address the complex social and economic context of the problem. However, it is clear from this shared response that there is a need to improve collaboration and coordination between departments.

##### 4.1 Housing sector

To understand the Housing sector's response to street homelessness, we need to look back to the 1994 White Paper on a New Housing and Policy Strategy for South Africa (Department of Housing [DoH], 1994), which, in its efforts to realise what it termed an 'effective' right to housing for all, stated that the government had a duty to refrain from taking steps to promote or cause homelessness. This statement suggests that the primary concern was to prevent the indirect exacerbation of homelessness, by progressively ensuring access to adequate housing for all (section 26 of the Constitution) rather than by seeking to reduce homelessness more directly. However, at the time this statement was made in 1994, the more urgent immediate task for the new Housing Ministry – prompted by the expectations of millions of people who had inadequate shelter as a consequence of apartheid planning – was to expedite the planning and delivery of better quality structures. But the White Paper's primary concern, to prevent the inadvertent promotion of homelessness by progressively improving *access* to adequate housing, is now beginning to bear fruit. For instance, the government and the courts have been presiding over cases of evictions, removals and relocations (Huchzermeyer, 2003; see also Hawker, 2007, on the topic of removals in the Joe Slovo settlement in Cape Town).

In its ongoing efforts to improve access to better housing, the DoH has, since 1994, prioritised the inadequately housed through interventions such as a social housing policy targeting persons with a secure low-to-medium income (DoH, 2003:4–5), and through a considerable financial investment in the refurbishment of informal settlements, and has also made provision for a more direct response to the conditions of the street homeless, defined in the 1994 White Paper (section 3.3.8) as 'special needs housing'. This has led to the provision of shelters through a transitional housing scheme that subsidises the refurbishment, provision and maintenance of temporary accommodation for persons wanting to make the transition from homelessness to more permanent accommodation (DoH, n.d. a).

This scheme has worked through an institutional subsidy programme overseen by the DoH, which has aimed to help qualifying organisations, such as non-governmental organisations (NGOs), refurbish existing buildings in urban areas to be used for accommodation (DoH, 2003:25). Information obtained from the DoH during the research for

this paper revealed that the scheme was being driven by provincial governments working with civil society intermediary organisations, who took responsibility for operating transitional shelters. At the time of writing, Gauteng and KwaZulu-Natal were implementing transitional housing.

A closer look at how the scheme has worked in practice shows that the underlying social and economic circumstances have not only determined the forms that street homelessness takes in South Africa, but also subsumed the street homeless under a larger population living in inadequate and unstable accommodation. While the rationale for the scheme is to create structures for people who have no access, or only limited access, to adequate housing – including the street homeless – the fact that the scheme offers only temporary shelter emphasises that it is in fact enabling these people to exit successfully into more permanent housing options.

Poulsen's evaluation of the transitional housing scheme in South Africa's largest city, Johannesburg, assessed the effectiveness of the scheme from the perspective of the 'least empowered community in the city: the homeless' (2000:2). Her research critically examines the 'transitional' objective of the scheme, by recognising at the outset the magnitude of the social and economic problems experienced by persons vulnerable to street homelessness, and the attendant difficulties of reducing their vulnerability. Some difficulties confronting the occupants of transitional structures were finding money for school fees to keep their children in school and for childcare so they could seek employment, the reality that even skilled individuals without jobs may simply struggle to find work, the resulting additional stress, and what Poulsen describes as a 'vicious cycle of poverty' (2000:9). The picture she paints is one in which many transitional beneficiaries find themselves having to continue in semi-permanent employment, which means that their circumstances are too socio-economically unstable for them to make the transition to more permanent housing options.

Lund et al. (2004) made similar observations from their comparative analysis of transitional housing schemes in Gauteng and KwaZulu-Natal. They observe that where provincial policies only allowed for short-term accommodation, it was likely that without greater flexibility of tenure (i.e. allowing longer-term tenure) and 'empowerment training', those leaving the accommodation risked becoming homeless, possibly again. They raised this concern since research showed that people who had left transitional housing had become homeless or had moved to another type of accommodation that they were later obliged to leave because of economic hardship or disruptions in family relationships (Lund et al., 2004: 12, 19, 69, 81).

Findings by Poulson (2000) and Lund et al. (2004), and Charlton's (2004) discussion of transitional housing, highlight the scale of the social and economic difficulties that residents of transitional housing face, which make it hard for them to access more stable housing options. These sources also show that the street homeless are only one segment of a larger population being accommodated in transitional housing, which also includes employed people earning some income and able to pay something towards their stay, and people who may have had other accommodation but had to leave because of financial, social or family problems. This raises the question of how much impact this housing policy has or, in other words, how effectively the transitional housing scheme can respond to the relatively severe social and economic condition and vulnerability of what Olufemi (1998) calls the 'chronic or transient homeless', or what du Toit (2005) calls 'detached homeless people'. Indeed, a research

report prepared by the Urban Sector Network in 2003 on access to housing said there was at that date no national housing programme for 'street people', other than transitional housing, which implies that there was only limited policy for the street homeless (2003:57).

The Housing sector's interventions are intended to target not only the street homeless but also those living in inadequate or informal accommodation. However, given the sector's limited role in providing capital grants for the refurbishment of structures under the transitional scheme, the success of this scheme has been heavily dependent on other government sectors such as Social Welfare, to fund operating costs. Transitional housing operators have, however, had problems accessing this support (Charlton, 2004, referring to work by Lund et al., 2004).

Besides interventions such as transitional housing, which have tried in a limited way to help the street homeless, in broader policy terms the circumstances of the informally housed have taken up a much larger share of the Housing sector's attention in recent years. The DoH in KwaZulu-Natal, for example, noted that its focus was not so much on the (street) homeless as on the needs of persons living in inadequate dwellings, who were 'not quite homeless' (interview, January 2005). This suggests that debates about how to define 'homelessness' have become an important factor in the formulation of policy interventions.

The National Treasury (2006:76) has indicated that, despite the delivery of nearly two million new subsidised houses since 1994, the housing backlog has actually grown. South Africa's 2001 Census showed that over 1.8 million dwellings could be classified as 'inadequate', mostly shacks in informal settlements and back yards. This figure was up from 1.5 million in 1996. In order to address this, the Housing sector has shifted its policy towards providing more holistic settlement-based housing, emphasising the upgrading of informal settlements and the development of new large-scale settlements (the 'human settlement approach'). This has had a direct effect on the make-up of the Housing sector's budget, where the introduction of an 'Integrated Housing and Human Settlement Grant' in 2005/06 was accounting for an estimated 85 per cent of the budgets of provincial departments of housing (National Treasury, 2006:71). However, it is evident that without more reliable statistics and a clearer definition of the street homeless population in South Africa, the share of the Housing sector's resources allocated to this vulnerable group is unlikely to grow in the face of much larger resources being allocated to the informally housed.

Although the significant financial and policy focus is on the informally housed, some specific circumstances – such as those of children, especially those vulnerable to street homelessness because of HIV/AIDS – have led the DoH to introduce measures other than transitional housing. In KwaZulu-Natal this has included funding shelters for 'street boys' and other children's homes (interview, DoH in KwaZulu-Natal, 31 January 2005). Correspondence with the national DoH (via telephone and email, 20 and 21 August 2009) also yielded information about a Home Care Extension programme being funded from 2009/10. This is intended to form part of the Housing sector's wider approach to improving housing in informal settlements, by working with the Social Welfare sector to give caregivers access to funding to improve their houses to accommodate destitute children who are at risk of becoming homeless on the street (DoH, n.d. b).

## 4.2 Social Welfare sector

It is evident that the DoH's response to the street homeless is limited as a result of the competing demands of persons living in informal or inadequate housing. These limitations are to a large extent being addressed by the Social Welfare sector. The 1997 White Paper for Social Welfare (DoW, 1997) recognised the circumstances of communities with 'special needs', including the street homeless, who were not part of families or households, and who otherwise lacked social support systems. The document added that the then Department of Welfare (now the DoSD) would need to work with the DoH and the Department of Public Works, as well as with municipalities, to deal with the needs of 'destitute/homeless individuals and families living on the streets'.

The special status accorded to the street homeless was confirmed, a decade later, in the DoSD's Strategic Plan (2006/07–2009/10), which included the homeless under 'vulnerable' groups and defined them as 'people who have limited or no social protection and who are therefore exposed to social ills' (DoSD, 2006b:28). The Plan noted that among its primary clients in this vulnerable category were children, and in particular orphans, the elderly, people living with HIV/AIDS, abused women and unskilled and unemployed youth.

This Act, which enables government support to NGO-run shelters (see the Gauteng Street Children Shelters Act 1998, mentioned earlier), as distinct from the transitional housing scheme referred to earlier, remains the primary vehicle for rendering social welfare support to the homeless. This intervention has not, however, saved the Social Welfare sector from social and economic difficulties of the kind complicating the provision of housing support to the street homeless, such as the risk of the homeless rejecting shelters as constraining 'structures', and their preference for remaining detached from permanent shelter (interview, DoSD, 24 February 2005). Another difficulty the Social Welfare sector faces is how to oversee the proper functioning of the shelters it supports, since in some instances the operators have sought to profit from the circumstances of the street homeless. Media reports of a raid on an illegal shelter housing homeless children in Gauteng said that the facility appeared to be profiteering by soliciting funding from government as a means of 'job creation' for the operators rather assistance for the children (Independent Online, 4 April 2005). Another form of shelter embezzlement alleged by the Gauteng DoSD was the inflating of street children numbers by some NGOs to maximise funding requests (eTV, Third Degree, 12 April 2005).

Beyond the physical provision of shelters for the homeless, and especially children, a wider concern for the social and economic circumstances that contribute to their plight is also being factored into policy. The Western Cape Department of Social Services and Poverty Alleviation signalled this shift by a change in terminology, from 'homeless' to 'displaced' persons, to show that its interventions were aimed at making individuals, and particularly children, less vulnerable to finding themselves homeless on the street (interview, Western Cape Department of Social Services and Poverty Alleviation, 14 March 2005).

A similar approach was taken in KwaZulu-Natal, where children's increased vulnerability to homelessness because of the effects of HIV/AIDS was cited by the then Premier, Lionel Mtshali, who said an urgent assessment of current policies and programmes for the care of HIV/AIDS orphans and other children in distress, including street children, was needed to inform an intersectoral response (Afrol News, 2002).

The province's DoH said it was funding homes for the care of children orphaned as a result of HIV/AIDS and, with the provincial DoSD, had also embarked on pilot projects for the care of children in existing community dwellings (termed a 'home-based care' initiative), as a means of preventing children from ending up on the streets (interview, KwaZulu-Natal DoH, 31 January 2005).

While the main social welfare approach has been to render services to the homeless through a network of urban shelters, the adoption of more preventive approaches, such as those in the Western Cape, will mean more government officials will be needed in order to extend social services. This will include social workers, 'reunification workers' and development workers to be deployed to hotspots for the purposes of reunifying displaced persons and intervening to try to stem the flow of displaced persons at risk of becoming homeless on the street. This increased involvement in preventive interventions is also likely to mean that more District Welfare officers will be needed.

However, an insufficient supply of social workers has historically prevented the Social Welfare sector from extending its services (interview, DoSD, 24 February 2005). This was also confirmed by the DoSD in a document entitled 'Service Delivery Model for Developmental Social Welfare Services', which observed that:

The crowding out effect of the Social Security budget has resulted in the severe curtailment and neglect of other services. Social service practitioners have been forced to adopt a 'make do' approach, dictated by resource limitations rather than need, priority, or statutory and internationally ratified obligations. (DoSD, 2006a:11)

A consequence of the funding constraint on the delivery of social services has been a limited capacity to offer outreach to vulnerable groups such as the street homeless, and a corresponding increase in social workers' caseloads, resulting in reduced time available to assess and undertake intensive work with vulnerable individuals and families.<sup>1</sup> This was confirmed by the Department during testimony before a parliamentary committee on Social Development in 2006, where the social services segment of its work was described as sustaining a host of challenges, including a high demand for social workers within government departments and NGOs (Parliamentary Monitoring Group, 2006).

In budgeting terms, there have since been signs that the street homeless might stand to benefit from a more generous allocation of social welfare funding to provincial governments, which are responsible for the bulk of on-the-ground implementation in the sector. The transfer of the social security function (which includes the administration and payment of various social grants) from provincial departments to a now established national social security agency (South African Social Security Agency) as of 2006/07, has resulted in 'social welfare services', responsible for support to the street homeless, becoming the largest expenditure category in the provinces. The social welfare services portion of the provincial social development budget was also projected to grow by 22 per cent a year between 2005/06 and 2008/09 (National Treasury, 2006:56–7). Moreover, transfers and subsidies primarily directed at non-profit organisations responsible for over 90 per cent of the social welfare facilities (including homeless shelters) were also set to

---

<sup>1</sup>It was reported in the media that the Minister of Social Development had secured funds to increase social worker salaries and improve their working conditions. See Radebe (2005).

grow by an average annual rate of 17.1 per cent between 2005/06 and 2008/09 (National Treasury, 2006:55).

Given that the legislative and policy approach is shared by two sectors – Housing and Social Welfare – a final factor that should be taken into account is the need for effective coordination and collaboration between government departments. This need was evident in interviews with the Housing and Social Welfare departments. For instance, in KwaZulu-Natal concerns were expressed about the effectiveness of collaboration between these departments despite their joint efforts in responding to the shelter needs of vulnerable children in the province. The DoH said that ‘everyone works in opposite directions’ and that there was a need for a more integrated approach to combining resources from different departments to achieve common objectives (interview, DoH, 31 January 2005), and the Department of Social Welfare said its engagement with the DoH in the matter of street homelessness was limited to the shelter of homeless children, and that there was ‘not much inter-governmental planning . . . in terms of talking to other departments on general issues of homelessness’ (interview, Department of Social Welfare, KwaZulu-Natal, 18 January 2005).

These concerns join the list of concerns about whether the transitional housing scheme can provide effective social and economic support to the homeless, and about the effectiveness of joint support by Housing and by Social Welfare for the refurbishment and operations of structures. However, there is evidence of a level of intersectoral cooperation to provide support to the residents of these facilities in particular. The circumstances of street children in Gauteng, for example, were especially prominent in news and current affairs in 2005. In March 2005, it was reported that the provincial DoSD would be working with the national Department of Home Affairs to help street children acquire the identification documents they need to access social grants and find a job. Reference was also made in the media to job training programme being supplied by the Departments of Labour, Transport and Public Works, via a shelter (News24.com, 2005).

## 5. Conclusion

This paper reviewed legislative and policy responses to the problem of street homelessness in South Africa. It began by discussing the definitions of ‘homelessness’ in the literature, which show that homelessness has multiple dimensions, ranging from persons living on the street without any form of shelter at all to those living in informal or inadequate shelter. Recognising these dimensions, including debates about who the homeless are, has had a related effect on the formulation of intersectoral policy interventions. The paper then reviewed legislation and policy directed specifically at the street homeless in South Africa.

The paper found that legislation and policy responses to the street homeless, primarily driven by the Housing and Social Welfare sectors, have generally aimed to reduce the structural problems through transitional housing schemes and informal settlement upgrading, to reduce the risk of becoming homeless on the street, especially for children, and to reduce vulnerability at the level of the family, community and area by stemming the flow of displaced rural inhabitants. To achieve this agenda, however, depends on improving coordination and cooperation between the government departments involved, as well as increasing resources, especially in the Social Welfare sector, so as to extend adequate outreach to persons at risk of chronic homelessness.

## Acknowledgements

This work forms part of the Human Sciences Research Council's 2005–2008 study of homelessness. Funding from the National Department of Social Development, the Human Sciences Research Council, the Gauteng Department of Social Development and the Swiss Agency for Development and Cooperation is gratefully acknowledged. The author acknowledges the invaluable research assistance of the late Jennifer van Rensburg of the Human Sciences Research Council, and Paula Jackson at the University of Cape Town.

## References

- Afrol News, 2002. Extract of speech by Lionel Mtshali: The war on HIV/AIDS in KwaZulu-Natal, 25 February 2002. [www.afrol.com/Countries/South\\_Africa/documents/mtshali\\_aids\\_2002.htm](http://www.afrol.com/Countries/South_Africa/documents/mtshali_aids_2002.htm) Accessed 20 April 2005
- Aliber, M, 2002. Overview of the Incidence of Poverty in South Africa for the 10-Year Review. Human Sciences Research Council, Pretoria.
- Aliber, M, Du Toit, J, Langa, Z, Msibi, M, Parthab, S, Roberts, B & Thaba, F, 2004. Poverty on our doorstep: Understanding the situation of the individuals who spend the night in front of 134 Pretorius Street and the possible implications of erecting a fence to keep them out. Unpublished report. Human Sciences Research Council, Pretoria.
- Burns, LS, 1992. Criteria for a policy for homelessness: Transferring knowledge from north to south. Fannie Mae University Colloquium Series, Department of Urban and Regional Planning, Florida State University, Tallahassee.
- Carliner, MS, 1987. Homelessness: A housing problem? In Bingham, RD, Green, RE & White, SB (Eds), *The Homeless in Contemporary Society*. Sage, Newbury Park.
- Charlton, S, 2004. An overview of the housing policy and debates, particularly in relation to women (or vulnerable groupings). Research report. Centre for the Study of Violence and Reconciliation, Johannesburg.
- DoH (Department of Housing), 1994. White Paper on a New Housing Policy and Strategy for South Africa. [www.info.gov.za/whitepapers/1994/housing.htm](http://www.info.gov.za/whitepapers/1994/housing.htm) Accessed 30 March 2006.
- DoH (Department of Housing), 2003. A social housing policy for South Africa: Towards an enabling environment for social housing development. Revised draft.
- DoH (Department of Housing), n.d. a. Draft submission to MINMEC (Ministers and Members of Executive Councils) on funding welfare housing, including transitional shelters. DoH, Pretoria.
- DoH (Department of Housing), n.d. b. National Housing Programme: Housing Assistance to Households Affected by the Death of Guardians/Parents. DoH, Pretoria.
- DoSD (Department of Social Development), 2006a. Service delivery model for developmental social welfare services. January 2006. [www.socdev.gov.za](http://www.socdev.gov.za) Accessed 15 August 2007.
- DoSD (Department of Social Development), 2006b. Strategic Plan 2006/7–2009/10. DoSD, Pretoria.
- DoW (Department of Welfare), 1997. White paper for social welfare. [www.welfare.gov.za/Documents/1997/wp.htm](http://www.welfare.gov.za/Documents/1997/wp.htm) Accessed 30 March 2006.
- Dunford, M, 1996. Tackling the symptoms or the causes: An examination of programmes by NGOs for street children in Nairobi, Kenya. Occasional Paper No. 58. Centre for African Studies, University of Edinburgh.
- du Toit, JL, 2005. Containment, displacement, or exclusion? Local metropolitan government responses to homelessness in South Africa. Human Sciences Research Council, Pretoria.
- Gauteng Provincial Legislature, 1998. Gauteng Street Children Shelters Act 1998. No. 16. Gauteng Provincial Legislature.
- Glasser, I, 1994. *Homelessness in Global Perspective*. GK Hall, New York.
- Hawker, D, 2007. Joe Slovo residents fight eviction notices. Independent Online, 25 September. [www.iol.co.za/index.php?click\\_id=13&set\\_id=1&art\\_id=vn20070925144104834C708843](http://www.iol.co.za/index.php?click_id=13&set_id=1&art_id=vn20070925144104834C708843) Accessed 11 October 2007.

- Hendler, P, 1996. Weighing costs and benefits: Maximising participation and output in housing the homeless. *Policy: Issues and Actors* 9(1), Social Policy Series, Centre for Policy Studies.
- Huchzermeyer, M, 2003. Housing rights in South Africa: Invasions, evictions, the media, and the courts in the cases of Grootboom, Alexandra, and Bredell. *Urban Forum* 40(1), 80–107.
- Independent Online, 2005. Illegal Soweto shelter raided again, 4 April. [www.iol.co.za/index.php?set\\_id=1&click\\_id=13&art\\_id=qw1112597820617B265](http://www.iol.co.za/index.php?set_id=1&click_id=13&art_id=qw1112597820617B265) Accessed 26 April 2005.
- Lund, C, Ramoshidi, R, Poulsen, L & Brand, D, 2004. Exploring transitional and communal housing as a form of social housing in South Africa. Social Housing Foundation Research Series, Social Housing Foundation, Johannesburg.
- Naidoo, V, 2003. A human rights perspective on policy implementation processes: Observations from the South African Public Service. HSRC Research Report, Human Sciences Research Council, Pretoria.
- National Treasury, 2006. Provincial Budgets and Expenditure Review 2002/03–2008/09. National Treasury, Pretoria.
- News24.com, 2005. Street kids get ID books, 26 March. [www.news24.com/News24/South\\_Africa/News/0,,2-7-1442\\_1681364,00.html](http://www.news24.com/News24/South_Africa/News/0,,2-7-1442_1681364,00.html) Accessed 26 April 2005.
- Olufemi, O, 1998. Street homelessness in Johannesburg inner city: A preliminary survey. *Environment and Urbanization* 10(2), 223–34.
- Olufemi, O, 2002. Barriers that disconnect homeless people and make homelessness difficult to interpret. *Development Southern Africa* 19(4), 455–66.
- Parliamentary Monitoring Group, 2006. Social Development Portfolio Committee, 25 October 2006: Development of capacity and recruitment and retention of social service professionals. Department briefing. [www.pmg.org.za/viewminute.php?id=8406](http://www.pmg.org.za/viewminute.php?id=8406) Accessed 16 August 2007.
- Poulsen, L, 2000. The transitional housing programme for the inner city homeless community of Johannesburg. [www.architectafrica.com/bin0/papers/transhousing1.html](http://www.architectafrica.com/bin0/papers/transhousing1.html) Accessed 12 April 2005.
- Radebe, H, 2005. Social workers set for better deal. *allAfrica.com*, 22 December. <http://allafrica.com/stories/200512220188.html> Accessed 17 January 2006.
- Rogerson, CM, 1998. Redressing urban poverty in post apartheid South Africa. Paper presented at a workshop organised by Comparative Research Programme on Poverty and Southern Africa Labour and Development Research Unit, University of Cape Town, 18–22 September.
- RSA (Republic of South Africa), 1996. Constitution of the Republic of South Africa 1996. Act No. 108, 1996. No. 17678. *Government Gazette*.
- RSA (Republic of South Africa), 1997. Housing Act, 1997. Act No. 107, 1997. No. 18521. *Government Gazette*.
- RSA (Republic of South Africa), 1998. The National Action Plan for the Protection and Promotion of Human Rights. Co-ordinating Committee on the National Action Plan, Johannesburg.
- RSA (Republic of South Africa), 2003. National Health Act, 2003. Act No. 61, 2003. No. 26595. *Government Gazette*.
- RSA (Republic of South Africa), 2004. Social Assistance Act, 2004. Act No. 13, 2004. No. 26446. *Government Gazette*.
- RSA (Republic of South Africa), 2006. Children's Act, 2005. Act No. 38, 2005. No. 28944. *Government Gazette*.
- Statistics South Africa, n.d. Methodology for Census 2001 South Africa: Applying the lessons learnt from Census '96. [www.statssa.gov.za/asc2007/WebsiteReports/SouthAfrica2.pdf](http://www.statssa.gov.za/asc2007/WebsiteReports/SouthAfrica2.pdf) Accessed 15 August 2007.
- Tipple, G & Speak, S, 2005. Definitions of homelessness in developing countries. *Habitat International* 29(2): 337–52. [www.sciencedirect.com](http://www.sciencedirect.com) Accessed 17 October 2009.
- Urban Sector Network, 2003. Expanding socio-economic rights and access to housing. 29 October 2003. [www.ihrn.gov.za/Current%20Research/South%20Africa/Element%205%20%20Doc%208.pdf](http://www.ihrn.gov.za/Current%20Research/South%20Africa/Element%205%20%20Doc%208.pdf) Accessed 17 August 2007.