

Working towards quality services for children on the move in South Africa

Technical brief ONE

Integrating child protection services



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Technical Briefs in the *Working towards quality services for children on the move in South Africa* series:

Technical Brief ONE: Integrating child protection services

Technical Brief TWO: Principle-led and gender-responsive services

Technical Brief THREE: A transformative child-centred practice

Technical Brief FOUR: Addressing structural barriers



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EU Global Promotion of Best Practices for Children in Migration – a project, implemented by UNHCR and UNICEF and the South African Department of Social Development and co-funded by the European Union, UNHCR and UNICEF.

The Best Practices for Children in Migration Project was a 30-month project (October 2020 – July 2023). The overall objective of the project was to contribute to the effective protection of children on the move and the realisation of their rights through child protection systems that provide quality integrated services, alternative care and mental health and psychosocial support with a gender sensitive lens. The project sought to document and share lessons learnt and best practices towards the use of alternative care options to replace immigration detention.

The project was implemented across four countries in two regions: El Salvador and Mexico in the Latin America and the Caribbean Region (LACR); and South Africa and Zambia in the Eastern and Southern Africa Region (ESAR). The programme's final beneficiaries are children on the move, including migrant, internally displaced, returnee, asylum seeking, and refugee children as well as children who move voluntarily or involuntarily, within or between countries, with or without their parents or other primary caregivers.

Three of the four outcomes identified in the project framework for the South African component of the Best Practice Project are listed below:

- Child protection systems include gender responsive, high quality, and integrated services in reception centres and other care and attention facilities.
- Child protection systems have integrated, gender responsive psychosocial services and prevention mechanisms addressing gender-based violence and other structural problems.
- Child protection systems provide alternative care options, with emphasis on community and family-based alternatives.

The fourth outcome was to document and share lessons learnt and best practices related to processes, approaches, and methodologies adopted through the project experience in South Africa.

This is the first technical brief in a series of four that document what the implementing NGO partners have learned about how to deliver quality integrated services for children on the move.

This set of technical briefs focuses on the South African project which was implemented in partnership with the South Africa Department of Social Development, UNHCR and its implementing partners: The Scalabrini Centre (Western Cape); Refugee Social Services (KwaZulu Natal); The Centre for Child Law (University of Pretoria); Future Families (Limpopo); The South African Human Rights Commission (national), Action for Conflict Transformation (Gauteng); Childline (national), and The Consortium of Refugees and Migrants in South Africa (national).

Children on the move

The umbrella term 'Children on the move' refers to children who migrate within their countries or across borders. Children move for a variety of reasons: to seek protection, to pursue a better life, or to reunite with family. Some children migrate with their families while others move alone because of conflict, natural disaster or other deprivations. Children on the move can include refugees, asylum seekers, internally displaced children, trafficked and smuggled children, and children who are documented or undocumented (1).

Acronyms

ACRWC	African Charter on the Rights and Welfare of the Child
CBO	Community-based organisation
CYCC	Child and youth care centres
DBE	Department of Basic Education
DIRCO	Department of International Relations and Cooperation
DOJ	Department of Justice and Constitutional Development
DHA	Department of Home Affairs
DOH	Department of Health
DSD	Department of Social Development
ESAR	Eastern and Southern Africa Region
EU	European Union
GBV	Gender based violence
HIV	Human immunodeficiency virus
IAWG	Inter-agency working group
LACR	Latin America and the Caribbean Region
MHPSS	Mental health and psychosocial support
NGO	Non-governmental organisation
SAHRC	The South African Human Rights Commission
SAPS	South African Police Service
UNCRC	United Nations Convention on the Rights of the Child
UNICEF	United Nations Children's Fund
UNHCR	United Nations High Commissioner for Refugees
WASH	Water, Sanitation and Hygiene
PrEP	Pre-exposure prophylaxis
TB	Tuberculosis

Background

Across Southern Africa, children move within and over borders, to earn money, to escape conflict, to support their families at home, to escape domestic violence, to escape oppression or persecution, for education, for adventure, or due to changes in families such as the death of a caregiver (2,3). Some children on the move in the region travel with family members or informal caregivers, but many travel alone, either having chosen to move in search of work and education or having been separated from families on their journeys. All children on the move in Southern Africa are protected by the United Nations Convention on the Rights of the Child (UNCRC) and the African Charter on the Rights and Welfare of the Child (ACRWC) which make it the responsibility of individual countries to protect children wherever they are regardless of the origin of those children (4,5). The ACRWC states that 'the best interests of the child shall be the primary consideration in actions concerning the child' and protects the right to education, the right to health, the right to a name, and the right to a nationality and to be registered at birth (4).

In South Africa there are an estimated 642,000 migrant and refugee children making it the country with the largest population of children on the move on the continent (6)¹. South Africa's progressive legislative framework provides for the right to self-settlement of migrants (rather than being placed in camps), access to basic healthcare, and to education (7). The care and protection of unaccompanied and separated migrant children is determined by the courts and children are often placed in child and youth care centres (CYCC)², or in community-based foster care (8).

However, the laws and policies designed to address key welfare and protection challenges for children on the move lack robust implementation. This means that many children, particularly those who are separated or unaccompanied, face barriers to accessing asylum, documentation, healthcare, education, and other basic services and rights. Additionally, the lack of social protection means that many families and children on the move live in deep poverty in unsuitable housing without the ability to access education or enter the formal economy because of a lack of documentation. These precarious living conditions coupled with high levels of xenophobia from some local residents creates ongoing stress which, in addition to past traumatic experiences, affects caregivers' and children's psychosocial wellbeing (9).

South Africa has adopted the UN and UNHCR Global Compact on Refugees (2018) and the Global Compact on Migration (2018) both of which ensure a human rights and child-centred approach to child protection across borders and within the country (10,11). Additionally, UNICEF's key frameworks on children on the move, including the Global Framework on Children on the Move, the Six-Point Agenda for Programmatic Action, and Children Uprooted – What Local Governments Can Do (1,12), contribute to the approach used in South Africa. However, an increasingly restrictive migration governance framework, inconsistencies between policy and practice, and increasing anti-foreigner sentiments pose challenges for those working with children on the move (13,14). That said, there have also been many positive steps, primarily driven by a collaborative approach by state and non-state actors, to safeguard and protect children on the move. The Best Practice Project has worked with some of these actors to extend the reach and increase the effectiveness of this work. This series of technical briefs highlights some of that work.



- 1 Accurate statistics on children on the move in the region are difficult to access as children and youth often choose to remain 'invisible' for their own protection. Additionally country census processes do not all make provision for migrancy. Therefore, the number of migrant children is likely much higher.
- 2 Amendment of Section 45 of the South African Children's Act 38 of 2005 provides for the placement of children in alternative care. A child and youth care centre is a facility that provides residential care. The Act outlines the norms and standards for the CYCCs.

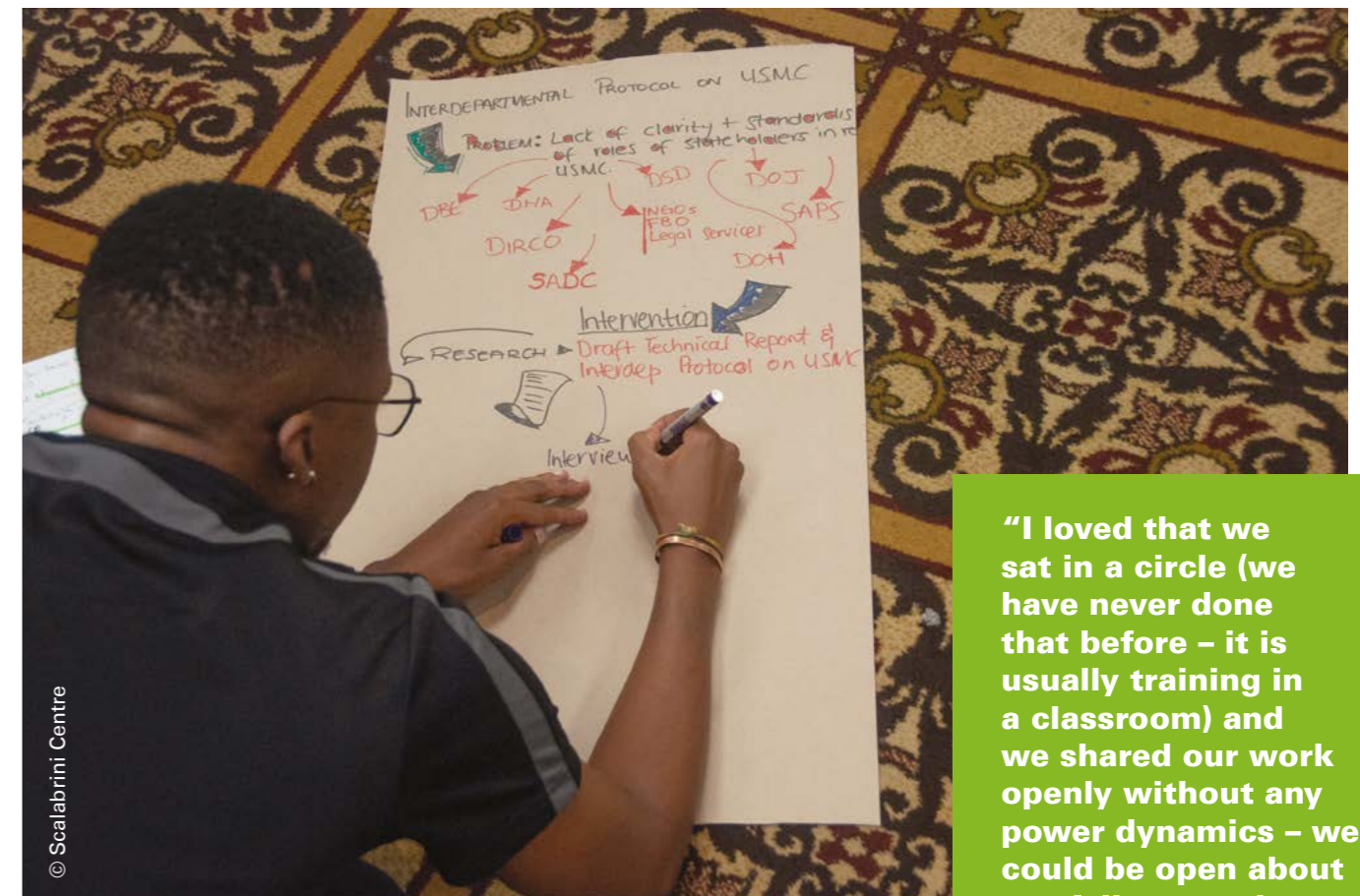
Methodology for documenting the Best Practice Project

A qualitative, emergent research approach was used to document the Best Practice Project. Implementing partners of the project participated in semi-structured interviews and a reflective workshop to share the work they had done (15). The reflective workshop included 'mapping' the context in which each partner worked including the policy frameworks within which they work, the activities they undertook, the underlying principles they applied, and the impacts they observed. The workshop provided an opportunity to create the story of their project using visual tools that explained the ways they worked and case studies of individual children. This approach allows authentic data to emerge and makes the resulting technical briefs co-created products (16).

The discussions from the workshop were recorded, transcribed, and combined with the data from the interviews. This data was analysed using a thematic approach where emergent themes were identified in the data. These themes directly informed the focus of each of the technical briefs in this series. In each of the briefs the examples provided by the implementing partners highlight different, but closely related, human rights and child protection initiatives, including legislative and policy reform processes in South Africa.

The research team reflected on the fact that the process of participatory documentation was, in itself, an example of good practice. The participatory nature of the workshop allowed for reflection and dialogue that gave practitioners an opportunity to compare approaches, successes, and challenges. The reflective activities focused on the cultural, social, and political contexts that impacted their work. This helped the practitioners to identify the strategies they had used to address these contextual factors and identify the issues they did not have the power to address and needed to be the focus of future advocacy.

This process produced a clearer consciousness of and renewed commitment to their social justice goals. The process also impacted the psychosocial wellbeing of the practitioners themselves by creating a sense of hope and energy in a context where it is easy to become disillusioned and burnt-out. Participants described how the participatory process allowed them to acknowledge what they had achieved in a context with completely under-resourced public services, ever-growing needs, and an often-obstructive bureaucracy.



"I loved that we sat in a circle (we have never done that before – it is usually training in a classroom) and we shared our work openly without any power dynamics – we could be open about our failures and questions. I realised for the first time that others have the same experiences."



"I feel re-energised and ready to go back. I feel that the work we do has been elevated, thinking about it has shown me that our work is informed and intentional!"





The importance of integrated processes

One of the intended outcomes of the Best Practice Project was to encourage responsive systems for the care and protection of children on the move. This included gender-sensitive programming and integrated services that took into account the differing needs of children. The projects discussed below are examples of best practices on how to respond to the specific needs of children on the move with an integrated approach that aligns with this outcome.

Why integration is important

Acknowledging that child development is a holistic process involving all the systems within which a child grows (17,18) is central to a rights-based approach to programming for children on the move. States have a duty to ensure the right to development, which entails the full realisation of all human rights. States also have a duty to guarantee that this development is sustainable by ensuring access to the three pillars of economic development, social development, and environmental protection for everyone. The humanitarian and development sector are beginning to question the efficacy of what is often called a 'silo' approach where individual thematic areas are addressed by separate programmes run by separate teams. The UNICEF Guidelines on Community-based MHPSS Support in Humanitarian Settings highlights the fact that "strengthening the integration of ... services across social welfare, justice, health and education [and] prioritising the strengthening of social welfare services" (p. 31) (18) strengthens the scale and quality of services for the protection of children.

Services for children on the move in South Africa are particularly fragmented with the duplication of services,

contradictory application of legislation, and lack of co-operation between government departments (8,19). One of the aims of the Best Practice Project was to address this issue by encouraging NGOs and governments to develop integrated, strategic interventions for children on the move.

Integration as a best practice

One of the central emergent themes from the Best Practice Project documentation workshop was how implementing partners had begun to develop an integrated service approach. The implementing partners described how they provide mental health and psychosocial support to children on the move while seeking out ways to meet their basic needs. They help children access education and health services alongside making sure they find 'homes' where the children are protected and cared for. Gender-based violence prevention and response programmes were run alongside livelihood work with women and life skills for girls. While doing this they built strategic relationships with state service providers such as social workers, CYCC staff, and state officials from a broad range of agencies. At the same time, and as a central part of service delivery, implementing partners also advocate at a community, local government, and national level around the barriers faced by children and families on the move.

Central to understanding the importance of integrated processes are the stories about how and why implementing partners developed their specific approaches. The following three examples provide insight into these processes.

Example 1: Strengthening local-level systems: Enhancing access to services through an inter-agency working group

Future Families in Musina, South Africa

Musina is a small town on the border between South Africa and Zimbabwe. The surrounding area has a number of large farms that have relied historically on both local and migrant labour from Zimbabwe (20). The area is dry, prone to drought, and presents few economic opportunities. Local populations are therefore poor and under-served. Musina is a transit town for children and adults on the move heading for the cities of South Africa. Over the last two decades the economic growth of the town has meant that many migrants, especially children on the move end up staying in Musina and settle to live and work in the town and surrounding farms. In the town boys often work on building sites and as porters for Zimbabweans crossing the border to shop and do business in the town. Young women mostly do domestic work (21,22). Others have crossed the border to access functioning schools. The lives of these migrants are not easy. Exploitative labour practices are common, with young people often working for months without being paid. Migrants live in shared rooms or backyard shacks often with no services. Young women often end up in exploitative relationships as a survival strategy and incidents of gender-based violence are high (2,23).

A number of international and national NGOs work in the town. Initially this was in response to the increased numbers of young people crossing the

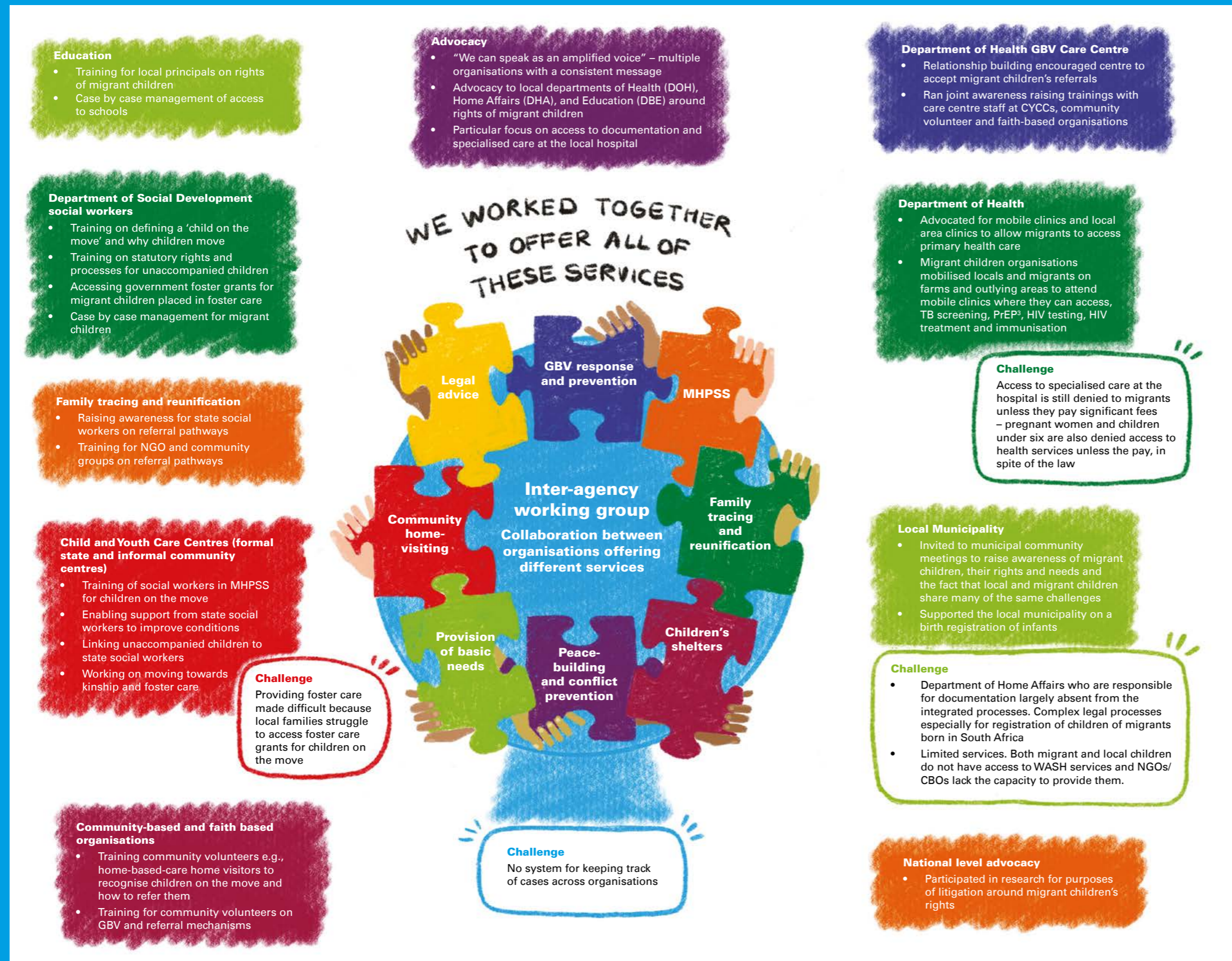
border from Zimbabwe because of the impact of HIV and AIDS in the mid-1980s and more recently because of the ongoing political and economic collapse of Zimbabwe (24). Several community and faith-based organisations have also set up informal children's homes in the town which, over time, have been formalised and improved. Despite the large number of migrants living in the area, government services and NGOs remain under-resourced and stretched. This makes children on the move in the town and surrounding areas particularly vulnerable (25).

Future Families, a national NGO, began working in Musina in 2015. Initially they worked as a UNHCR implementing partner providing for the basic needs of documented refugees and asylum seekers – mostly from the Democratic Republic of Congo (DRC) in transit to Johannesburg. The Best Practice Project funding allowed them to begin working with undocumented migrant children. The foundation of their work in Musina and the surrounding farming areas has been the Interagency Working Group (IAWG). The IAWG was initially established as a mechanism to encourage collaboration between NGOs in the area. After Future Families took on the role of secretariat for the IAWG they reinvigorated the group and used it as a catalyst for integrating services for children on the move.

"Musina is a small community overwhelmed by migrants, so NGOs were often competing for small resources and duplicating services. The strategy encouraged by the Best Practice project was not to give out basic needs, which is what we as Future Families had been doing (an approach which creates dependency). Rather we were encouraged to look critically at the gaps in services. We worked with others to activate all NGOs and local community structures in the area through the Interagency Working Group. In this group we looked at the needs, the gaps in services for children on the move and then at our different strengths and our weaknesses. We began to strategise how we could optimise our individual strengths and work together to fill the gaps. We aimed to strengthen the system of support for children on the move."

(Future Families Project Manager)

Future Families in Musina, South Africa



The diagram illustrates the extent of service integration and how working together allowed civil society to increase the impact of their interventions on the lives of children on the move. One key observation is that this work did not need a large injection of funding. Instead, service providers combined their different strengths and connected with government service providers to bring them on-side through skills-sharing. This approach aimed to reduce the burden on government service providers while also ensuring that intervention gaps and challenges were addressed. The main mechanism of impact was increased cooperation and working as a collective to build relationships with government services. The advocacy process at local and even national level was also achieved through the 'amplified voice' of many organisations.

As the 'challenge' boxes in the diagram show, there is still work to do. Some of this work is in response to the increasing securitisation of the migration response in South Africa. Migration is increasingly treated as a national security concern, rather than as a humanitarian duty. The challenge of accessing and regularising documentation is a key outcome of this securitisation. Accessing appropriate documentation is key for the ongoing well-being and future livelihoods of children on the move and is an issue that the IAWG, along with many other national NGOs in South Africa, continue to deal with. Despite the constraints of the political context, children on the move in Musina have greater access to quality services, and service providers have a stronger and more informed response to these challenges than before the integration of service providers. The primary step was to bring all the stakeholders including local and outside agencies together to critically address the contextual short-term and long-term challenges, understand the changing socio-political realities, and take on the various responsibilities to provide integrated services.

This approach, though context specific, could also be replicated in many other contexts, including urban areas and refugee settlements in both development and rapid response emergency contexts. The fact that the organisation worked at a local level is significant and in line with recent UNICEF Guidelines on how local governments can play an important role in supporting children on the move (12).

3 **PrEP** means Pre-Exposure Prophylaxis, an anti-HIV medication that keeps HIV negative people from becoming infected.

Scalabrini Centre of Cape Town

The Scalabrini Centre is located in Cape Town – a diverse city with stark inequalities and spatial divisions based on race and class. While the Western Cape Province in which Cape Town is located hosts fewer cross-border migrants than Gauteng Province, the city continues to attract migrants seeking improved livelihoods, education opportunities, and to join their families. Close to the central business district the Scalabrini Centre is easily accessible to migrant adults and children. The Centre offers a range of services to walk-in clients who can join ongoing initiatives that range from English classes and legal advice to mental health and psychosocial support groups and youth and livelihood programmes. Scalabrini also runs a registered child and youth care centre (CYCC) called Lawrence House.

Lawrence House can accommodate up to 25 children and youth and specialises in the care and protection of unaccompanied foreign minors and refugee children, as well as children who have experienced traumatic events. Lawrence House is one of a number of facilities that migrant children in the Western Cape can access including registered and unregistered CYCCs, temporary safe care facilities, and a cluster foster care scheme (see Brief 2 – Principle-led and gender-responsive services). Scalabrini has combined its experience in running a CYCC with its in-house legal expertise to develop a best practice for identifying and supporting undocumented migrant youth in alternative care and augmenting the government alternative care services for children on the move.

Because of their specialist expertise in engaging with unaccompanied or separated children on the move, the Scalabrini Centre was frequently approached by government social workers and CYCCs looking for help in procuring documentation for children on the move in alternative care. These requests for assistance often came too late (too close to the child's eighteenth

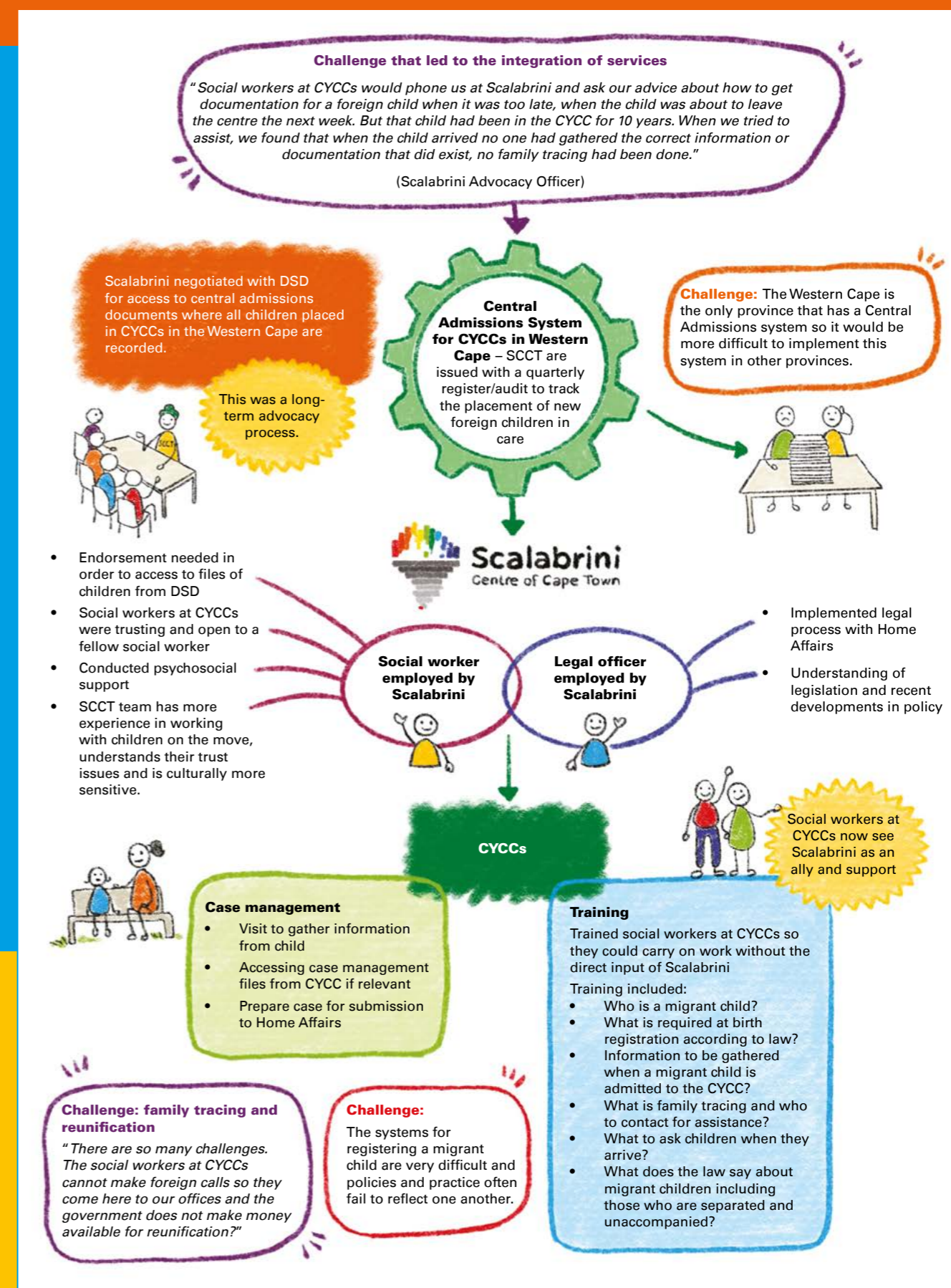
birthday for example) or after the documentation process had not been properly managed by CYCCs or social workers. The Scalabrini Centre responded to this by setting up a small team at the centre composed of a lawyer and a social worker to fill the capacity gap in state service delivery.

In South Africa CYCCs were primarily established for 'children in need of alternative care' under a court order. A child who has been abandoned or orphaned and has no parent or other caregiver is considered a child "in need of care and protection". This definition extends to "an unaccompanied migrant child from another country" or "a child victim of trafficking" (26). The implementation of the work of the CYCCs falls under the Department of Social Development (DSD) and The Department of Home Affairs (DHA) is responsible for the legal documentation relating to adults and children – both citizens and foreign nationals who sojourn in the Republic.

In the Western Cape, when a child is placed in alternative care, they are added to a provincial central admissions database through which their case can be managed by DSD staff. The Scalabrini Centre built a relationship with the Western Cape DSD and negotiated to gain access to this central admissions database. Through this, The Scalabrini Centre is able to identify migrant children in alternative care. Once children on the move are identified a Scalabrini Centre lawyer and social worker visit the CYCC, identify the documentation needs of the child, and take over the management of their case to assist in applying for the appropriate documentation and start family tracing if necessary.

The diagram opposite describes in detail the work that the Scalabrini Centre has undertaken under the Best Practice Project to augment a government service, a good example of integration.

The Scalabrini Centre work described in the diagram highlights how an NGO can support government child protection systems, one of the intended outcomes of the Best Practice Project. The example describes an approach to improving quality services in reception centres and other care and attention facilities. Though Scalabrini works within the specific context of South African policy around CYCCs, the underlying concept of an NGO working to create a relationship with government services and then supplementing that service for the benefit of children and also giving support to government officials is replicable in other contexts (12).



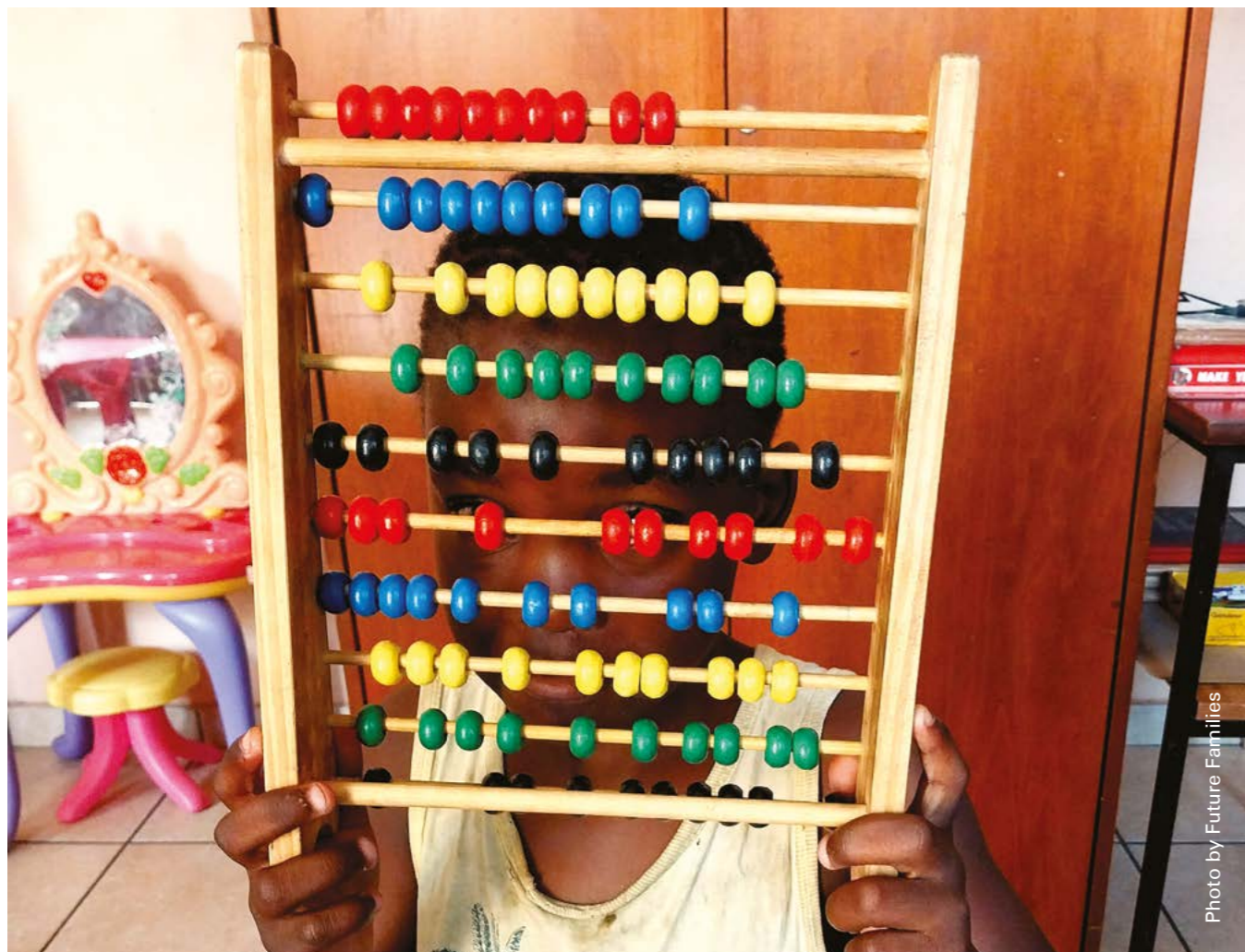


Photo by Future Families

Conclusion

The lack of integration of policy and practice for the care and protection of children on the move is an issue faced by NGOs and government service providers, globally (27). The examples in this brief show how systems can be strengthened through integration at a local, provincial, and national level. Drawing on the experience, awareness, and vision of service providers working 'on the ground', these examples reflect the creativity that emerges and can be nurtured in difficult times and in response to legal, socio-political and coordination challenges and constraints. Ultimately, they attest to the strength of responses based on cooperation rather than competition, and the importance of a shared vision and willingness to invest in providing quality services for children on the move.

Key learnings related to the Best Practice Project intended outcomes

- It is possible to integrate NGO services and government child protection systems for children on the move at a local and provincial or district level.
- Collaboration between service providers increases the reach and improves the quality of mechanisms for addressing gender-based violence and other structural problems.
- Quality of services for children on the move in care and attention facilities can be improved with cooperation between NGO and government service providers.
- The success of this integration rests on the careful building of personal relationships that are mutually supportive for both officials, such as state social workers, and NGO workers.

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