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NETWORK AGAINST CHILD LABOUR HELD Report by Ray Mabope

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#### INVITATION

The Health Desk was invited to attend a meeting of the above held on 12 May 1993 in Johannesburg. Ray Mabope was sent to observe and represent the interest of the ANC.

#### PARTICIPANTS

12 Delegates from various organizations attended. List of member organizations and the constitution will be posted.

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Network fights child labour and promotes public awareness of the practice. They collect information on child labour practices with a view to formulate intervention strategies.

#### LEGISLATION

The group noted flaws in the Children's Act and wishes that a future government will adopt international guidelines in child labour. What is the ANC's thinking on child labour.

#### STATE WORKING GROUP

They served on the state working group on child labour but withdrew their participation when objectives were not met.

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They were instrumental in getting a documentary on child labour screened on "Agenda" on the 31-03-93. The programme raised public awareness and showed concrete evidence of the reality of child labour. Consequently the state re-inviting the group to take part in working group on child labour.

#### CHILD PROTECTION WEEK

31 May - 6 June is child protection week in Johannesburg to highlight the plight of children. Civics, child welfare organizations, churches, etc. will participate. A draft programme of events will be sent. The network requests the ANC to give a press statement in support of this project.

#### SOUTHERN AFRICAN CONFERENCE ON CHILDREN'S ISSUES

The conference will be held in Cape Town in September 1993. The ANC is invited to submit names of persons interested in planning, participation - presentation of relevant papers.

#### RECOMMENDATIONS

8.1 I recommend that ANC health, social welfare and legal departments participate in this network and comment on the proposed policy on child labour as requested.

8.2 I recommend that the ANC issue a statement on child labour to coincide with the proclamation of the "Child Protection Week" in conjunction with the organizers.

#### DOCUMENTS

9.1 Constitution and list of network members to follow.

9.2 Minutes of network meeting held 21-04-93 is attached.

9.3 Child Protection Week - programme of events to follow.

9.4 Conference on Children's issues - details to follow.

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NETWORK AGAINST CHILD LABOUR

C/O P O BOX 2539, JOHANNESBURG, 2000 TEL: 011/331 0171 FAX 011/331 1303

THE NEXT MEETING OF THE NETWORK WILL BE HELD ON WEDNESDAY 12 MAY

1993 AT 8H30 ON 7TH FLOOR, LIBERTY LIFE BROKER CENTRE, 112 MAIN

'STREET' (OFF ELOFF).

AGENDA

8H30 1. TEA

9H00 2. INTRODUCTIONS

3. PRESENT AND APOLOGIES

4. MINUTES OF MEETING HELD ON 21 APRIL 1993

5. MATTERS ARISING V

V3.1 State Working Group

V3.2 Proposed move of Network secretariate to NCRC

Letters to the press

Leaflet

Joint Enrichment Project documents

Department of Manpower

Service directories/resource lists 9

. Child Protection Week: 31 May - 6 June

/5. SASPCAN Southern Africa Conference on

children's issues - Network contribution

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6. REPORTED CASES OF CHILD LABOUR

V9. MANDATE FOR PARTICIPANTS IN DISCUSSIONS ON

AMENDMENTS TO THE CHILD CARE ACT

8. GENERAL , mdtm Jr Cw! LMW-iwfd'r'

9. DATE OF NEXT MEETING

11H00 10. CLOSURE

MINUTES OF A MEETING HELD ON WEDNESDAY 21 APRIL 1993 AT 1 12 MAIN STREET, JOHANNESBURG

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PRESENT

Bernie Mullen CIE (chair)

Jeanette Schmid NICRO (Jhb)

Janet Du Preez Wits Mental Health Soc. '

Gilbert Nkoepe Lawyers for Human Rights

Magriet Herman SANCCFW

Beena Chibabhai JISS

Fiona Chetty JISS

Hellen Lebeloane DRC

Nthabiseng Mogale Trauma Clinic

Jackie Loffell JCWS

APOLOGIES

NCRC, REF, Justice and Peace

MINUTES OF PREVIOUS MEETING

The minutes of the meeting held on 3 march 1993 were confirmed.

MATTERS ARISING '

State Working Group

Jackie circulated a letter from Dr Rina Venter stating that she was asking the Working Group to reconvene to consider the Network's objections to its proposed guidelines, and asking the Network to reconsider its withdrawal (Annexure 1). It was noted also that Dr Venter had submitted her apologies for the recent slide show on child labour but had delegated a Deputy Minister to attend. After discussion it was decided that the Network would agree to attend a maximum of three more meetings, and that a full delegation rather than one or two people should be present for these. Jackie was mandated to convene a meeting of all those available to attend in order to consolidate our approach once we were notified of a date. Our basic position has already been submitted in writing. We should avoid being drawn into any drafting of proposals in terms of "child work" and "child labour" in view of the distortions which had already arisen with regard to these terms. Jackie had called the Minister's attention to documents which the Network had previously supplied concerning the child labour problem and had sent some additional material - this in response to statements from officials of the Department of National Health and written communications to the Minister to the effect that

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concrete reports of abuse had not been received by the government.

Structure and funding of the Network

Owing to recent events there had been a delay in finalizing the proposals which the Management Subcommittee had been asked to draw up and present to the NCRC. These had been eventually been faxed to the NCRC the previous day, and Shirley Mabusela had sent a message that they were being examined and we would receive a response as soon as possible. The proposals (Annexure 2) were circulated and it was agreed that if anyone present had any comments on them these would be communicated to Jackie before the end of the day.

Awareness camgaign

Paul Musker had prepared a draft leaflet for the previous meeting and because of various gremlins it had not reached us in time for discussion. The draft was circulated and the feeling was that it would be very useful, once updated to take into account the developments that had occurred as regards the state's proposed guidelines. Anyone wishing to make comments/suggestions was requested to do so by the following day. Jackie and Paul were mandated to finalize the leaflet thereafter.

"Agenda" grogramme

The documentary on child labour broadcast on "Agenda" on 31 March seemed to have raised public awareness and had shown concrete evidence of the reality of child labour in South Africa. However the studio discussion had only included an official from the Dept of National Health and another from the SA Agricultural Union, who had been allowed to distort the issues with virtually no challenge. The Management Subcommittee, which had met shortly after the broadcast to discuss proposals for linking with the NCRC, had felt that it was necessary to challenge the SABC on the way the issue had been handled. A letter had been sent thanking the SABC for bringing the matter to public attention and specifically expressing appreciation to the team which had gathered the information on child labour abuses, but strongly objecting to the seriously misleading impression created by the studio interview. It was felt that some damage had been done - letters had appeared in The Star and in the Knysna News to the effect that an unnecessary fuss

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Network

Members

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was being created. It was agreed that Network members who had seen these reports would send them to Jackie who. would fax them out to other members with a request for letters to be written in response.

Slide presentation - 15 April 1993

It was agreed that the presentation by Peter Magubane had been very successful and a most positive contribution to the Network's campaign. It was agreed that a letter of thanks be sent to Peter. There had been some positive media coverage. CIE hoped to call on Peter's help and that of the Network, in outreach to farm schools which was planned for the near future. Dr Rina Venter had sent apologies but had sent a Deputy Minister, Mr Carelse, who appeared to have come from Cape Town specifically for the event - several National Health officials had also arrived from Pretoria. Jackie was asked to send suitable letters to those concerned. Dept. of Mangower

No response other than an acknowledgement had yet been received from the letter sent to the Minister' In Feb. 1993. It was agreed that a reminder be sent.

Discussions with COSATU v

Jackie had met with Jayendra Naidoo as a follow-up to correspondence arising from our public announcements concerning the state's proposed guidelines regarding child labour. She had provided a general briefing about recent developments and concerns and supplied background documents. Jayendra had indicated that the matter could be taken up within the National Economic Forum; it could also possibly be included in press releases concerning legislation for farmworkers. About 50 000 farmworkers (including forestry workers) belonged to COSATU unions. Casual staff in other sectors were among those who stood to be affected by the proposals. As Mike Madlala is so seldom available it was agreed that it would be desirable to have a Jhb-based person on the Network as well - it was suggested that if the Network could provide a schedule of meetings for the year, COSATU would try to assign a representative to attend. Alternatively, further ad hoc meetings could be set up when necessary.

It was agreed that the Network would as a general rule meet on the second Wednesday of each month.

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Janet  
Jeanette  
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#### Directories

It was suggested that the task of examining existing service directories and, if need be, compiling one with specific relevance to the Network might be referred to the new Network secretariate once this was in place. There is also a possibility that the need may be fully met by a new directory of services to youth which has been compiled by the Joint Enrichment Project and is obtainable for R15 via Bernie Mullen.

CHILD PROTECTION WEEK: 31 MAY - 6 JUNE

It was agreed that the Network should participate in this national awareness campaign. The proposed pamphlet should be ready for distribution during the week. Each member should take responsibility for distribution in a particular area. Bernie would approach the Southern Courier for help. Members will approach their respective media contacts for air time and give the necessary interviews as follows: Radio Sotho - Nthabiseng; Radio Metro - Nthabiseng and/or Janet; Magriet - Radio SA (Afrikaans); Radio 702 - Janet and Jeanette; Radio Setswana - Hellen; Carte Blanche - Nthabiseng. Gilbert will use LHR press contacts to obtain coverage. The youth groups approached by Gilbert have expressed interest in participating - the JISS centre will be available for their proposed dramatic presentation. Gilbert and JISS to liaise in this connection.

SASPCAN CONFERENCE: CAPE TOWN 6-11 SEPT.

1993

The above conference with the theme "Children for Africa" would cover the more traditionally recognized forms of child abuse and neglect commonly handled by welfare organizations as well as a range of macro-issues affecting South African children. People from a number of other African states would be participating. Jackie had been asked by SASPCAN to convene a plenary session and a small-group workshop on child labour. It was agreed that she would do so under the auspices of the Network, also that Gilbert would be a co-presenter of the workshop. SASPCAN will finance Jackie's travel costs - Gilbert will check with LHR re the possibility of funding. It was also agreed that Bridgette Mabandla be approached with an invitation for UWC to report on its research in the plenary session. Bernie will help with the planning of the workshop and may be able to be in Cape Town at the time of the conference and participate. The JCWS has obtained funding for a number of staff to attend and has hired a bus, on which

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Interested

Members

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there will be a limited number of spaces for people from outside organizations who can pay their way. Network members interested in booking seats were invited to inform the JCWS.

GENERAL

National Youth Development Conference

Bernie Mullen had kindly represented the Network at the above Conference, which was convened by the Joint Enrichment Project (JEP), set up by church structures to address problems of marginalized youth. Bernie tabled a report on the conference (Annexure 3).

Provision for consultation between meetings

Jackie raised the need for a mechanism whereby decisions could be made on issues which could not wait until the next meeting of the Network, such as sending a delegate to the NYD conference. This had in the event been done without a formal Network decision. It was agreed that the Management Subcommittee - which had first been set up to start managing the affairs of the Network once funding was obtained, and which was now dealing with the proposed move of the Network secretariate to the NCRC - would be mandated to deal with such matters, if necessary by phone-around.

Task Group to revise the Child Care Act

Magriet informed the Group that the Child Care Act was being comprehensively reviewed and that she was chairing a Task Group which was examining proposed amendments. She requested that Jackie serve on the Task Group. This was approved.

Contributions to Network expenses

Jackie mentioned that if any member organizations were able to make contributions to the costs of running the Network, however large or small these might be, they would be most welcome - such contributions to be sent to the Jhb Child Welfare Society, Box 2539, Jhb, 2000.

Reports of abuses of child labour

Jackie had received a report after the "Agenda"

broadcast concerning a group of children from a white sub-economic housing neighbourhood who were being employed, often until late at night, by a food vendor who took his portable stand to venues such as Ellis Park for large gatherings. The caller, also a food vendor, had been told that she could lay a charge in terms of

Jackie

Section 52A of the Child Care Act at the nearest police station, and had indicated that she would do so. She had also been asked to try and obtain the names and addresses of children involved so that a social service investigation could be carried out. She had agreed to keep the Network informed of progress. Regrettably none of the organizations present had the resources to send out staff to launch an investigation and follow\_up with their present resources - this would become an increasing problem as the public became more conscientized. It was agreed that concerned persons in the community should be encouraged to take as much responsibility as possible themselves rather than simply passing on the problem to organizations which were already seriously overstretched.

Magriet reported that the SANCCFW had become aware of a woman farmer in the Krugersdorp area who was employing children. They had written to Dr Rina Venter asking that the matter be referred to the Attorney General for possible charges.

The importance for the Network of developing a mechanism to deal actively with reported cases of child labour was again emphasized. It was pointed out, however, that the power -of monitoring must not be underestimated - this was a means of researching the problem and of giving substance to our lobby as well as serving a "watchdog" function. It was agreed that reports received would become a standing item for the monthly agenda.

DATE OF NEXT MEETING

The next meeting will take place on Wed. 12 May 1993.



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Republiek van Suid-Afrikz

Republic of South Africa

Ministerie van Nasionale Gesondheid en van Gesondheidsdiemte en Welsyn: Volksraad

Ministry of National Health and of Health Services and Welfare: House of Assembly

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Ms Jackie Loffell

Network Against Privaatsak/Private Bag 9070 Privaatsak/P'ivate BagX399

Child Labour Kaapsmd/Cape Town Preton'a

PO Box 2539 8000 0001

ggOHgNNESBURG Tel. No.: (021) 45.7407/8 Tel. No.: (012) 284773/4/5

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Dear Ms Loffell

NETWORK AGAINST CHILD LABOUR

With further reference to your letter of 8 February 1993, it is noted with regret that you have decided to withdraw from the working group and that in doing so your expertise will be excluded in further discussions.

I am requesting that the working group reconvene to consider the objections you have to the proposed guidelines adopted by it.

It would therefore be appreciated if your organisation would reconsider its withdrawal and be prepared to serve on the working group again. Evidence of alleged misuse of child labour and present proposals as to how the proposed legislation should be worded, could then be provided.

I trust that an agreement to mutual satisfaction will be reached so that official policy, which is in the best interest of all children, can be adopted.

Kind regards

54m,

DR E H VENTER MP

MINISTER OF NATIONAL HEALTH AND OF

HEALTH SERVICES AND WELFARE: HOUSE OF ASSEMBLY

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PROPOSED HOSTING OF THE NACL BY THE NCRC  
SUGGESTED PLAN OF ACTION

The NCRC's offer to hold the Secretariate and act as convenor organization for the NACL is welcomed as a most positive development and as holding great potential for the promotion of children's right to protection from economic exploitation. It is suggested that the tasks of the Network be handled as follows:

:1. CONVENING AND SECRETARIAL FUNCTIONS

The arranging of meetings, taking of minutes, sending out of minutes and of notices and agendas for meetings, the handling of correspondence, filing and other secretarial tasks would be undertaken on behalf of the NCRC by Jabulile Mvula as the new Network Convenor. Current address lists would be handed to her for this purpose along with all Network records. Jackie as previous Convenor would be available to advise and assist where necessary.

2. OUTREACH

Jabulile would actively approach organizations likely to be interested in the work of the Network in order to enlist them as Network members and/or obtain their endorsement of the Network's Memorandum "Towards the Elimination of Child Labour". She would also publicize the work of the Network among the NCRC's member bodies and encourage their support, and where relevant enlist them as Network members.

3. AWARENESS CAMPAIGN

i ) Grass-roots education

The NCRC would, using its own resources and the help of Network member organizations, work on the development of a package of educational materials concerning child labour. These would be designed to be taken to potentially concerned groups such as unions, church organizations and grassroots organizations with a view to informing them about child labour, its consequences for children and families, the associated legal issues and 'so forth. It is envisaged that Jabulile would take the initiative to reach out to such bodies and set up meetings, workshops etc. as appropriate, with Network member organizations participating as and when appropriate .

ii) Media

The Network should, it is recommended, appoint a small group of people who would be responsible for liaison with the media. Such persons would be responsible for putting together press releases and giving interviews to the media. Releases once compiled would be sent to Jabulile for dissemination. The media list presently used by the JCWS would be handed to her for this purpose .

#### ACCEPTING AND ACTING .ON REPORTS OF CHILD LABOUR

Reports of actual instances of child labour' would be referred to Jabulile, who would open a file as each report and fbr subsequent correspondence and then refer these reports, where possible, to relevant organizations operating in the areas in question, for follow-up. It is suggested that in each such case a team be set up for mutual support and to provide the necessary mix of expertise. For example, the team convened to follow up a report from area X could be made up as follows: a representative from the nearest branch of 'Lawyers for Human Rights or the Black Lawyers' Association and/or nearest advice office, a trade union or civic association nominee from the X district, a church representative from the X district, a local welfare organization and the chairperson of the nearest NCRC branch. To help in this process, all Network member organizations would be asked to submit lists of any branches or affiliates they might have anywhere in the country. Member organizations would also be asked to commit themselves as far as possible to assist in such cases. Where no appropriate facilities are available, those reporting abuses would be informed of what legal channels and other options were open to them. They could also perhaps be offered NCRC or Network help in forming a local support group to try to tackle the issue. Where teams as described above can be set up, the NCRC would request a particular local organization or individual to chair that team and ensure that the case was investigated and followed up as far as possible, with legal action being instituted where appropriate, and social support systems being brought into play as far necessary and possible. Jabulile would; provide an update on current cases at each Network meeting.

#### LOBBYING WITH GOVERNMENT AND/OR OTHER AUTHORITIES \_ '

Steps to be taken in this regard would be decided by the Network in its regular meetings. Delegations to meet with such authorities would also be selected in the course of such meetings. Jabulile would be responsible for setting up meetings between such delegates and those concerned, and for making the necessary practical arrangements.

#### LINKING WITH RESEARCH INITIATIVES

Jabulile would liaise regularly with the University of the Western Cape and any other structure known to be conducting research into child labour, to obtain information which would assist the Network in its lobby, and to provide such bodies with facts and figures coming to the attention of the Network so as to assist them in their efforts. She would collate case material coming to her in a form usable for media work and lobbying, calling upon Network members to help in this task if necessary.

#### " li'INANCE

The expenses associated with the tasks outlined above would be carried by the NCRC, which would hold the books of the Network and be responsible for their auditing and

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supervision. The Network would retain the right to receive' funds independently. These would be directed to the NCRC, and donors would be requested to earmark them for use in the Network's activities.

#### LINES OF AUTHORITY

Jabulile as Network Convenor' would be seconded to the Network by the NCRC for the relevant portion of her time. She would be accountable to the Network for the carrying out of the tasks specified above, either in their entirety or by drawing on other NCRC resources. At the same time her position as a staff member of the NCRC within its system of accountability would be fully recognized. Should any difficulties arise between herself and the Network these would be referred to the NCRC Director, and a subgroup or individual appointed by the Network for negotiation and problem-solving. It is suggested that the Interim: Management Committee as already' constituted be formally entrusted with this mandate as well as with any decisions which the Network is called on to make between meetings.

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It is suggested that the Network commence a hand-over of the relevant aspects of its work to the NCRC as of June 1993 and that the working of the new system be reviewed at Network meetings every three months for the first year. Continuation, termination and alternation of the arrangement by mutual agreement of the Network and the NCRC would be options at any time.

8 April 1993

- t Facilitate formulation of youth development
- t Pro-actively engage other National Development Initiatives
- t Work closely with funders
- t Support and assist projects to access the funds necessary
- t Build institutional capacity in the regions
- t Generate on going research

The conference process, transcripts of key speakers' addresses full reports and results of the surveys will be published. The Directory is available from the JEP office 6th floor Khotso

House, 62 Marshall Street JHB. Tel: 011 834-6865/6

Fax: 011 834-4955

Sheila Sisulu is the director of JEP.

Penny Foley or Poppie Dibetle can assist you.

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REPORT :NATIONAL YOUTH DEVELOPMENT CONFERENCE  
22 -26 MARCH 1993 ALPHA CENTRE - BROERDERSTROOM

This conference was a follow up to the previous one held in June 1991. The 1991 conference sought to understand the problems facing the marginalised youth, and to develop strategies to deal with these problems. The Joint Enrichment Project (JEP) was given the responsibility to undertake certain tasks that would assist the needs assessment and development of strategies. These were:

- t to undertake wide ranging consultations with appropriate structures and constituencies;

- t to gather all the necessary information and data on youth in south Africa to ensure that their needs were taken seriously nationally;

- t and, to facilitate the formulation of a national strategic and programmatic action plan.

The JEP completed its task by carrying out the following activities:

- t facilitation of the National Youth Summit which resulted in the establishment of the National Youth Development Co-ordinating Committee (NYDCC) which will enable the voice of youth to be heard in all debates on youth development;

- t Facilitation of regional community-wide consultations to ensure that the varying nature of marginalisation in different regions was discussed and the region community-wide youth development structures which would facilitate the conceptualisation and co-ordination of youth development projects were/are formed;

- t Compilation of a national directory of projects and organisations working with youth;

- t Conducting a national baseline demographic survey of youth;

- t Compilation of seven extensive reports on factors of society affecting youth and analysing policy options that will impact on youth development.

The objectives of the march 1993 conference were:

- t to receive reports on the national youth survey undertaken by CASE