



## IMPACT CASE STUDY OF CIVIL SOCIETY INTERVENTIONS AROUND THE CHILD SUPPORT GRANT IN SOUTH AFRICA

By Neil Overy

The Child Support Grant (CSG) has arguably been one of the most successful poverty alleviation policies pursued by the post-apartheid government in South Africa. Despite a fairly slow uptake after its introduction in 1998, by 2001 there were 1.9 million beneficiaries receiving the grant. Since 2001 the number of grant beneficiaries has increased rapidly — by 2005 the number of recipients had risen to over seven million, and by the end of March 2009 over nine million beneficiaries received the grant.<sup>1</sup> This increase has had a considerable impact on budget allocations. Between 2001 and 2008 spending on the CSG has increased six fold in real terms, from R2.4 billion (US\$315 m) to R14.4 billion (US\$1.89 bn).<sup>2</sup>

While the grant amount is relatively small (it currently stands at R240 (US\$31.50) per month) there is considerable evidence to suggest that it has a significant positive impact on child poverty. Research has shown that the CSG targets vulnerable groups effectively and improves the ability of caregivers to meet children's basic needs. A growing body of evidence demonstrates that the grant improves childhood nutrition, facilitates improved access to schooling, and contributes toward the payment of basic services for the household, such as electricity.<sup>3</sup> According to the Children's Institute at the University of Cape Town, the number of children living in poverty in South Africa has fallen by over 9 percent between 2002 and 2007.<sup>4</sup> The significant increase in CSG recipients that has occurred since 2001 must have contributed to this reduction in child poverty.

### BACKGROUND

The South African Constitution of 1996 confirms the country's rejection of the racialized politics of exclusion, which characterised South Africa under apartheid. The Constitution states that "within its available resources" the state is obliged to take "reasonable legislative and other measures" to progressively realize the right to social security to assist those who "are unable to support themselves and their dependants."<sup>5</sup> In regard to children, the Constitution is even stronger as it does not include any limitation to this right in terms of the availability of resources.<sup>6</sup>

To begin to give effect to these rights, a White Paper for Social Welfare was drawn up in 1997 that sought to move away from "curative services towards preventative programmes."<sup>7</sup> Critically, however, and taking its lead from the Constitution, this paper also recognized that all South Africans had a right to a reasonable standard of living and that social assistance remained an effective mechanism for poverty alleviation.<sup>8</sup> As part of the government's attempts to begin to realize the constitutional right to social security a committee, commonly known as the Lund Committee, was established in 1996 and was tasked with assessing the existing system of support for children and families and developing approaches to target children effectively.<sup>9</sup> The existing State Maintenance Grant (SMG) did not target the poorest children equitably, as it went largely to poor "coloured" and "Indian" women and their children at the cost of poor "black" women and their children.<sup>10</sup> In an effort to address this imbalance, the Lund Committee had to develop a grant that would reach significantly more poor families than the existing SMG. However, it was instructed by the government to do so within the existing child grant budget, which ruled out simply expanding the reach of the SMG.<sup>11</sup>

To meet these specific requirements, the committee proposed that the current SMG, which was then at a monthly rate of R127 per child (up to the age of 18) and R410 for a parent, should be phased out and replaced by a new Child Support Grant (CSG) at a monthly rate of R70 for children up to the

age of nine.<sup>12</sup> In March 1997 the South African Cabinet agreed to the phasing out of the SMG in favor of the CSG but changed the amount to R75 a month, and the eligibility to children only up to the age of seven.

The government's decision not to increase budgetary allocations at this time should be set against the context of the macroeconomic policy that it began to pursue with the introduction of the GEAR (Growth, Employment and Redistribution) policy in 1996. This policy, which prioritized containing budget deficits and other measures of fiscal discipline, led to the development of what has been called a "hybrid" policy discourse in South Africa; a discourse that has simultaneously championed self-reliance and the development of human capital, with socially democratic ideas about equity and basic welfare rights.<sup>13</sup> This fiscal policy had, and continues to have, a significant influence on the development of the CSG.



Late 1990s budget demonstration, which includes members of the New Women's Movement calling for an increase in the CSG

## DESCRIPTION OF CAMPAIGNS

Initial civil society engagement around the CSG was characterized by robust, but somewhat fractured, advocacy. Civil society had been largely excluded from the deliberations of the Lund Committee and the subsequent decisions to set the grant amount at R75 a month for children up to the age of seven.<sup>14</sup> Once this information became public, however, civil society responded in two ways. Some groups wanted the SMG to be retained, but they were accused by other civil society organizations (CSOs) of representing the narrow interests of mainly "coloured" women who were benefitting most from the SMG. Other elements recognized that retaining the SMG was not a realistic goal given the government's macroeconomic trajectory and argued instead to increase the CSG grant amount to R135 and expand eligibility for the grant to children up to 12 years old.<sup>15</sup>

Once it became apparent to civil society that there was no realistic alternative to the CSG, advocacy around it developed in a balanced fashion. Civil society gradually accepted and supported the CSG, even going so far as to assist people with their applications for the grant, while continuing to call on government, sometimes robustly, to increase the amount and age cohort of the grant and make improvements in its administration.<sup>16</sup>

Civil society advocacy around the CSG has taken many different forms. Placard demonstrations and marches, which have been aimed at the Department of Social Development, Parliament, and party conferences, have featured strongly, as have memorandums and petitions targeting both specific issues and specific members of government. CSOs, such as Black Sash, the Institute for Democracy in Africa (IDASA), the Alliance for Children’s Entitlement to Social Security (ACCESS), and the Children’s Institute also have made numerous submissions in regard to the CSG to Parliament, provincial legislatures, and commissions of enquiry over the last decade. In addition, these organizations have undertaken extensive evidence-based research around the CSG, which has been informed by a rights-based approach and has taken its lead from the South African Constitution. More recently, litigation has been instigated by an increasingly frustrated civil society that has concluded that the right to social security, as enshrined in the Constitution, is not being effectively realized by government departments.

### OUTCOMES OF CAMPAIGNS

Since 1998 there have been numerous changes to the CSG. The grant ultimately was introduced at R100 (R191 or US\$ 25 in 2008 values), not at the R75 (R141 or US\$18.50) previously recommended by the cabinet.<sup>17</sup> In July 2001 the grant was increased again to R110 (R168 or US\$22) and then was increased every year at a rate equal to or slightly more than inflation. Since 1998 significant changes have been made to the age cohort covered by the CSG. Only four years after the introduction of the grant, the government announced that the eligible age cohort was to be increased gradually from children under seven to those under 14 years by 2005. At the beginning of 2009 the eligibility cut-off point was increased again to those under 15 years old. Within a year of the grant’s introduction a number of regulations relating to the income means test, employment, maintenance, and immunization were dropped. More recently, changes have occurred in regard to the qualification cut-off point for the means test and to requirements relating to the documents that are necessary to apply for the grant.

These changes have led to a dramatic increase in the numbers of grants awarded and in the cost to the Treasury, as illustrated below:

Number of Grants and Nominal/Real Expenditure<sup>18</sup>

	01/02	02/03	03/04	04/05	05/06	06/07	07/08	08/09
CSG Grants	1.9m	2.6m	4.3m	5.6m	7m	7.9m	8.2m	9.1m
Expenditure (nominal)	R2.4bn	R4.6bn	R7.7bn	R11.4bn	R14.1bn	R17.6bn	R19.6bn	R23.4bn
Expenditure (real)	R2.4bn	R4.3bn	R6.6bn	R9.2bn	R10.9bn	R13bn	R13.6bn	R14.4bn

### EXPLAINING THESE CHANGES

#### *Evidence-Based Research*

Evidence-based research undertaken by CSOs has contributed significantly to the changes in the CSG. Civil society research has focused essentially on three different areas: budget analysis, assessment of service delivery problems, and research to demonstrate the value of the grant itself as an effective tool to address poverty.

There is clear evidence that civil society budget analysis has had a significant impact on the expansion of the CSG.<sup>19</sup> Initially, the broader civil society coalition that was campaigning around the CSG was somewhat ambivalent toward budget-based research work. Debbie Budlender recently observed that in the early stages the value of budget work was “not generally recognized,” while Shaamela Cassiem notes that there was an attitude of “snobbishness” against budget work, which some within the broader coalition “felt they didn’t really need.”<sup>20</sup> Cassiem notes, however, that the broader coalition “very quickly

saw that they needed to do this analysis and use this analysis.” Initially, coalition partners would identify particular issues and request relevant budget information from such organizations as IDASA. More recently they have begun to commission budget work from organizations like the Community Agency for Social Enquiry (CASE). This development clearly demonstrates the central role that budget work has played, and continues to play, in the broader civil society coalition around the CSG.<sup>21</sup>

In terms of the timing of budget work, Cassiem notes that while the broader coalition worked on budget issues throughout the year, there was always a “frenzy” of activity around the tabling of the national budget, when the broader coalition “worked together harder than at any other time throughout the year.” John Kruger, former Director of Social Services at the Treasury, has recently argued that civil society should more effectively “target the budget process.” He contends that the timing of civil society interventions, generally after the tabling of budgets, were too late as allocations had already been decided. While this comment may suggest that civil society should have worked harder at targeting budgetary matters when budgets were actually being drawn up (normally in the last third of each calendar year), recent changes in South Africa that allow the Parliament to amend money bills may in fact suggest that an opening now exists during *and* after the tabling of budgets.<sup>22</sup>

CSO budget work has targeted specific issues in relation to the CSG and analyzed overall budgetary allocations and spending trends. In 2000 IDASA and the Children’s Institute undertook work around the size of the grant, which demonstrated how the value of the grant had actually fallen in real terms every year since its introduction in 1998.<sup>23</sup> This research was then used by Black Sash, IDASA, and the Children’s Institute in a number of submissions to the Department of Social Development and the Committee of Enquiry into a Comprehensive Social Security System for South Africa (commonly known as the Taylor Committee).<sup>24</sup> Within months of this research being completed, and its findings being widely disseminated, the first increase in the CSG occurred.<sup>25</sup> John Kruger noted that this “budget analysis always helped us,” arguing that research from IDASA in this particular area “helped in terms of keeping the pressure on to keep the real value [of the grant] the same.”<sup>26</sup>

Since 2001 civil society has argued that increasing the eligibility age for the CSG to 18 years has always been affordable in terms of overall budget allocations. Civil society’s research has demonstrated how the Treasury could “afford” to finance an extension to 18 years by making different choices around taxation and budget deficit policies.<sup>27</sup> Attention must also be drawn to the budget work undertaken by IDASA in relation to provincial social development allocations and spending problems. Kruger noted that from a Treasury point of view “IDASA always kept us on our toes ... they helped to push for corrections on those provincial budgets.”

In 2005 civil society researchers demonstrated how the government’s failure to institute inflation-based increases to the qualification threshold amount for the CSG income means test excluded thousands of children who would have qualified previously from receiving the grant.<sup>28</sup> According to Patricia Martin at ACCESS, this research “created the perfect storm and pushed Social Development.”<sup>29</sup> Selwyn Jehoma, Director General for Social Security Policy in the Department of Social Development at the time, confirms the impact this research had, noting that civil society directly influenced the Minister of Social Development “to raise the issue of the means test.”<sup>30</sup> Daniel Plaatjies, the Director of Welfare and Social Security in the Treasury at the time, remarked that “if it was not for them [civil society organizations] nothing would have happened.”<sup>31</sup>

A great deal of work has also been undertaken by CSOs to investigate service delivery problems associated with the implementation of the CSG.<sup>32</sup> Such work has looked at problems relating to the documentation necessary to apply for the grant, the application of the means test, and the ability of the Department of Social Development to actually deliver the grant — both in terms of staff and general administrative capacity.<sup>33</sup> John Kruger observed that this work “helped” because it demonstrated where capacity was weak and assisted government in getting “to the people that already qualify for the grant.” Given that it has only really been civil society that has systematically undertaken this type of evidence-based research, it can safely be concluded that this research has had a significant impact and has prompted many of the positive changes that have taken place in the administration of the CSG.

There is compelling evidence to suggest that civil society research that demonstrates the utility of the grant in addressing poverty has contributed significantly to CSG policy changes.<sup>34</sup> Patricia Martin notes that such research has been, “critically important” when faced with ideological arguments and concerns over costs and has become the “lifeline of advocacy.”<sup>35</sup> Selwyn Jehoma observes that the evidence from this research was used regularly by the Department of Social Development, while John Kruger notes that this research was considered “quite powerful and persuasive” within the Treasury because it created “relief in government” that the CSG “was an effective way of getting to the poor.” He observes that it was this research that led to “general support” within the Treasury for the CSG to be pushed “as fast as it can be given the finances.” Alison Tilley remarked that this particular research is powerful because there is “no substantive credible research that goes the other way.” Patricia Martin confirms this point when she notes that this research led to the extension of the CSG because government was, and still is, unable to refute the evidence showing how effective the CSG is in addressing poverty.

Another area where civil society research has been essential relates to how it has empowered the Department of Social Development, both in terms of its own development of policy priorities, and in how it interacts with the Treasury. Patricia Martin noted that until more recently there was no real culture of research within the Department of Social Development, which would make policy assertions around the CSG “without any factual basis.” This perception is shared by John Kruger, who commented that in the initial years their projections were very “back of the envelope” because they lacked “careful work, costing and likely impacts.”<sup>36</sup> Kruger contends that this lack of systematic engagement around the implementation of the CSG led to strained relations between the Treasury and the department. Daniel Plaatjies expressed similar sentiments about the relationship between the department and the Treasury, which he described as “uneven.” Plaatjies noted that the department never fully understood the “political, economic, public finance, fiscal, service delivery and administrative tensions of certain policies.” He argues that it was driven more by political concerns than by “the technical responsibilities of technocrats.”<sup>37</sup>

Conversely, Selwyn Jehoma from the Department of Social Development, observed that his department was not “in the best relations” with Treasury because it is “robust” in “generating research to make an argument” and, because of this, was “no easy push-over.” What Jehoma seems to be referring to here, is the department’s relatively recent realization that the best way to try and influence the Treasury is to generate high-quality research.<sup>38</sup> Patricia Martin contends that the department has “seen the value” of research to advocacy and has now realized that it needs to undertake systematic research if it is to engage effectively with the Treasury.<sup>39</sup> Kruger argues that in recent years the Department has become better at commissioning the “right research,” “asking the right questions,” and “pressing the right research buttons.” He indicates that this transition within the department was partly the result of its interactions with CSOs, such as the CASE, the Children’s Institute, and IDASA. While clearly not wanting to be drawn in specifically on the way in which civil society has empowered the Department of Social Development, Selwyn Jehoma did acknowledge that civil society research did “touch on areas where government is often slow to get out,” stating that the department would be “poorer” in its absence.

While tensions existed, and no doubt continue to exist, between the Department of Social Development and the Treasury in regard to the CSG, there was also tension within the Treasury itself, with some officials wanting the CSG to be extended faster than it actually was. Kruger argues that the CSG could have been expanded faster than it was because there was “more budget space” (i.e., expansion was affordable) than the Treasury admitted. However, others within the Treasury believed that issues of poverty were better addressed in different ways, such as infrastructure investment and tax cuts to try and create employment opportunities. In addition, some within the Treasury expressed concern about the overall rise in the social security budget, not just because of the rapid increase in the CSG but also because of the increasing number of disability grants being awarded to HIV and AIDS victims.

What is interesting is that both Selwyn Jehoma and Daniel Plaatjies argue that civil society should knock harder on Treasury’s door because, according to Plaatjies, when it comes to policy options, it is the Treasury “that matters.” In contrast, John Kruger argues strongly against advocating for changes in social policy at the level of Treasury. He cautioned against giving the Treasury “more power” and stated that civil society would be better served by strengthening departments in their interactions with the Treasury.

## Litigation

Alison Tilley recently observed that all major changes to social security implementation in the last four years have been the result of litigation.<sup>40</sup> Civil society litigation in relation to the CSG, which has often been supported by strong evidence from civil society research, has recently resulted in changes to the means test that has led to increased grant applications, and the implementation of regulations reducing the document burden on applicants.<sup>41</sup> Daniel Plaatjies noted that this litigation has “pushed the boundaries with regard to government’s commitment to chapter 2 of the Constitution,” arguing that it has been undertaken “for the right reasons.”<sup>42</sup> In similar fashion, Selwyn Jehoma comments that litigation from civil society “serves a good purpose.” From civil society’s point of view, litigation has clearly been viewed as a “last resort,” when all other avenues to effect change have failed. Debbie Budlender argues that there has been a gradual build-up of frustration within civil society because “they say they are going to do something, they say they are looking at things, and nothing happens.” She argues that the advantage of litigation is that it “gets them moving quicker.”<sup>43</sup>

This is not to say that litigation does not have its problems. Budlender cautioned against the increased incidence of turning to the courts for relief, arguing that by doing so civil society could be encouraging government to become more conservative in its policy making, for fear of being litigated.<sup>44</sup> Alison Tilley drew attention to other dangers inherent with litigation. She argues that it is a “very, very bad way of making policy” because it develops in an *ad hoc* way, which means that “departments don’t plan for implementation, they don’t prepare their officials, they don’t have a communications strategy, they just limp along.” These comments were echoed by Daniel Plaatjies, who noted that while litigation has successfully expanded the responsibilities of the state, there has often been no corresponding expansion in the state’s ability to deliver, both in terms of administration and fiscus, against these expanded responsibilities.

## More Recent Developments

### *Extension to Children and Youths up to 18*

After eight years of civil society campaigning for an extension of eligibility for the grant to the age of 18, the government indicated in early 2009 that it was considering such an expansion of the CSG.<sup>45</sup> Indeed, on 21 October 2009 the government announced the phased extension of the grant beginning 1 January 2010 for those aged 16 to 18. The extension of the grant was set to benefit a further two million children at an estimated additional cost of R7.4 billion (\$970 million) over the three years of phased extension.<sup>46</sup>

On 27 November 2009 draft regulations governing the extension were published for comment. However, because of the need to begin the extension in January 2010, the deadline for comments to be received was 11 December, giving interested parties little time to properly assess the regulations.<sup>47</sup> Despite this, a joint civil society submission was made to the Department of Social Development that highlighted two main concerns with the regulations.<sup>48</sup>

#### 1. The Phased Extension

The draft regulations stated that a child would become eligible for the grant over a three year period, from 2010 to 2012, if:

- i. On or after 1 January 2010 the child is under the age of 16 years
- ii. On or after 1 January 2011 the child is under the age of 17 years
- iii. On or after 1 January 2012 the child is under the age of 18 years

The submission noted that these regulations would repeat the so-called stop-start problem that emerged during the phased extension to age 15 between 2003 and 2005. The problem occurs when children qualify for the grant at the start of each extension year, have their birthdays, and subsequently “fall off” the system until they can reapply at the start of each new extension year.<sup>49</sup> The submission noted that this would affect some 150,000 children over the three years of the phased extension. To resolve this

problem, the civil society submission stated that the regulations should indicate that any child born after 1 April 1994 would be eligible for a grant during each of the phased extensions, meaning that no child would “fall off” the system.

## 2. School Enrollment and Attendance

The draft regulations proposed the introduction of a requirement for caregivers of children aged between seven and 18 to submit proof of school attendance to the South African Social Security Agency (SASSA) every six months. According to the regulations, failure to do so would result in the suspension of the CSG until such time as attendance is proven by the caregiver. The submission from civil society raised a number of concerns about this regulation, noting that:

- the onus is placed on the caregiver, not government officials, to prove attendance by providing documents to the SASSA;
- the requirement has the potential to limit the Constitutional right to social security of close to 9 million children;
- there has been a lack of consultation with the Parliament, civil society, and the general public with regard to the implementation of this conditionality; and
- evidence from experts suggests that nonattendance at school is not likely to be addressed in any meaningful way by this regulation as the main cause of nonattendance is social problems largely outside of the control of the caregiver or child.<sup>50</sup>

The submission called on government to remove the proposed condition on school attendance until further debate on the pros and cons could take place.

After a period of what Budlender describes as “concerted lobbying” by civil society — which involved lobbying all the way up to the ministerial level — a number of significant changes took place in regard to the regulations governing the expansion of the CSG.<sup>51</sup> On 31 December 2009 a new set of regulations were published that included a single firm eligibility date (1 October 1994), which would prevent children falling off the system.<sup>52</sup> This date was then amended to 31 Dec 1993, which had the effect of further extending the number of children eligible for the grant.<sup>53</sup>

While the government did not drop the conditionality relating to school attendance, a number of important changes were made to how it is now being implemented. Regulations set in December 2009 place the onus on government officials (school principals) to produce attendance reports for caregivers, rather than expecting caregivers to source such reports from schools themselves. In addition, and most important, the failure to produce evidence of attendance does not now result in the suspension of the grant. If proof of attendance is not forthcoming, caregivers and children are now to be assisted by social workers to comply with this regulation.<sup>54</sup>

These changes in the regulations demonstrate further evidence of the effectiveness of civil society research and advocacy in relation to the expansion of the CSG in South Africa.

## Conclusion

John Kruger contends that the CSG was simply a “very sensible benefit” that the government has extended as far as has been possible within its available resources and with due regard to competing policy and budget pressures. While this may well be true, the important question that needs to be asked is what role has civil society played in demonstrating what a “very sensible benefit” the CSG grant is, and how affordable it actually is in terms of overall budget allocations. Daniel Plaatjies remarked that civil society’s “very intense engagement” with the CSG has “firmly put on the agenda the needs of children,” which he argued has led to changes in both how the budget is allocated and how government now sees its responsibility toward children.<sup>55</sup>

Given the prevailing macroeconomic policy that South Africa has pursued over the last decade it seems quite remarkable that the CSG has grown to the extent that R30.8 billion (US\$4 billion) is being spent on

it in the current financial year.<sup>56</sup> These facts alone clearly demonstrate the success of civil society advocacy in regard to the continuing expansion of the CSG.

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<sup>1</sup> *Provincial Budgets and Expenditure Review, 2005*, and *Estimates of Public Expenditure*, South African National Treasury, 2009.

<sup>2</sup> Figures adjusted for inflation using CPIX data. Exchange rate, US\$1 = R7.63.

<sup>3</sup> See, for example, M Samson (et al), "The Social and Economic Impact of South Africa's Social Security System," Economic Policy Research unit, Cape Town, 2004; D. Budlender & I. Woolard, *The Impact of the South African Child Support and Old Age Grants on Children's Schooling and Work*, International Labour Organisation, Geneva, 2006; and A. Delany (et al), "Review of the Child Support Grant: Uses, Implementation and Obstacles," United National Children's Fund, June 2008.

<sup>4</sup> S. Pendlebury (et al), *South African Child Gauge 2008/09*, Children's Institute, 2009, p. 77.

<sup>5</sup> South African Constitution, 1996, section 27 (1 and 2).

<sup>6</sup> South African Constitution, 1996, section 28 (1) (c). See also, M. Dutschke & J. Monson, "Children's Constitutional Rights to Social Services," in P. Proudlock (et al), *South African Child Gauge 2007/08*, Children's Institute, University of Cape Town, 2008, p. 26.

<sup>7</sup> In line with much international welfare policy development in the period.

<sup>8</sup> F. Lund, *Changing Social Policy: The Child Support Grant in South Africa*, HSRC Press, Cape Town, 2008, p. 13.

<sup>9</sup> D. Budlender (et al), "Developing Social Policy for Children in the Context of HIV/AIDS: A South African Case Study," Children's Institute and Community Agency for Social Enquiry, Cape Town, 2008, p. 10.

<sup>10</sup> In the early 1990s, approximately 45 Indian and coloured children were receiving the grant per 1,000 Indian and coloured children, whereas only 2 black children per 1,000 African children received the grant, despite the existence of more extensive poverty in black communities. Lund (2008), p. 16.

<sup>11</sup> Lund (2008), pp. 90 – 91. It has been estimated that to fully extend the take-up of the SMG in the mid-1990s would have cost in the region of R12 billion a year, equivalent to the entire annual health budget. See, Budlender, 2008, p. 8.

<sup>12</sup> Not all areas included the parent portion of the grant.

<sup>13</sup> This analysis draws from F. Barchiesi, "South African Debates on the Basic Income Grant: Wage Labour and the Post-Apartheid Social Policy," *Journal of Southern African Studies*, Vol. 33, No. 3, Sept. 2007, p. 575.

<sup>14</sup> Lund argues that the "we thought that the urgency of reform was paramount" but noted that consultation with civil society organisations was a casualty of this approach. Lund (2008), pp. xii – xiii.

<sup>15</sup> See, Budlender (2008), p. 49.

<sup>16</sup> *Ibid*, p. 15.

<sup>17</sup> Figures adjusted for inflation using CPIX data. Exchange rate, US\$1 = R7.63.

<sup>18</sup> Figures adjusted for inflation using CPIX data. *Provincial Budgets and Expenditure Review, 2005* and *Estimates of Public Expenditure*, National Treasury, 2009.

<sup>19</sup> Budget analysis work broadly refers to research that looks at overall budget allocations and spending, grant values, means test calculations, and overall cost projections.

<sup>20</sup> For Budlender, email correspondence with author, 1 Oct. 2009. For Cassiem, this and all subsequent quotes, interview with author, 1 Oct. 2009. Budlender was a member of the Lund Committee and is now with CASE. Shaamela Cassiem, previously of the Children's Budget Unit at IDASA, is now with the International Budget Partnership.

<sup>21</sup> Cassiem notes of the broader coalition that "the intensity of the budget work they are doing, or using for their advocacy, has increased."

<sup>22</sup> Money Bills Amendment Procedure and Related Matters Act, 2009.

<sup>23</sup> S. Cassiem & J. Streak, *Budgeting for Child Socio-Economic Rights: Government Obligations and the Child's Right to Social Security and Education*, IDASA, Cape Town, 2001, p. 94.

<sup>24</sup> The Taylor Committee was formed in 2000 and was tasked with generating proposals with respect to an improved social security system. It created an excellent opportunity for civil society to advocate around the CSG.

<sup>25</sup> See, Budlender (2008), p. 17.

<sup>26</sup> This and all subsequent quotes from John Kruger, from interview with author, 11 Sept. 2009.

<sup>27</sup> See, for example, S. Cassiem (et al), "The Child Support Grant and Budget 2002: The Implications for Child Poverty Relief," Cape Town, IDASA, 2002.

<sup>28</sup> D. Budlender (et al), "At All Costs? Applying the Means Test for the Child Support Grant," Cape Town, Children's Institute & the Centre for Actuarial Research, 2005.

<sup>29</sup> This and all subsequent quotes from Patricia Martin, interview with author, 3 Sept. 2009. Martin noted that "when we started putting the facts and figures together to say well you have to be twice as poor now as you were then to qualify, it really started hitting home."

<sup>30</sup> This and all subsequent quotes from Selwyn Jehoma, interview with author, 8 Sept. 2009.

<sup>31</sup> This and all subsequent quotes from Daniel Plaatjies, interview with author, 10 Sept. 2009.

<sup>32</sup> See, for example, A. Leatt, "Granting Assistance: An Analysis of the Child Support Grant and its Extension to Seven and Eight Year Olds," Children's Institute, Cape Town, 2004; S. Rosa & C. Mpokocho, "Extension of the Child Support Grant to Children Under 14 Years, Children's Institute," Cape Town, 2004; and B. Goldblatt (et al), "Implementation of the Child Support Grant: A Study of Four Provinces and Recommendations for Improved Service Delivery," Children's Institute, Cape Town, 2006.

<sup>33</sup> After the phased expansion of the CSG in 2002, the Children's Institute and ACCESS created bi-weekly Case Alerts which highlighted problems people were having in terms of accessing the CSG. The Alerts were sent to national and provincial Departments of Social Development, Parliament, the media, and civil society more widely.

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<sup>34</sup> For examples of such work see, S. Kola (et al), “Phasing in the Child Support Grant: A Social Impact Study,” Community Agency for Social Enquiry, Johannesburg, 2000; M Samson (et al), “The Social and Economic Impact of South Africa’s Social Security System,” Economic Policy Research unit, Cape Town, 2004; and D. Budlender & I. Woolard, *The Impact of the South African Child Support and Old Age Grants on Children’s Schooling and Work*, International Labour Organisation, Geneva, 2006.

<sup>35</sup> Ideological arguments around perverse incentives and welfare dependency have been used by some to argue against the extension of the grant.

<sup>36</sup> Kruger argues that previously there was a “broken telephone” between the Department of Social Development and the Treasury, in that civil society would share research findings with the department, but they would not reach the Treasury. Alison Tilley contends that if the department had researched more thoroughly in the early years and become “more credible,” developments around the CSG would have “moved faster.” This and all subsequent quotes from Alison Tilley, from interview with author, 3 Sept. 2009.

<sup>37</sup> Both questioned if the department’s “dogged” insistence of extending the age range of the grant “as fast as possible” was the best way to effectively realize the right to social assistance.

<sup>38</sup> Research recently commissioned by the Department of Social Development includes, M Samson (et al), “The Social and Economic Impact of South Africa’s Social Security System,” Economic Policy Research Unit, Cape Town, 2004.

<sup>39</sup> Patricia Martin, interview with author, 3 Sept. 2009. She argues that, “I think our campaigns have helped their advocacy campaigns in relation to the Treasury ... in an indirect way we have been aiding and abetting that fight.”

<sup>40</sup> Alison Tilley, “Reinventing the Wheel,” *City Press*, 22 Aug. 2009. Alison Tilley is currently the Select Campaigns Manager at ACCESS and was previously the National Advocacy Coordinator at Black Sash.

<sup>41</sup> The decision on a further court case in relation to extending the grant to those under 18 is pending.

<sup>42</sup> Chapter 2 is the Bill of Rights which includes the right to social security.

<sup>43</sup> This and all subsequent quotes from Debbie Budlender, from interview with author, 3 Sept. 2009. Patricia Martin observed that litigation takes place “at the point where we have tried all our other avenues.”

<sup>44</sup> Patricia Martin argues that using the courts is also far from ideal because it is time-consuming, adversarial and “subverts the whole notion of participatory government.”

<sup>45</sup> The Minister of Finance noted in his 2009 budget speech that “compelling evidence that the phasing-in of the child support grant has contributed significantly to reducing child poverty has emerged in recent research, and so consideration is being given, subject to affordability, to the extension of the child support grant to the age of 18.” While the Minister for Social Development noted in July of this year that “Over the medium term [Medium Term Expenditure Framework] we will gradually extend the Child Support Grant to children up to 18 years.” See,

<http://www.treasury.gov.za/documents/national%20budget/2009/speech/speech.pdf> and [www.dsd.gov.za/index.php?option=comcontent&task=view&id=171&Itemid=82](http://www.dsd.gov.za/index.php?option=comcontent&task=view&id=171&Itemid=82). Websites accessed on 12 Sept. 2009.

<sup>46</sup> See, <http://www.gcis.gov.za/newsroom/releases/cabstate/2009/091022.htm>.

<sup>47</sup> *Regulation Gazette*, No. 32747, 27 Nov. 2009.

<sup>48</sup> “Submission on Draft Regulations: Extension of the Child Support Grant and Proposed Introduction of a New School Enrolment and Attendance Condition,” 11 December 2009.

<sup>49</sup> The civil society submission provided the following example: “If a child’s birthday is in August 2010, they will be eligible for the grant on 1 January 2010 (because they will be under the age of 16) but only until August 2010, at which point they will turn 16, and are no longer eligible. They will then be without the grant for 5 months. They will, however, be able to reapply in January 2011. They will then fall off again in August 2011 and will have to reapply in January 2011.”

<sup>50</sup> The submission made reference to D. Budlender, “Feasibility and Appropriateness of Attaching Behavioural Conditions to a Social Support Grant for Children Aged 15-17 Years,” Community Agency for Social Change, November 2008.

<sup>51</sup> D. Budlender, personnel correspondence with author, 14 April 2010 and 12 May 2010.

<sup>52</sup> *Regulation Gazette*, No. 32853, 31 Dec 2009.

<sup>53</sup> *Regulation Gazette*, No. 32917, 12 March 2010.

<sup>54</sup> *Regulation Gazette*, No. 32853, 31 Dec 2009.

<sup>55</sup> Selwyn Jehoma remarked that civil society had engaged around the CSG with the Department of Social Development “thoroughly, and in different guises and with different means, soft and hard, and both extremes have been useful.” He notes that this engagement had resulted in “irrefutable” evidence that civil society has played a positive role in the development of CSG policy.

<sup>56</sup> *Estimates of National Expenditure, 2010*, South African National Treasury, p. 362.