

SUBMISSION BY CIVIL SOCIETY ORGANISATIONS ON THE 2019 BUDGET

TO THE SELECT AND STANDING COMMITTEES ON FINANCE

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INTRODUCTION

This submission focuses on analysing the budget in relation to combating Gender-based Violence (GBV) and femicide.

We are appreciative of the opportunity afforded us by the Committees to make a submission.

Unfortunately, despite President Cyril Ramaphosa's pronouncements in the State of the Nation Address (SONA) just two weeks ago, there is no evidence in the budget delivered by Minister Tito Mboweni on 20 February 2019 that government is serious about ending Gender Based Violence in this country.

If government is serious about ending Gender Based Violence, it did not come through in the budget.

ANALYSIS OF THE BUDGET IN TERMS OF KEY ALLOCATIONS THAT RELATE TO COMBATING GENDER BASED VIOLENCE

In the SONA, President Ramaphosa promised that government would be "strengthening the functioning of various specialised units such as the Family Violence, Child Protection and Sexual Offences Units and improving our administrative and record keeping capacity at all levels."

The budget presented by Minister Mboweni does not indicate where government intends to reallocate the money for these functions. It therefore appears that President Ramaphosa was merely paying lip service to the eradication of Gender Based Violence and Femicide with no political will to follow through.

The President announced in the SONA that the South Africa Police Services had embarked on a restructuring process to shift more policing resources to the local level. We question the veracity of this statement when the Minister of Finance announced that: "Over the medium term, R853 million is shifted from the South African Police Service to the Department of Justice and Constitutional Development, which will now be responsible for the Integrated Justice System Modernisation Programme, a key component of the integrated strategy to fight crime."

As Civil Society Organisations supporting women impacted by the scale of the violence directed against us, we believed the President when he said that government had "listened to the call to make funds available to combat gender-based violence, and have allocated funding in the current budget to support the decisions taken at the Summit." There is no evidence of this in this current budget.

We note that there has been a R150 million increase to VIP protection services from R2.94 billion to R3.14 billion. In order to demonstrate government's commitment to the

protection of women, we contend that this money should be reallocated to achieve the resolutions taken at the Gender Based Violence and Femicide Summit.

Paramount is the Interim Structure that will develop the National Strategic Plan for GBV. It is imperative that this structure and the plan are put in place, and that adequate budget is allocated for implementation with timelines for delivery.

If this country is ever going to end Gender Based Violence, the state needs to put money behind prevention programmes. We therefore welcome the increase of funds directed at substance abuse programmes but we remind the committees that the President made a promise that he would make funds available to expand and fund places of support such as the Thuthuzela Care Centres and Khuseleka Care Centres.

A MULTI-DEPARTMENTAL AND SOCIETAL EFFORT

In order to successfully combat Gender-based Violence, we need a multi-departmental effort on the part of government. We therefore support President Cyril Ramaphosa's SONA statement that ending gender-based violence is an urgent national priority that requires the mobilisation of all South Africans and the involvement of all institutions.

We call upon the Standing and Select Committee to emphasize to the Minister of Finance and National Treasury's budget office that it has a crucial role to play in the combatting of Gender-Based Violence when it comes to ensuring gender-responsive budgeting. National Treasury must play its part by creating gender responsive budgets. We also recommend that members of the Standing and Select Committee call on National Treasury to include a chapter on gender in the Budget Review.

FUNDING OF NON-PROFIT ORGANISATIONS

When it comes to supporting women and child victims of abuse, Not-For Profit Organisations offering shelter for victims of abuse and counselling services play an important role. Yet they are underfunded.

We note the Department of Performance Monitoring and Evaluation is currently conducting a Synthesis Evaluation of the relationship between government and the Not for Profit Sector. We note that, amongst other things, the evaluation will encompass looking at what models are used by government to contract NPOs to deliver services and examine how effective the funding model for civil society organisations (Public funding-government departments, Lotto, NDA, Tax exemptions, etc.; international funding, private funding-philanthropy, individual giving, CSI, etc.) is.

The Terms of Reference for the evaluation apprehends that NPOs are not homogenous. It outlines that though referred to as a sector, there are diverse institutions of varying

capabilities and focus and this ranges from often small community-based organisations (CBOs) and faith-based organisations (FBOs) to sometimes large professional non-government organisations (NGOs) with international reach. It also outlines that some civil society organisations are not involved in service delivery, there are not-for-profit trusts which have been criticized for being loosely regulated, and some NGOs are very political in support of rights.

The Terms of Reference for the evaluation includes reviewing the implications of court rulings including the NAWONGO case. In the NAWONGO judgement, the Free State High Court ruled that the state's partial funding policy for NPOs is unfair and unreasonable. The judge ordered the Free State Department of Social Development to review its policy and write a new one. The judgment is against the Free State Department of Social Development, but it is relevant to all provincial departments of social development as the Free State's NPO funding policy is the same as the national policy.

We will be tracking the outcome of the evaluation closely due to the aforementioned budget implications and urge the Select and Standing Committees on Finance to flag this to engage with the implications of the DPME evaluation.

We draw the attention of the Select and Standing Committees on Finance to work undertaken by the Government Technical Advisory Centre, an agency of the National Treasury. GTAC undertook a Performance Expenditure Review¹ on the cost implications of the NAWONGO court judgement, where the Bloemfontein High Court ruled the "NPOs that provide care to children, older persons and vulnerable persons in need fulfil the constitutional and statutory obligations of the department". GTAC's Performance Expenditure Review concluded that the provincial transfers required to fully fund existing NPOs is R12.9 billion. In 2016/17 the provincial transfers to NPOs was R3.7 billion. According to GTAC, this leaves a total provincial funding gap of R9.2 billion.

At the same time as there is a funding gap, one of the sources of funding for NGOs appears to be being seriously undermined. We would like to draw the attention of the Select and Standing Committees on Finance to serious issues with the manner in which funding is being allocated to NGOs from the National Lotteries Commission. In 2013, the Lotteries Amendment Bill introduced a change in the rules. Whilst the change in the rules was ostensibly to make it easier to fund deserving NGOs, one of the effects of the change in the rules appear to have been that it has enabled malfeasance. Reports² in

¹ https://www.gtac.gov.za/Pages/PER_Nawongo-Implications.aspx

² <https://www.groundup.org.za/article/how-hijacked-npos-scored-millions-lottery/>

<https://citizen.co.za/news/south-africa/investigation/2049954/the-lawyer-the-lottery-and-millions-in-dodgy-grants/>

the media have highlighted the hijacking of NGOs in order to corruptly siphon off funds intended to go to NGOs from the National Lottery.

THE IMPORTANCE OF GRANULAR BUDGET DATA AND RELIABLE STATISTICS

In advocating for gender-responsive planning and budgeting, we draw attention to challenges arising from the heteronormativity of society. Official statistics do not cater to the LGBTQI community. If you write people out of demographic statistics, then you do not know what their experiences are and therefore you cannot cater in terms of public services to them. We urge the Select and Standing Committees on Finance to engage Statistics South Africa in respect of the importance of official statistics when it comes to budgeting.

In emphasizing the importance of statistics, note that the equitable share allocations are based on statistics. Accurate statistics are key to monitoring implementation as against budget.

RECOMMENDATIONS:

We call upon the Standing and Select Committees on Finance to:

- Emphasize to the Minister of Finance and National Treasury that it has a crucial role to play in the combatting of Gender-Based Violence when it comes to ensuring gender-responsive budgeting.
- Call on National Treasury to include a chapter on gender in the Budget Review with clear gender targets and indicators.
- Note that the Department of Performance Monitoring and Evaluation is currently conducting a Synthesis Evaluation of the relationship between government and the Not for Profit Sector and to flag this in order to engage with the implications of the DPME evaluation as they pertain to the funding of NGOs, particularly in light of the NAWONGO case.
- Engage Statistics South Africa in respect of the importance of official statistics when it comes to budgeting and the need for further work on crime statistics and statistics that pertain to the realities of LGBTQI persons.

CONCLUSION

We thank the Standing and Select Committees on Finance for engaging with our analysis. We would welcome the opportunity to present our analysis to the committee.