Empowerment Programme: Children with Disabilities & their Families
Centre for Applied Legal Studies (CALS), University of Witwatersrand
Louise Bick, Public Interest Lawyer, Werksmans Attorneys

Submission: Experience of implementation of UN CRPD in Orange Farm, Gauteng
Compiled by Louise Bick & Jean Elphick
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+ Children with Disabilities in Orange Farm
Afrika Tikkun Empowerment Programme: Children with Disabilities & their Families
Learning about Rights & Responsibilities
Empowerment Programme: Children with Disabilities and their Families
Problems identified by Self-help Group

Endemic sexual abuse of CWD &
Denial of access to education for CWD
CRPD Article 13
Access to Justice

No person or the state may unfairly discriminate directly or indirectly against anyone on one or more grounds, including race, gender, sex, pregnancy, marital status, ethnic or social origin, colour, sexual orientation, age, disability, religion, conscience, belief, culture, language and birth

Stop Discrimination against People with Disabilities
Ho Le Kang

But it happens every day
Sexual abuse of CWD in Orange Farm

- Sexual abuse is underreported
- Sexual abuse of children with disabilities is increasingly difficult to report
- The capacity of CWD to report sexual abuse and correctly recall and relay details of such abuse as witnesses is not sufficiently recognized and limited to no accommodation is specifically made by the SAPS for this purpose
- All cases that were reported that we are aware of have not yet led to conviction
Sexual abuse of CWD in Orange Farm

• In every case where the rape was reported, the perpetrator has been seen back in Orange Farm by the victim.

• Bail is set very low and there is little to no communication of bail conditions to the complainant.

• Family members of the perpetrator or the general community intimidate the victims.

• Information on any form of public assistance, support services or facilities provided by government departments remain very difficult to access by PWD or families of CWD.
CRPD Article 15
Freedom from Abuse

Sexual and physical abuse, threats, and police illustration.
Sexual abuse of CWD in Orange Farm

- Police, health, social and justice services are not disability-sensitive

- Child protection agencies are under resourced and face similar challenges to those faced by ATEP

- Lack of proactivity and urgency by the State authorities in carrying out their legislated role of protecting children in potential danger by the authorities

- Lack of CWD-specific protection and advocacy training within organizations dealing with child abuse
Sexual abuse of CWD in Orange Farm

• Disregard of cases that happened a while ago, or that have lost physical evidence or of cases of sexual abuse that did not involve penetration

• Failure of parents and caregivers to protect their children, report abuse or follow up on cases that were reported

• Disregarding child-on-child rape as sexual assault

• A general sense of acceptance and complacency of the situation
CRPD Article 24
Denial of Access to Education
+ Most CWD in Orange Farm are not in school

- Local schools are not inclusive

- Sending a CWD to school costs much more than sending children to mainstream local schools in the community

- Schools are far away, and transportation is a financial and logistical barrier

- CWD were turned away from local mainstream schools when their families first tried to admit them or were excluded from local crèches or day-care from when they were very young on the basis of their disability

- CWD are unable to find a school placement to start school
Most CWD in Orange Farm are not in school

- Lack of information for families of CWD about how to apply for school
- Failure of the Department of Health to facilitate assessment for young children under 6 years old who are likely to have special education needs
- Abuse or poor treatment in schools, day-care or on the transport to get to school
- CWD born to foreign parents
- Negative attitudes
Mechanisms to aid the Implementation of UN CRPD

Recommendations
Empowerment
Expanding empowerment and participation of CWD and their families to be equal beneficiaries of Government services

"States...shall take appropriate measures to ensure to PWD access, on an equal basis...to other facilities and services...provided to the public"
Article 9 CRPD
Intersectoral collaboration

Better collaboration and focused attention on CWD between the health, social development, justice and education systems

“States…shall give due consideration to the establishment…of a coordination mechanism within Government to facilitate related action in different sectors and at different levels”

CRPD Article 33
Training of State personnel

Training to promote disability rights and combat disabling attitudinal and environmental barriers across the criminal justice and education systems

“State parties undertake...to promote the training of professionals and staff...so as to better provide the assistance and services guaranteed”

CRPD Article 4 (1) (i)
Investment in education
The Orange Farm community urgently needs a dedicated special school/training center in addition to the roll-out of full-service schools and accessible transport solutions.

“State parties shall ensure that PWD can access an inclusive, quality and free...education on an equal basis with others in the communities in which they live”

CRPD Article 24 (2) b
Thank you for the opportunity

Louise Bick
Public Interest Lawyer
Werksmans Attorneys
lbick@werksmans.com
011 535 8273
@LouiseBick

Jean Elphick
National Manager: Empowerment Programme: CWD and their Families
Afrika Tikkun
jeane@afrikatikkun.org
073 519 4878

Prof Bonita Meyersfeld
Director
Centre for Applied Legal Studies
University of Witwatersrand
Bonita.meyersfeld@wits.ac.za
011 717 8600