

# An Overview of the Housing Policy and Debates, Particularly in Relation to Women (or Vulnerable Groupings)

by

Sarah Charlton



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**Sarah Charlton** is a lecturer in the School of Architecture and Planning at the [University of the Witwatersrand](#).

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## **Introduction**

The Gender Programme of the Centre for the Study of Violence and Reconciliation has undertaken a research project on, amongst other issues, homeless women's safety in urban environments, specifically in the inner-city of Johannesburg. Preliminary analysis suggests gaps between current state housing policy and the needs of women in abusive relationships. In addition, there is a lack of integration between shelter provision and women's housing needs once their time in shelters comes to an end.

The aim of this consultancy report is to provide a comprehensive overview of the South African housing policy and debates, particularly in relation to women (or vulnerable groupings more generally). The overview is intended to enable the Gender Programme to:

- link general housing strategies and housing policy to the needs of women in abusive relationships
- develop a comprehensive shelter and housing policy responsive to the needs of abused women.

The report is structured as follows: firstly, there is a brief discussion of key concepts in housing. This is followed by a general review of the South African housing policy and programme, and major critiques and debates in this regard. Much of this section of the report is drawn from a recent review of the housing programme undertaken for the National Department of Housing by the author.

The report then examines how housing policy and practice considers gender, women and vulnerable groupings, and what the key debates are in this regard. The report then describes the criteria and process for getting access to housing. Progress to date in meeting housing policy and objectives is considered, with a particular focus on the achievements of Gauteng Province. The report concludes by summarising the key issues for consideration in relating the housing debate to the needs of abused women, and suggests some actions for the way forward.

## **Key concepts in housing**

### *Homelessness*

The term "homeless" has many meanings and can be applied to diverse circumstances. As Olufemi comments, the term can be applied "to the pavement dwellers on the streets of Bombay, to the shelter dwellers of New York City, to the squatters in vacant apartments in London, to the igloo residents of Nairobi (Glasser 1994: 123) to the street and shack dwellers of Johannesburg" (Olufemi 1997).

Watson and Austerberry note that there is little consensus as to a definition of 'homelessness' (1986: 8). In the continuum of sleeping rough at one end and absolute security of tenure in the form of outright ownership at the other, "there would be little disagreement with the notion of the former state as literally homeless and the latter as not. In between, however, lies an extensive grey area, ranging across hostels ... sleeping on friends' floors ... to insecure private rented accommodation ... and so on" (1986: 9).

The authors note that "a problem with the concept of homelessness is the notion of a 'home'. A 'house' is generally taken to be synonymous with a dwelling or a physical structure, whereas a 'home' is not. A 'home' implies particular social relations, or activities within a physical structure, whereas a 'house' does not." (1986: 8).

Homelessness, it is argued, is a socially determined and relative concept, and its interpretation has major implications for policy responses (Watson and Austerberry 1986: 10). Homelessness can be viewed either as a symptom of a wide range of housing demand and shortage, or alternatively as the fault of the individual concerned (ibid: 17).

Watson and Austerberry refer to the dominance of the notion of family in relation to definitions of homelessness (1986: 18). They note that "single people's homelessness ... can be more easily concealed. It is easier for a single person to stay with friends or relatives or to find employment with accommodation tied to it, than it is for a family" (1986: 18).

"Once the relativity of the concept of homelessness is recognized, and the structural position of household members in relation to the home is taken into account, one individual (in a household) may be potentially homeless according to a broad definition of the term, while another is not" (1986: 18). "Women's domestic role, their lack of financial independence, and the lack of housing provision for single women, makes the notion of concealed homelessness particularly significant for women" (1986: 21). Davis comments that although a narrow definition of homelessness (sleeping rough) involves men more than women, "many women are in insecure accommodation (with friends/ relatives, in hostels and so forth) and the scale of their problems may be underestimated" (2001: 171).

From the point of view of housing in South Africa, it is sometimes argued, perhaps simplistically, that there are very few 'homeless', as those who have visibly inadequate housing (in overcrowded township or informal settlements for example) do at least have some place to call home.

### *The house as more than shelter*

It has been suggested above that the home is more than mere shelter, referring also to social relations and, it can be argued, other concepts such as privacy, dignity, safety and status (see for example Zack and Charlton 2003: 45, 50).

In a similar vein, the form of tenure operating in a housing situation is key. This relationship between the house dweller and the land – or the accommodation on the land – may range from various informal occupation and rental scenarios to full freehold ownership. In many cases the *de jure* situation – the legal relations defined and registered in the Deeds Office – bears little relationship to the *de facto* situation – the power and payment relationships operating in practice. For example, in some informal settlements shack dwellers pay rental to a shacklord or strongman who has no legal right or entitlement to the land. From the point of view of the occupier, or house dweller, how secure the tenure is *perceived* to be is of prime importance.

There are also further dimensions to the *physical* aspect of housing. Housing refers to more than the actual house structure and includes the infrastructure that services that house – the nature of the water, sanitation, energy and access (roads and footpaths) that supplies the house. In addition, the nature of the neighbourhood around a house is important. In an urban situation the availability and accessibility of facilities and amenities – such as schools, clinics, police stations, playlots and sporting facilities – is important to the living experience of a residential environment. A mono-functional residential environment has many of the negative characteristics of the 'dormitory' townships of the apartheid era.

The linkage between housing and income generation is also critical. In planning and housing literature location is emphasized – the location of housing in relation to the 'higher order' facilities and amenities in an urban area, such as hospitals, tertiary institutions and arts facilities, and crucially, the location of work opportunities. In this regard travel and transportation is critical – how convenient, safe and affordable are the means of moving from home to work or other facilities.

Increasingly however, there is a recognition of the diminishing role of formal jobs in the lives of the poor, and the increasing importance of a range of income generation and survival strategies, and the linkage between these and the home environment. A key issue is the role that the house can play in supporting livelihoods – through for example, a prime location in the inner city that reduces commuting time and allows a hawking and vending business to flourish. Alternatively, does a house have a plot which can be used for growing crops, raising poultry or running a home-based industry? Is this house located in an area where these activities can be supported by the neighbourhood? In other words, the house is important not only for what it is but for what it does for peoples' lives (similar to the ideas of the influential housing practitioner John Turner in the 1970s).

In this sense the house should be an asset to the occupier – either a financial asset with an exchange value (as happens in areas with a vibrant property market), or an asset with a use value - or preferable both. In addition, the housing stock as a whole in an urban area should be an asset to the local authority – a means of generating rates for the city, rather than a maintenance and management burden which is a financial drain to the city.

In summary, as Schlyter notes in her book on gender and housing, housing is defined as "including all the rules and processes which are involved in providing the everyday living environment" (1996: 6).

### ***Inadequate housing***

As with the concept of 'homelessness', the notion of 'adequate housing' is very hard to define. So too is the idea of inadequate housing. Definitions which use physical standards – (eg. an adequate house is one that has "four-rooms, brick walls and a tiled roof") – may miss the importance of other dimensions of housing discussed above, such as tenure security and locational advantage. A shack in Alexandra in Johannesburg, while physically problematic in many ways, may however offer livelihood opportunities far superior to an 'RDP' house on the periphery of the city. However, few would argue that the cramped spaces, unhealthy sanitation and water supply in such shacks are 'adequate'. However a simplistic condemnation of all of this accommodation – as well as much of the traditional rural housing stock - as inadequate and constituting part of the backlog, is also not helpful. This issue is discussed further under the notion of socio- economic rights.

The housing backlog has been estimated at between 3 and 3,7 million inadequately housed households (Department of Housing cited in Smit 2003: 166). However Smit notes that the 'lack of a suitable definition of inadequate housing and no reliable statistics makes it difficult to quantify' the 'large housing backlog' (ibid).

### **Brief Review of the SA Housing Policy, Including Key Debates in Housing**

This section of the paper briefly reviews the South African housing policy and key issues of debate in relation to the policy. It draws heavily on the report produced for the National Department of Housing by the author and others entitled *Taking Stock: A Review of the Department's Programmes, Policies and Practices 1994-2003* (Charlton, Silverman and Berrisford 2003).

#### **Background**

The South African housing programme has demonstrated its ability to deliver at scale – by 2003 1.4 million houses had been completed or were under construction (NDoH 2003 table 13). Rust notes that "it is widely acknowledged that South Africa's housing programme has led to the delivery of more houses in a shorter period than any other country in the world". (Rust 2003: 3, cited in Charlton et al 2003). Similarly Smit notes that in comparison with rates of delivery elsewhere in the world, "... one must be impressed with what South Africa has achieved" (Smit 1999: 2, cited in Charlton et al 2003). This has been a major political boost, having been the most visible demonstration of the government's commitment to delivery to the poor.

South Africa's housing policy was introduced soon after the first democratic elections in 1994. The groundwork had already been laid by the National Housing Forum, a multi-sector negotiating summit which ran parallel to the pre-1994 political discussions. While a number of stakeholders participated in the Forum, including civic and labour organizations, criticisms emerged about the predominance of the private sector and big business at the proceedings, and the influence this had on the nature of the policy adopted.

The outcome of the discussions has been seen by some as a compromise between "popular demands to deliver complete houses for all, and a concern to spread housing benefits widely" (Smit 1999: 4, cited in Charlton et al 2003: 27). This has been dubbed the 'width versus depth debate' – the idea of spreading limited resources widely to provide some housing benefit for as many people as possible, versus the notion of providing a more robust, comprehensive and complete unit for fewer people. The middle ground that was struck aimed wide to target mass delivery, with a strong emphasis on land, tenure and services, but also included a basic 'starter' house or 'topstructure' as well – ie it went beyond the pure site-and-service approach of the Urban Foundation and Independent Development Trust in the late 1980s and early 1990s (which provided land and basic services only with no house).

Since the housing policy and programme were introduced in 1994, there have been a series of procedural and legislative milestones. These include a White Paper published in 1994, the financial accord of Botshabelo in 1995, the Housing Act of 1997, and the synthesis document, the Housing Code produced in 2000.

### **Vision**

The South African housing vision is:

... the establishment and maintenance of habitable, stable and sustainable public and private residential environments to ensure viable households and communities in areas allowing convenient access to economic opportunities, and to health, educational and social amenities in which all citizens and permanent residents of the Republic will, on a progressive basis, have access to:

- permanent residential structures with secure tenure, ensuring internal and external privacy and providing adequate protection against the elements; and
- potable water, adequate sanitary facilities and domestic energy supply. (NDoH 2000: 4)

While this vision has a broad conception of human settlements, the national housing goal is phrased in terms of delivery of houses. This is "to increase housing delivery on a sustainable basis to a peak level of 350 000 units per annum until the housing backlog is overcome" (NDoH 2000: 5 cited in Charlton et al 2003).

The housing programme is intended to serve broader economic and social development goals than merely the delivery of shelter. Housing is an important component of the social welfare system, but it is also a key component of the economy (NDoH 2003: 85). The Housing Code notes that practices should also "reinforce the wider economic impact and benefits to the economy of the housing programme" (NDoH 2000: 11) (cited in Charlton et al 2003: 25)

### **The Housing Subsidy Scheme**

The housing policy has seven strategies. A key strategy relates to *providing subsidy assistance* through the Housing Subsidy Scheme. This comprises financial assistance by the state to the poor to access housing. In the case of 'new build' (building new housing stock),

the subsidy provided by the government is intended to cover the cost of purchasing the land, installing basic services (infrastructure such as water, sanitation, and roads), and the house or 'topstructure'. However, the State is not able to afford the costs of delivering a complete formal house to every South African in need of housing. It therefore relies also on the provision of housing credit (if the beneficiary can afford to access it) or personal resources (savings, labour, creativity etc) to supplement the state's contribution. The issue of credit is discussed in more detail below.

It should be emphasized that this state assistance is in the form of a *capital* subsidy related to a physical product, and has no operating component – in other words, the ongoing costs associated with living in the housing are not subsidized by the state through any form of housing subsidy.

The Housing Subsidy Scheme has a number of components, or ways in which the state subsidy can be delivered – for example, the *project-linked subsidy*, and the *institutional subsidy*. However the major focus to date has been on the project-linked subsidy instrument (discussed below). Of the 1 289 039 beneficiaries approved to June 2003, 1 039 330 were approved in terms of the project linked subsidy instrument (NDoH 2003: 9 table 9). This has enabled the scale of delivery that has been achieved to date and has resulted in the most visible form of subsidized housing, the 'RDP' housing projects.

The amount of government subsidy varies according to the income of the recipient. The current subsidy amount (for the project-linked subsidy) is as follows:

<b>Income Category</b> (of the beneficiary household)	<b>Subsidy</b>	<b>Contribution</b>	<b>Product Price</b>
R0 - R1 500	R23 100	R2 479	R25 580
R1 501 - R2 500	R14 200	R2 479 + shortfall	R25 580
R2 501 - R3 500	R7 000	R2 479 + shortfall	R25 580
Indigent: aged, disabled and health stricken	R25 580	None	R25 580

The 'product price' refers to the cost of delivering the house, land, infrastructure, and all associated professional and administration costs.

The 'contribution' refers to the amount that the individual is expected to pay, a requirement introduced in 2001. If the contribution cannot be paid in cash, the beneficiary can contribute in kind through 'sweat equity' – providing labour to build the house. As noted in the table above, the aged, disabled and health stricken are exempted from this contribution.

The project-linked subsidy works by pooling together a group of subsidies into a project or development. The developer – which could be a private sector company, a local authority or a community based organization – uses this pot of money to access land, install all the services, build houses and transfer ownership. These projects range in scale from less than

100 sites (in the case of some informal settlement upgrades) to several thousand units in the big 'greenfields' developments on empty land. The money is never paid to the beneficiary or end-user, but rather paid to the owner or developer of a product which the beneficiary will then own. The money is paid out in batches according to milestones reached, necessitating developers to access some form of development finance upfront in order to start a project before they can claim subsidy money. Projects typically take anything from 2-5 years to implement, a timeframe which is largely related to the legal and procedural complexities of land development.

Other forms of subsidy besides project-linked include institutional subsidies (used for social and transitional housing, discussed below), and the individual subsidy. This subsidy allows a qualifying individual, outside of a project situation, to purchase an existing house, provided they can supplement the subsidy to meet the purchase price. It has been discontinued in certain areas (eg KwaZulu-Natal) due to corruption involved in the conveyancing and transfer process.

The housing policy has other strategies to assist in the delivery of housing besides subsidy assistance, including measures such as 'Stabilising the housing environment'. This strategy is largely focused on minimizing the investment risk in low-income housing for the private sector, and particularly mortgage lenders, by for example the state sharing or underwriting some of the risk of providing housing loans in low-income areas.

The National Housing Code also defines eight principles for housing sector activity. Broadly, 'government's overall approach to the housing challenge is aimed at mobilizing and harnessing the combined resources, efforts and initiative of communities, the private sector, and the State' (NDoH 2000: 17). The housing programme has a focus on the poor and previously disadvantaged, and advocates a participative process which is people-centered and which promotes skills transfer and economic empowerment (NDoH 2000: 4). Beneficiaries should have a choice of housing solutions (NDoH 2000: 11), which offer quality and affordability (NDoH 2000: 15) – 'housing products must be affordable to the beneficiary in the long term' (ibid). (Charlton et al 2003: 29).

### **Target Group**

The initial focus of the subsidy programme was largely on 'the poor'. This was defined simply in terms of income - those households who earned less than R3500 per month, subdivided into three categories. The bulk of expenditure has gone to households earning below R1500 (Khan 2003: 18 cited in Charlton et al 2003), in recognition that "more than half of all families in South Africa earn R0 - R1 500 per month" (NDoH 2000: 43 cited in Charlton et al 2003). These income bands have not been adjusted since 1994, leading to criticism that many households above the income cut-off of R3 500 per month in 2004 are undeniably 'poor' but are not eligible to receive state housing assistance.

In order to access the maximum subsidy a household has to be almost indigent (with a combined income of both spouses falling below R1500 per month). This raises the question of how households are to pay for the product itself and its associated costs, including both the upfront contribution to the subsidy and the ongoing service and maintenance charges. The consequent payment default and poverty trap experienced by some households who have received a subsidised house is highly demoralizing and runs counter to the idea of



creating citizens through home ownership.

It must be emphasized that there are widespread indications of dire poverty amongst beneficiaries of housing projects (see for example Zack and Charlton, 2003: 40, PSC 2003: 78, 79, 100). The report of the Housing Subsidy Scheme (HSS) undertaken for the Public Services Commission noted that a significant proportion of households have no income from any form of employment and rely on government grants or, in some cases, handouts from relatives and neighbours (PSC 2003: 101).

The strategy for housing for indigent people seems unclear. The operating cost of housing indigent people ends up being largely a municipal issue. Some of these poor people are housed in the Council flats of the apartheid era; however many municipalities are wishing to shed themselves of the responsibility of these flats, which have become a financial drain (as the municipality has to finance the operating costs).

In Durban for example, steps are underway to transfer indigent tenants of the municipalities' original rental stock to development projects under the government's housing subsidy scheme – houses in RDP housing projects (NDoH 2003a: 14). While this may improve the municipalities' default rate on the payment of rentals in its old Council flats, it does not deal with the long term operating costs for beneficiaries, who may not have to pay rent in the RDP houses but who do have to pay transport and service costs. In effect, it proposes a housing solution to a welfare problem, highlighting the ongoing blurring of these two issues.

In this regard Tomlinson notes in relation to Gauteng that there is an increasing demand for shelter for 'welfare cases', and that clarity is needed with respect to the provincial department's role in providing housing assistance and related aspects of an overall welfare package to such cases (Tomlinson, 2002: 3 cited in Charlton et al 2003). Some municipal areas have some version of an indigent policy in place for households unable to pay for water, sanitation and other municipal services. This may include the 'free basic services' or 'lifeline tariff' approach. However it seems that only the large metros have these indigent policies in place.

While the income limit of R3 500 per household has become a mantra synonymous with a definition of 'the poor', the relative arbitrariness of this figure must be noted. A key concern is that there may be a large number of households who are in fact "poor" but who are not eligible for the subsidy as they are above the income cut-off line.

A growing awareness of the differentiation of need within the broad categorization of the poor – a recognition of the heterogeneity of the poor (Khan 2003: 17 cited in Charlton et al 2003) - has led to an evolving focus in housing policy on 'special needs', or vulnerable groups such as the elderly and the disabled. These are discussed in the section on vulnerable groupings.

### **Housing and Credit**

The housing programme was intended to be supplemented with credit, to be accessed both by those who qualified for subsidy, and those above the subsidy level. However, the poor have great difficulty in accessing formal credit from the financial institutions and in

affording other forms of credit. Many rely on personal or group savings.

With regard to slightly higher income households, many commentators on the South African housing programme have noted the 'gap' in housing products that exists for those earning above the subsidy cut-off level, with incomes up to about R7000 per month. There are neither state-assisted housing products for this income sector, nor does the private sector seem to be providing housing which is affordable to these levels of income. This situation is largely attributed to the absence of housing finance aimed at this group, despite a key focus area of the state's housing policy being the stimulation of credit and housing finance to those that can afford it.

The private sector is perceived to be reluctant to invest in the low-income sector, partly due to concerns about the historic locations of houses for the poor in areas which have subsequently become red-lined by banks, as well as negative perceptions of crime and the risks associated with non-payment of loans (NDoH 2003a: 16 cited in Charlton et al 2003). Smit notes that there does not seem to be a lack of mortgage lending in South Africa "rather, it is the mortgage loan design that is inappropriate for low-income households and formal financial institutions are unable to work with low-income borrowers" (Smit, 2003: 174 cited in Charlton et al 2003).

This also impacts on the ability of subsidized households to develop and further consolidate a product that, at least initially, was intended only to be a starter or core house to which beneficiaries added incrementally over time. However in 1995 the incremental approach was characterised by the then-Minister Mthembu-Mhanyele as an inadequate approach for African families, which would add to the proliferation of informal settlements (McKay, 1999 cited in Rust, 2003: 20). This negative view of incremental development led to an ever-increasing focus by the National Department of Housing (NDoH) on the top structure as a relatively complete product. A revision to the housing policy introduced a stipulation that the housing subsidy must deliver a 30m<sup>2</sup> house of defined standards. This requirement however had negative impacts on other dimensions of the product such as the quality of infrastructure delivered, as in many cases the balance of subsidy money left over could only provide a pit latrine, yard standpipe and graded or gravel roads. This in turn has implications for the location of housing projects.

The State is attempting to address the problems of the lack of credit. Measures include the proposed Community Re-Investment Bill, which aims to compel home loan financing institutions to set aside a portion of their funding to the unserved sections of the housing sector (NDoH 2003a: 18) and which outlaws redlining on a geographical basis (DoH 2003b: 20). In addition the Financial Sector Charter negotiations currently underway aim to stimulate investment in the sector through a sharing of the risk of anticipated default and losses between the private sector and the state. It is unclear what progress there will be in this regard.

These measures build on a range of initiatives taken by the state since 1994 to assist with the credit situation. These include the establishment of various housing organizations and institutions to facilitate the flow of finances in the housing sector. These institutions are: Servcon Housing Solutions (Pty) Ltd; Thubelisa Homes; the National Urban Reconstruction and Housing Agency ('NURCHA'); the National Housing Finance

Corporation ('NHFC'); the Social Housing Foundation ('SHF'); the National Home Builders Registration Council ('NHBRC'); the People's Housing Partnership Trust ('PHPT') and the Rural Housing Loan Fund ('RHLF'). Each of these institutions has a role in supporting the housing sector and their functions are well described in a range of documents (see for example the 2003 Intergovernmental Fiscal Review, as well as Gardner 2003).

### *Locational issues*

While there are notable exceptions, much of the housing that has been delivered for the poor since 1994 is not well-located with respect to urban opportunities (see for example Narsoo 2000, Huchzermeyer 2003: 115 cited in Charlton et al 2003). By and large, the bulk of housing delivery is located some distance from the main urban centers of activity. This is due to a range of factors including the high cost of well-located land and the high cost of developing left-over land which has remained vacant because of severe technical constraints (Charlton 2003: 270). Municipalities are also extremely sensitive to the concerns of 'host' communities who resist having to live near low-income developments, because this could impact negatively on the rates base.

Housing projects have made little contribution to the ideas predominant in the 1990s of integrating, compacting and restructuring the apartheid city. The general urban trend over the last ten years has seen both the growth of areas of poverty, increasingly spatially dislocated, and the concentration of wealth in increasingly isolated and protected areas located away from traditional urban centres. The main result of wealth decentralisation has been to reinforce segregated settlement patterns along lines of economic privilege (NDoH 2003c: section 3). With reference to Cape Town, Huchzermeyer notes that "a stark picture of the perpetuation of the apartheid structure of the city emerged" (2003: 121) from the mapping by Ivan Turok of post-1994 low-income housing projects in relation to the location of major private sector investment (Turok 2001: 2357 cited in Charlton et al 2003).

While housing projects have not been solely responsible for this overall trend of spatial polarization of wealth and poverty, they have been unable to counteract the strong forces contributing to the marginalization of the poor, and have tended to reinforce these spatial extremities. As predicted in the Housing Code "if we respond only to the numbers that must be built we risk replicating the distorted apartheid geography of the past" (NDoH 2000: 15 cited in Charlton et al 2003).

In many settlements the very weak or non-existing linkages between housing developments and income generating activities are exacerbated by related issues such as the high cost or lack of transport (Charlton et al 2003). "In the absence of efficient and affordable public transport, segregation between with low-income residential areas and economic opportunities (often in high-income residential areas) impacts significantly on the household economy" (Huchzermeyer 2003: 125).

These factors mean that owning a subsidised house does not necessarily assist in improving beneficiaries' economic circumstances, and, in fact, may worsen them. This may be through increasing the burden of payment for services, the cost of transport, and the lack of income generating opportunities (see for example PSC 2003: 105, Zack and Charlton 2003: 41, 43). The NDoH notes that 'in most cases, great numbers of recipients of housing subsidies are unable to pay for municipal services' (NDoH 2003a: 15). Gilbert puts it most strongly: "The

government's success in providing houses for the very poor has produced ghettos of unemployment and poverty" (Gilbert 2004: 31).

### **Social Housing**

Significantly, housing delivered through the State's housing programme that is well located, is frequently not accessible to the poor. This housing has generally been in the form of social housing, using the institutional subsidy. Social housing is defined as 'a housing option for low-to-medium income persons that is provided by housing institutions, and that excludes immediate individual ownership' (NDoH 2003d: 4 cited in Charlton et al 2003). It commonly takes the form of inner city flats for rental or for purchase over a 5-year period. It is widely acknowledged to be too expensive for the very poor. High costs in social housing which result in relatively high rentals are related both to the high up-front capital development costs of producing the units as well as the higher monthly operating costs of this form of housing (PSC 2003: 118). The capital costs are only partially subsidized by the state while the ongoing costs are not subsidized at all, requiring full cost recovery from the end-user.

It should be noted that social housing constitutes a very small component of the housing delivered to date, accounting for 1.5% of the total number of subsidies approved (NDoH 2003b: 21 cited in Charlton et al 2003), with the sixty-odd social housing institutions operating in the country having a total of about 25 000 units under management between them (NDoH 2003d: 14). Institutions own and manage these units with varying degrees of tenant involvement. The institutions are separate from the state, in part to avoid the potential for this housing to be used in politically-inspired rent boycotts.

This form of housing appears in some documentation to be a major thrust for the future of the National, and Gauteng, Departments of Housing. This is partly linked to aims for a more compact urban form as social housing generally takes the form of 3-4 storey 'walk-up' flats or the conversion of higher rise inner city buildings.

A fundamental contradiction emerges in relation to the development of subsidised rental stock: on the one hand, the NDoH is committed to rolling out new social housing and on the other is pursuing a programme to dispose of existing state rental stock through the discount benefit scheme (this stock being defined as state financed housing units constructed or contracted for before 30 June 1993 – NDoH 2003a: 14 – the so-called 'Council flats' of the apartheid era). While this scheme transfers ownership to the occupants of these units, it also reduces the burden on the state of the operating costs of these units. In social housing, this problem is overcome by shifting the burden onto the end-user and onto non-state 'institutions'. As Tomlinson notes "Many of South Africa's local authorities, particularly in the metropolitan areas, were ... eager to rid themselves of the onerous task of managing the rental housing built under the previous order" (1999: 286 cited in Charlton et al 2003).

Many housing commentators point to the need to promote other forms of rental besides social housing, both as a means of densifying the city in other ways and of reaching a poorer segment of society. As an alternative, non-social housing rental could include assistance and support to private homeowners to create or improve household rental stock, much of which already exists in the form of backyard shacks, cottages, rooms in private

houses, but is not acknowledged as part of the solution by the housing policy. This issue is not clearly supported by the National Department of Housing yet and there is no state assistance in this regard. However there is clearly a flourishing private sector market providing this accommodation.

### **Integrated Development**

There is broad consensus that many of the neighbourhoods in which new 'RDP' housing is located are not holistic and do not offer the full range of amenities. This is despite an explicit recognition that "the environment within which a house is situated is recognized as being equally as important as the house itself in satisfying the needs and requirements of the occupants" (NDoH 2000: 4 cited in Charlton et al 2003). Often provision has been made in the township layout for the necessary facilities, and the land set aside, but for several years or longer it remains as undeveloped 'wasteland'.

The Housing Subsidy Scheme review noted that access to schools was generally reasonable in new housing projects but that a range of other facilities were often lacking (PSC 2003: 108). The availability and quality of communal infrastructure such as roads and street lighting varies widely across projects; as does the existence of public facilities and amenities (Zack and Charlton, 2003: 54, 56, PSC 2003: 75, 79, 97 cited in Charlton et al 2003). Crime and safety concerns, and the lack of adequate public transport feature strongly in beneficiaries' complaints about their neighbourhoods (Zack and Charlton 2003).

The NDoH acknowledges that residential areas have been developed without the necessary social and other amenities and this "detracts from the ideal to establish habitable, viable and sustainable human settlements" (DoH's Overview of Achievements and Challenges report of 2003: 28 cited in Charlton et al 2003). Many housing projects have manifested as low density and monofunctional neighbourhoods, lacking in integrated, holistic development. This situation does not facilitate the economic growth or socio-economic development of beneficiary communities so necessary to cities. It also runs counter to the intention that "ultimately, the housing process must make a positive contribution to a non-racial, non-sexist, democratic and integrated society" (NDoH 2000: 4 cited in Charlton et al 2003).

### ***Linkage to economic development opportunities***

There is also a clear and urgent need to link housing to the long term economic development/ income generation/survival strategies of the end-users, in a variety of ways - both physically and administratively – in order to create 'places of opportunity' in both new and existing areas. This must go beyond the employment-creation benefits related to the delivery process itself (such as construction jobs during implementation). For example the role of the NDoH could be to facilitate the involvement of other departments and organisations by using the administrative process of the housing delivery cycle to link into a variety of programmes and initiatives to end-users (such as the Sector Education and Training programmes, for example) (Charlton et al 2003).

Strategies around supporting income generation need to be conceptualized at various scales and in various ways: at the level of the project, the housing programme needs to engage with how end-users are going to survive and/or generate income in their new house. This might include backyard shack sub-rental or running a home industry. "More housing

subsidy beneficiary households depend on informal economic activity as a source of income than on any other source of income" (PSC 2003: 120 cited in Charlton et al). In addition, this income generating strategy should include a focus on 'people development' in housing as well as physical development. The Cato Manor Special Presidential project, for example, which includes the delivery of a significant amount of housing, has shifted over its lifespan to include an increasing focus on skills and economic development, not just the physical infrastructure that was the main focus in the early years.

### **Citizenship**

The contribution of the state's housing programme to the creation of citizens is unclear. The programme is highly significant for the 'psychological' value of the housing delivered. Receipt of government houses is associated with fostering pride, dignity and privacy. However perceptions of inadequate 'aftercare' (lack of infrastructure maintenance for example) on the part of developers and local authorities have left some beneficiaries feeling 'abandoned by authorities'. (Zack and Charlton 2003:38) and there is growing concern that beneficiaries are undervaluing their subsidized housing units. Anecdotally, there are many indications that subsidized houses are being sold for less than the investment cost (Rust 2003: 14, 19; Metro Housing 2000: 2, Tomlinson 1999: 292; Huchzermeyer 2003: 127 cited in Charlton et al 2003). People caught in the poverty trap who feel their economic circumstances may have worsened are either forced to sell their units, or see the cash raised through the sale of the house as being of more use to them. This is contrary to a controversial regulation introduced by the National Department of Housing prohibiting the sale of subsidized housing for 8 years – controversial as it limits the rights of individuals to dispose of their asset in the way other citizens are able to.

### **The Backlog**

The contribution of the housing programme to reducing the housing backlog is less clear-cut than it may otherwise seem. It is recognized that "the current rate of delivery is below the rate of low-income household formation estimated at 200 000 households per year." (GTZ 2003: 60, cited in Charlton et al 2003). But calculating the backlog may not be a simple quantification exercise. This is due to of the apparent 'duplication' phenomenon, where alternative accommodation is sought near income generating opportunities. Mobility and migration are key survival strategies of the poor, and appear not to be adequately supported by the housing programme. Indeed, the housing programme has exacerbated this situation by the remote location of some projects, both in relation to opportunities within an urban area, and across the country as a whole. It is apparent that there are many weekly migrants/commuters with rental accommodation close to their income generation, and a 'second home' elsewhere. Some of these may well be recipients of subsidised housing. For example, "in Mahonisi (Limpopo Province, 12 kms from the nearest town) and other rural projects such as Cyferskuil where there were very few economic opportunities some household members have to become migrant workers in cities like Johannesburg and Pretoria and only return home at weekly or monthly intervals" (PSC 2003: 101).

It is apparent that there is a mismatch between the housing product delivered to beneficiaries and their need to be mobile, both physically to respond to economic pressures and opportunities, and in terms of household composition and profile. The limitations of the state housing programme with respect to location, eligibility criteria, and the financial

burdens imposed by the product do not appear to sit comfortably with the survival strategies of the poor.

### ***Informality***

Importantly, it has been clear for some time that a significant amount of housing that is meeting at least some of the needs of the poor continues to *happen outside of the state housing programme* – for example in backyard shacks in townships, in informal settlements and in subdivided warehouses in cities. This is in line with international trends which indicate that "the informal rental market provides a valuable addition to housing stock in most cities in the developing world" (Gardner 2003: 4 cited in Charlton et al 2003). Likewise, Watson and McCarthy note, "The current literature on rental, almost without exception, points to the massive role played by the small, private landlord in the provision of rental accommodation for the poor" (Watson and McCarthy, 1999: 53).

This widespread provision of accommodation outside of the formal state programme is symptomatic of the programme struggling to meet diverse needs (Tomlinson, 2002: 3, Rust 2003: 19 cited in Charlton et al 2003). With reference to Gauteng, Tomlinson notes that, "The Department lacks a range of housing options that reflects the shelter needs of the low-income population" (Tomlinson, 2002: 3 cited in Charlton et al 2003).

Therefore when considering housing for, and of, the poor, it is important to consider what is happening both within and outside of the state's housing programme. Typically these living arrangements are not acknowledged by the state, and the housing sector tends to focus 'within the box' of the housing policy.

### **Shifts in Emphasis**

In the mid-1990s the housing programme tended to focus on "quantity", with the numbers of units delivered being all-important – the widely-publicised target of "a million houses in 5 years". Since 2000, however a number of new focus areas have emerged at the National Department of Housing. These new focus areas can be ascribed to a variety of reasons, including the Grootboom court judgement, and international debates about sustainability. The new emphasis is broadly seen as a shift towards "quality". However documents from the NDoH place new emphasis on the following:

- Urban renewal
- Integrated land development
- Development in rural nodes
- Medium density housing
- Rental housing
- Social housing
- Emergency housing
- Informal settlement upgrading
- The Peoples' Housing Process (discussed below)
- Promotion of marginalized women in construction and the needs of vulnerable categories of people
- Savings-linked subsidies

In addition, other mechanisms have been introduced, such as the annual escalation of subsidy amounts and the prohibition on the sale of subsidized housing for eight years.

The National Department also notes an added emphasis on four other strategic concerns:

- Maximizing the value of housing as an asset to the household and to local government
- Promoting development which is demand-defined and supply-negotiated
- Building human settlements that ensure a supportive context for sustainable livelihoods and a strong civil society
- Improved resource management in which risks and resources are more evenly spread

These new directions and areas of emphasis vary in the degree to which they have been translated into programmes and practices, with some actively implemented and others still in the process of being formulated. There is little tangible evidence as yet of a perceptual change in the nature of the product.

With the shift towards the notion of quality it is important to note that the housing programme is generally perceived to have delivered poor quality stock or top structures (houses), with beneficiaries complaining of shoddy and inadequate construction (especially cracked walls, and flimsy roofs). Much seems to be riding on the approach of the Peoples' Housing Process as a strategy to improve the quality of the top structure in future delivery.

The People's Housing Process (PHP) is a strategy, or programme of the state subsidy scheme, which requires substantial end-user (beneficiary) participation in the construction of the house. The Department of Housing defines it as aiming "to support households who wish to enhance their housing subsidies by building or organising the building of their own homes themselves" <http://www.housing.gov.za/content/subsidy%20types/peopleshousingprocess.htm>. The programme is run using conventional project-linked subsidies, but encourages the recipient to be directly involved in the delivery or production of the house, either through direct construction of the house itself, or by contracting with a small builder to build the house. Some would argue that it places the burden of building the house on the beneficiary. However it is noted that 'genuine' PHP projects appear to have a broad range of positive outcomes' (PSC 2003: 103, 117). The process can achieve objectives that go far beyond the delivery of housing, including economic and social spin-offs (Napier 2003: 352 cited in Charlton et al 2003). However it must be noted that much of the success of this strategy depends on its application: it is resource intensive (in that it involves working intensively with individuals), slow, difficult to roll out at scale, and may not be applicable in all situations. It is not clear that the complexity of this delivery process has been fully understood and supported by NDoH (CE pers comm.).

Baumann notes that while less than 3% of subsidized housing delivery to date has been delivered through the People's Housing Process, there are indications in the national department, and some provincial departments, such as Gauteng Department of Housing, that this will increase substantially in future (Baumann 2003: ii, iii, iv cited in Charlton et al 2003).



## **How Does the Policy Address Gender, Women and Vulnerable Groupings?**

### **Vulnerable Groupings**

A growing awareness of the differentiation of need within the broad categorization of the poor – an awareness of the heterogeneity of the poor - has led to an evolving focus on 'special needs', or vulnerable groups such as the elderly and the disabled. "State housing policies and subsidies programmes should accommodate the needs of the youth, the disabled, of single parent families, of rural households without formal tenure rights, of hostel inhabitants, and of other persons with special needs" (NDoH 2000: 14 cited in Charlton et al 2003).

Policy responses in this regard have largely been in the form of concessions - such as a relaxation of the beneficiary contribution for the elderly, disabled and indigent - or an additional subsidy amount (for modifications to houses for the disabled for example). However, support mechanisms that have been made available, such as the additional disability amount, seem to be infrequently used with only 160 disabled subsidies approved country-wide by June 2003 (NDoH 2003: 13, table 16).

Another response to vulnerable groups exists in the emergency housing policy, which provides for assistance through grants to municipalities to accelerate land development, and to provide basic engineering services and shelter of a temporary nature (NDoH 2003e: 4,6). This assistance is rendered "only in emergency situations of exceptional housing need", (NDoH 2003e: 4) as defined in the policy and as determined by the Emergency Housing Steering Committee (NDoH 2003e: 8). A description of those categories of emergency situations which justify assistance – such as the flooding of a settlement – is contained in the draft policy prescripts and implementation guidelines (NDoH 2003e: 12). This policy was drafted in response to the landmark Grootboom court case in which: "the Court found that the current definition of housing development and the programmes formulated there under, do not satisfy the requirements of the Constitution. The judgement furthermore suggested that a reasonable part of the national budget be devoted to providing relief for those in desperate need" (NDoH 2003: 5).

HIV/Aids strategies in relation to housing are embryonic and still being piloted. These largely relate to institutions or to home-based care for HIV/Aids orphans. In relation to this, stakeholders at workshops in the HSS review highlighted a need to provide "secure succession and tenure to dependents of beneficiaries who (have) died" (PSC 2003: 81).

The HSS review notes a number of inequities that have resulted from the application of the subsidy scheme (PSC 2003: 107, 108). These inequities do not necessarily relate to the general interpretation of 'vulnerable categories of peoples' but highlight a range of other dimensions of inequity, such as large regional differences in end product that can be delivered through the housing subsidy scheme (Charlton et al 2003).

### **Housing and Women**

The National Department of Housing has a focus on promoting and supporting women in the construction industry, and in the housing sector as a whole, and on women-headed households as recipients of housing. There is a 'Women for Housing' initiative run under the

auspices of one of the housing institutions, NURCHA. Women for Housing is a section 21 company that provides information, networking opportunities and support to women in the field of housing. It aims to empower women to play a leading role in the housing sector through advocacy, training and support programmes.

The previous Minister of Housing, Bridgitte Mabandla emphasized the link between equity and empowerment for women, and their access to housing, safe water and sanitation. "In many instances, it is actually through accessing housing and other basic needs that the notion of equity and empowerment can finally and practically be realized" (Mabandla, B 2003). In this regard "government is committed to ensuring that the percentage of housing subsidies that are allocated to women is representative of the percentage of female-headed households in a particular province" (Mabandla 2003: 17). The National Department has noted some success in reaching female-headed households as beneficiaries of the subsidy programme, with a total of 50.5% of subsidies approved going to female-headed households (NDoH 2003: 10, table 10). The PSC review adopts a different view and notes difficulties in getting women to have equal access to housing (PSC 2003: 108). In addition Huchzemeyer notes that "... a housing environment that assumes stable nuclear families gradually accumulating wealth on the ... urban periphery is clearly inappropriate to the needs of many women" (Huchzemeyer 2003: 128 cited in Charlton et al 2003).

Although there is no discrimination against women in housing policy, some laws still discriminate against women, which impact on the right of women to inherit the ownership of housing. For example, women married under African customary law generally have no inheritance rights (Margadie 2000) (USN 2003: 57 cited in Charlton et al 2003). Furthermore, many women may find themselves in a vulnerable position once they have received the housing subsidy: it is clear that in many instances women are recorded in the National database as having benefited from the subsidy as they identify themselves as the spouse of a primary beneficiary, and are therefore not eligible for another subsidy ever again. At the same time, the house received through the subsidy gets recorded in ownership terms under the name of the male partner. Should the union break up, the female partner may have no legal right to the house while at the same time having no recourse to a further subsidy. However the National Department notes that Provincial Departments are "committed to ensuring that title deeds for housing be registered in the name of the applicant and spouse or partner" (Mabandla 2003: 16).

It has been noted that the role of women in housing in South Africa "appears to be biased towards involving women in the physical construction of housing" (Women for Housing et al 2003: 2). Women for Housing et al note that "there is a broad scope of professional roles that can and are being played by women in housing. There is also little insight into the contribution and role of women as beneficiaries, residents or new homeowners benefiting from the housing development process" (Women for Housing et al 2003: 2). However, even with this broader perspective on the involvement of women in housing, - beyond a role in house construction - it seems that vulnerable groupings of people *within* the category 'women' - such as abused women - and the diversity of needs these groupings may have, is not actively championed by this organisation, or within the Department of Housing itself.

In November 2003 the Minister held a 'consultative workshop on women and housing'. About 100 women representing various perspectives in the housing sector participated in this workshop (NDoH 2003). The workshop aimed to allow the Minister to "engage with

stakeholders in the housing sector on some of the issues and challenges that women in housing are currently experiencing" (ibid). The workshop was divided into 'women as housing consumers' and 'women as service providers'. Amongst the issues raised by consumers were security of tenure, access to housing finance and the need for integrated development planning. The workshop concluded with the establishment of task teams to take identified issues forward.

The CSIR was appointed by the NDoH to "provide a framework to bring a gender equality perspective into housing and human settlement policy, and to integrate gender into all aspects of policy development, implementation and monitoring of housing and human settlement development" (CSIR 2003: iv). The study considers gender issues in respect of three groups of stakeholders: residents, implementers of housing, and regulators. The report finds that "on the whole, the housing policy ... seeks to be gender neutral, equally applicable to men and women, boys and girls. What it fails to acknowledge is the pre-existing situation of inequality between men and women, both in access as well as in need" (CSIR 2003: v). Furthermore, the study finds that "notwithstanding an overarching value in favour of gender equity and sensitivity towards gender issues, the critical issue of gender in housing and human settlement is not addressed by policy" (ibid: vi).

The report notes that the policy "fails to consider the practical needs which the delivery of housing might address – changes to settlement and house design for instance". Critically, "policy stops just when gender relationships might become visible in communities – that is, after the subsidy has been delivered. The consequence of this is that the post-subsidy housing process and the issues relating to gender therein are not accommodated by policy" (CSIR: vi). Other commentators have noted that in general, "post-occupancy support" in housing projects is often very weak or non-existent – support to individual home-owners experiencing construction defects, or to the area as a whole with respect to maintenance of infrastructure, and the further development and management of the area (see for example Zack and Charlton 2003). The CSIR report goes on to identify a range of potential gender-sensitive responses to various issues, at various stages in the housing process – for example gender-specific design issues. A key recommendation is for "the Department of Housing to begin now, an active process of information and data-gathering on issues relating to gender in housing settlements" (CSIR 2003: viii).

An interesting review on gender and development has been done in relation to the Cato Manor special presidential project in Durban. This is a large, integrated urban renewal project and as such goes way beyond the delivery of housing, to include also a range of facilities, amenities and other development programmes. However, many of the issues raised are pertinent to housing delivery, and highlight crime and safety concerns associated with many low-income housing projects.

The authors note that "public safety has been paramount in spatial and physical planning and that gender issues have been of prime concern in the development" (Beall et al 2002: 27). It appears that this has an impact on the reduction in violent crime. However "it is clear that burglary is on the increase and as much of this is associated with house-breaking and armed robbery, the impact on women and children is presumably considerable. This sits squarely with the evidence from the broader literature that women are often least safe in their own homes. Hence, safety conscious physical planning is of great importance but on its own is insufficient" (ibid).

The majority of people now consider the Cato Manor area safe by day (Leggett, date). "Nevertheless, gender-based violence may still be prevalent and it is difficult to discern from the statistics. Sadly, the resources available for women victims of crime and violence are minimal". (Beall et al 2002: 27).

"It is no wonder, then, that rape and domestic violence is under-reported, so that the crime figures cannot possibly capture the gender issues involved. It is recognised that some of these issues are beyond the remit and scope of the Cato Manor Development Association but are important to bear in mind when assessing their contribution to stabilising the area and reducing levels of violent conflict. Moreover, the woman councillor for Ward 30 argued that the CMDA as a development agency needs to respond to women as victims of violence as it is an important part of the background of women in the area". (ibid: 28)

The report also emphasizes the need for baseline data and further information gathering with respect to gender issues in the area.

The Gauteng Department of Housing has also undertaken a review of women and housing policy (see below).

### **Housing and Abused Women**

Davis notes that the termination of a relationship can create considerable housing problems for a woman. "Given low earnings and a lack of housing options, some women have to choose between continuing difficult domestic relationships in good housing, or better relationships in poorer housing" (2001: 172). Changing accommodation may well involve moving downward in housing quality terms.

There is a debate within NDoH about the role of housing with respect to vulnerable groups, such as orphans, people living with AIDS (PLWA) and abused women. The specific category of abused women per se is not a current priority for the Department; however the broader notion of 'vulnerability' is, encompassing all those who could be categorized as such. At a national level the responsibility for the direct needs of these vulnerable groups is seen to lie with the Department of Social Development. The Department of Housing is concerned with how it can contribute to these initiatives by other departments and other spheres of government. In terms of NDoH policy the institutional subsidy is one option, in the form of a capital contribution to establishing places where organizations can care for the vulnerable. It seems however other departments are more in favour of community-based care rather than the establishment of new institutions (SN pers comm.).

With respect to abused women, NDoH has responded to the work of the Social Development Department on shelter strategies. In this regard the NDoH has highlighted the contribution the institutional subsidy can make to the capital cost of building shelters, for example. However, the broader role of NDoH has been recognized to be largely to do with the longer term shelter goals (after the initial institutional phase) – the contribution that NDoH can make to making women more socially and economically independent in the long term, rather than in the *interim* phase, through providing an eligible woman with her own house.

The NDoH also noted that some provinces have undertaken some short-term shelters using

the institutional subsidy. At a Provincial level there are some short-term partnership approaches where DoH provides the capital for projects and other organisations – Social Development or NGOs or the private sector – provide the operating costs, for example in HIV/Aids initiatives (SN pers comm.). However Gauteng and KZN have apparently had problems with respect to housing and social development where the provincial housing department has approved projects where social development doesn't have the operating budgets – for example in relation to HIV/ Aids facilities (SN pers comm).

There are therefore both long term and short term responses where the National Department of Housing can make a contribution. The perspective from NDoH is that the community-based care route will not solve all problems, so transitional and institutional housing is still required in some instances, which is where the department can make a capital contribution.

With respect to child-headed households, NDoH has looked at tenure-succession issues (how do the children secure tenure rights to a house once the parents have died) but it is noted that a range of other issues are very important in alleviating the plight of those in these situations – for example foster care grants. In other words, the Department is clear that a housing intervention is only one part of a broader package of support needed. The approach is for NDoH to assist and support other initiatives (such as assisting with extra rooms for a foster care situation) rather than be the lead department (SN pers comm.). Likewise NDoH can raise housing-related issues that impact on vulnerable beneficiaries but in many instances it needs the involvement of other departments in solving these – for example the Justice Department where legal issues may come in such as assisting in getting a divorce, or in the issue of succession of title (SN pers comm.).

The Women's Legal Centre in Cape Town has been dealing with issues such as women's names being on the subsidy but not on the title deeds. If a woman gets divorced her rights to the house should be dealt with in terms of the marriage contract and divorce settlement. In many cases this is not happening – but the NDoH sees the resolution to this as requiring a legal, rather than housing, response. The Director General in NDoH is in favour of allowing access to subsidized housing again after a divorce. However, this approach once again raises the issue of how to prioritise these groupings of women rather than others who are also vulnerable and in need (SN pers comm.). It should be noted that one of the Task Teams from the Women in Housing workshop held recently by the National Department of Housing is dealing with women's legal rights to housing. (A summary report of this workshop – the Minister's Consultative Workshop on Women and Housing, 6 November 2003 - is available on the Women for Housing website, <http://www.womenforhousing.org.za>.)

There is a debate within NDoH with respect to prioritising vulnerable groupings for allocation to housing units. Sometimes there are tensions with the qualification criteria set by the housing policy – such as the need to have dependents, or the requirement never to have owned a house before or received a subsidy previously. (It should be noted that the social housing policy is suggesting that single people could get access to social housing units). For NDoH certain questions come to the fore with respect to prioritizing vulnerable groupings: for example, should all abused women get access to housing, irrespective of other criteria? Are some more vulnerable than others? The issue is how to target the more vulnerable of society in policy responses – otherwise a response might be superficial in missing the real need, vulnerability. Preferential treatment of vulnerable groups does also

raise the issue of discrimination against others. There is also the issue of people having a vulnerable status at a particular point in time (SN pers comm.). It is also important to understand the distinction between those that are currently *excluded* from accessing housing in some way, and whether some people should be *prioritized* – equality of access vs active prioritization. This issue is not fully resolved at this point.

A key concern recognized in NDoH is that government as a whole is not effectively pulling together the package of information, grants and benefits that are already available to vulnerable groups into a collective impact, and then assessing the impact of this. National government should not be leaving this up to local government to do, where it tends to fall by default. Coordination across sectors and departments, and an alignment of complimentary responses around an issue, appears to be very difficult to achieve in government.

### **Socio-Economic Rights**

The issue of vulnerable groupings needs to be located in relation to debates on socio-economic rights generally (SN pers comm.), and in relation to Constitutional mandates. This section of the discussion draws heavily on the paper produced by the Urban Sector Network (USN) on *Expanding Socio-Economic Rights and Access to Housing*, for the National Department of Housing (2003).

Section 26 of the Constitution contains the "right of access to adequate housing" and Section 28(1) contains the right of children to shelter (USN 2003: 3). Various court rulings have interpreted what this right means for the State. "The key principles are that the State must establish comprehensive and coherent programmes capable of facilitating the realization of the right, and the measure (legislation, policies, programmes) adopted by the State must be 'reasonable' within their context and within the availability of resources. In addition, the needs of the most vulnerable require special attention, eg. the State must "devise, fund, implement and supervise measures to provide relief to those in desperate need." In contrast to international interpretations of the obligations of the State, the South African courts have rejected the concept of an individual right to a minimum core entitlement, and have instead emphasized the collective right to a reasonable policy (USN 2003: 3).

"A rights based approach inherently includes a strong welfare component, as rights impose special obligations on the State with regard to vulnerable groups" (USN 2003: 42). 'Vulnerable groups' can include a wide range of situations, including those living in "intolerable conditions or crisis situations" (as noted in the Grootboom case), and the homeless, which the Rudolph Judgement interpreted as "those who have no access to a place where they can lawfully live" (USN 2003: 42). It has been argued that "the Grootboom Judgement does not necessarily imply that vulnerable groups should be prioritized, merely that they should be catered for" (Roux 2002 cited in USN 2003: 43). The USN document notes that "some vulnerable groups may require specific delivery programs ... while other vulnerable groups may require policy sensitivity and possibly priority allocation, rather than specific delivery programmes (eg women)" (USN 2003: 43).

The National Department of Housing is to some extent led by other departments (such as Social Development) in responding to the needs of vulnerable groupings. NDoH to date has

generally looked to adapt current programmes and policies to meet issues raised in relation to the marginalised and vulnerable by other departments or organizations. So gender issues in housing are generally reactive to others' concerns, and involve policy adaptations, rather than being considered as some form of programme on its own. There is some thinking at NDoH that perhaps these sorts of concerns now need to be looked at more from a housing perspective. However this approach is debatable as it appears that in many instances the key driver of an issue is not, in fact, the housing component, but rather a social concern, and that it is, in fact, appropriate for housing to follow, rather than to lead.

### **Process to Gain Access to Housing**

Potential beneficiaries must meet a range of conditions in order to qualify for state-subsidised housing:

#### *Eligibility criteria*

In general there are six main criteria for a person to be eligible for a housing subsidy:

- S/he must be married or habitually cohabiting or must have proven financial dependents
- S/he must be a lawful resident in South Africa (have a permanent resident permit)
- S/he must be legally competent to contract (over 18 years of age, married or cohabiting and of sound mind)
- The gross monthly income of his/ her household must not exceed R3 500 per month (combined income of household head and spouse)
- Neither that person nor his or her spouse should have derived benefits from the housing subsidy scheme, or any other state funded or assisted housing subsidy scheme
- S/he must be acquiring property for the first time, (except in the case of a consolidation subsidy and relocation subsidy. This criterion does not apply to disabled persons (NDoH 2003: 1)

Some of these criteria may be waived for participation in certain types of subsidized projects, for example institutional and transitional housing.

All of the above criteria have to be substantiated with appropriate documentation – such as ID books, children's birth certificates etc.

#### *Waiting lists, advertising, informal settlements*

Provinces and municipalities are generally responsible for allocations of specific houses to households, although private developers and community based organizations have also in the past performed allocation functions within the parameters of specific projects. Municipalities have different means of allocating available housing in their areas, subject to beneficiaries fulfilling the above criteria. Many use their own waiting lists, while others such as eThekweni Municipality have scrapped waiting lists on the basis that they evolved under the apartheid era when access to the list was not equitable. This municipality generally advertises sites in housing projects on the radio and in newspapers and allocates them on a first come first served basis. Often, however, sites are reserved for people

moving out of informal settlements or hazardous living arrangements and very few become available to the general public. The irony is that an individual who does not live in an informal settlement, but is rather in overcrowded conditions in a house or in a backyard shack will struggle to get access to a house in the short term in Durban. Progress in Meeting Housing Policy Objectives.

In response to a range of challenges and contextual shifts the South African national housing programme has evolved into a sophisticated, complex multi-faceted entity. As noted above the programme has delivered close to 1.5 million housing units and can claim a range of other significant achievements, such as the extension of security of tenure to a large number of people, and improvement in the lives of beneficiaries mainly through the delivery of water and sanitation. (PSC 2003: 95, 96 cited in Charlton et al 2003). The housing delivered represents an addition of 17% to the total national housing stock (Ten-Year Review 2003: 7). At an average of 4,1 people per household, it is estimated that approximately 6 million people have benefited from the subsidy scheme (Ten-Year Review 2003: 11 cited in Charlton et al 2003).

Notwithstanding these successes, a number of problems have emerged. These range in nature from various unintended outcomes detrimental to municipalities or beneficiaries, to concerns that the full 'value' of that which has been delivered has not been realised. Many of these issues have been raised in the section on 'key debates' above.

#### **Gauteng's Achievements**

##### ***General***

The vision of the Gauteng Department of Housing is "to develop viable and sustainable communities through the promotion and provision of tenure, services and homes" (GDoH 2003: 8). Three strategic objectives are relevant to this paper – social housing, incremental housing and urban regeneration.

With regard to *incremental housing*, there is a focus on the People's Housing Process (PHP). This is largely a greenfields delivery process, where new land is subdivided into plots, serviced with infrastructure (which may be of a very basic level, such as gravel roads and pit toilets) and which then requires a contribution from the beneficiary or end-user to construct the house. This contribution is either in the form of labour or 'sweat equity' as it is termed, or in the form of a cash contribution of R2 479. In terms of the 2002/ 2003 Annual Report, incremental housing has underperformed by 59%, delivering 17 009 stands/ houses out of a target of 28 817. There are a range of reasons for this underperformance (GDoH 2003).

*Social housing* is another strategic thrust. Carr Gardens and Tribunal Gardens – low-rise blocks of flats - are examples of social housing projects in Fordsburg, Johannesburg, as is the new Brickfields project currently underway in Newtown in Johannesburg. One thousand nine hundred and ninety-six social housing units have been delivered in the past year out a planned 5000 units (GDoH 2003: 20).

*Urban regeneration* focuses on "integrated development at scale" (GDoH 2003: 22) – the major example of this in Gauteng is the Alexandra Urban Renewal Project, a multi-sectoral



initiative to improve the overall living environment in Alexandra. Part of this project has involved demolishing informal settlements in Alex and relocating the occupants to housing projects in other areas some considerable distance away – such as Diepsloot to the north of Johannesburg and Braamfischerville on the edge of Soweto.

Underspensing of housing budgets is an issue for all provinces and for the National Department of Housing. There is concern with the perceived slowdown of delivery from 1998 onwards (Ten-Year Review 2003: 8 cited in Charlton et al 2003). According to the NDoH, housing delivery reached a peak of 323 000 units per annum during 1997/1998 and has experienced a steady decline since. (NDoH 2003h: 29, 30 cited in Charlton et al). Reasons for this decline have been attributed to the following factors:

- The withdrawal of the so called big construction groups from the low income market;
- Low profit margins for the private sector in the subsidized sector (contributing to the withdrawal noted above);
- A slow introduction of 'emerging contractors' to the subsidy market combined with insufficient delivery capacity and technical expertise;
- The inability of the People's Housing Process to deliver at scale thus far;
- high land costs in advantageous locations;
- a general shortage of housing sector capacity and expertise especially at municipal level combined with an unwillingness by many municipalities to fulfill their housing mandate; and
- an unwillingness by the private (financial) sector to invest in the low income housing market. (NDoH 2003h: 29-30 cited in Charlton et al).

Specifically in relation to women and housing, a potentially useful document to examine would be the report undertaken in 2000 by the Community Agency for Social Enquiry (CASE), for the Gauteng Department of Housing, which looked at Women in Housing. One aspect of the investigation was "to identify the housing needs of abused women" (CASE). It appears that the needs of women living in hostels who experienced violence was one facet of the report. The report, is however, on hold, and not freely available.

In 2002 the Gauteng Department of Housing undertook a "programme and policy review". As part of this review, a document was prepared assessing whether "the Department is addressing key gender issues relevant to a sustainable housing process, as envisioned in the National Housing Vision; and whether the implementation of the Department's housing programmes impact favourably upon women" (Richards 2002: 3). The report used the provincial Department's 2001 "Revised Women and Housing Policy" as the primary source document. This document responds directly to the 'National Policy Framework for Women's Empowerment and Gender Equality', issued by the Office on the Status of Women in the Presidency in December 2000.

The report notes that the "Revised Women and Housing Policy" of the Department contains a range of policy recommendations and targets (for example - "minimum of 30% of housing units within new housing projects allocated to women headed households"). While the Department has not formed a specific gender unit, responsibility for implementing the policy falls across all of its programmes and processes. The proposals in the document relate to:

- women as beneficiaries
- women in housing construction and as professionals and service providers
- the work of the department
- education and training

The evaluation of the policy notes that "at the strategic and operational levels of the policy, there appear to be significant gaps" (Richards 2002: 19), and it is not evident "that the Department will implement gender-oriented practices across the programme in all activities" (ibid). The evaluation goes on to set out the basic minimum that the Women and Housing Policy should address "given national legislation and a gender-sensitive discourse that prevails in South Africa" (Richards 2002: 20). In addition, the evaluation notes gaps in the overall framework of the policy – such as the lack of an institutional home for the policy.

From the evaluation report it appears that neither the policy itself nor the evaluation of it focus much on vulnerable groupings *within* the broader category of 'women'.

### *Transitional housing*

There is no national policy framework for transitional housing in South Africa but Gauteng and KZN provinces have their own provincial policy guidelines for subsidizing transitional housing (Lund et al 2003: 16). Transitional housing is a variation of the institutional subsidy approach used for social housing projects.

The conceptualization in Gauteng in 1996 was of a set of projects which provided temporary accommodation to homeless people for a maximum period of six months. The overall aim within the proposed projects was to capacitate the occupants to a point where they can move on into permanent housing. Transitional housing was seen as a 'stepping stone' It was clearly aimed initially at least at 'destitute and impoverished homeless people that live on the streets and in parks in inner city areas'. This required a different conceptualization of the state's Subsidy Scheme, which is primarily aimed at 'subsidising a person on a basis of secure tenure who acquires an alienable right to property'. In transitional housing, the need is to allow for short-term security of tenure and allow for single persons (over 18) to benefit from State housing assistance (Standing Committee 1996).

The interim guidelines on Transitional Housing for Gauteng indicate that occupancy should be limited to 'single persons with a monthly income of R1 250 or less or families, with household household incomes of R2500 or less per month,' children under the age of 18 years under parental guidance or adult care-givers and lawfully resident in South Africa (Standing Committee Annexure A 1996). Persons currently receiving an old age pensions or grants are excluded. The funding does not go to the individual but to an approved institution which provides the accommodation.

The idea was that the accommodation "should remain available to temporary sojourners and should not be used as permanent accommodation in the absence of other suitable housing options" (Standing Committee Annexure A 1996).

In KZN transitional housing has been interpreted a somewhat differently and includes

overnight accommodation for street traders and hawkers (for example in the Strollers housing facility near the Durban station). One of the objectives of the KZN transitional housing policy is "to provide practical and accessible accommodation alternatives for street traders and others who require it" (Lund et al 2003: 17). The KZN transitional housing policy does not have qualification criteria for accessing the accommodation (Lund et al 2003: 18). It also does not specify a maximum period of stay although it provides for "short-term accommodation" (ibid).

The GDoH provides institutional subsidies for the capital cost of purchasing, renovating, or constructing a building for transitional housing. No operational costs are provided. Institutions working with vulnerable groups apply to the Gauteng Department of Housing for capital funding; however to date the Department has not received much in the way of applications. A key issue is that the institution must be able to demonstrate income to cover its operating costs (DM pers comm.) There is one project for abused women that the GDoH is involved with – Potter's House, in Pretoria, run by Yeast City Housing.

### **Problems Faced By Transitional Housing**

The two main problems faced by institutions are firstly income for the projects - most depend on charity and donations (Parke et al 2000: 261)– and secondly the lack of capacity to fulfill the necessary requirements to access money from the GDOH. For instance one of the requirements is to produce a competent business plan, which some of the informal organizations which are willing to help are unable to do (DM pers comm.) So there are groupings with good intentions but many don't seem to have the capacity to manage finances or to run a building (DM pers comm.). Lund et al note that "with few exceptions, many (transitional/ communal) institutions have poor governance and management systems, policies and procedures, and majority of them are generally run on charitable rather than pure business management principles" (Lund et al 2003: 3).

One of the things the GDoH wants to see in the Business Plan is how the issue of empowerment is to be tackled. It is also a responsibility of government as a whole to ensure the availability of operating income to institutions – institutions need help and government should at least be supporting the operating income – government is not helping these institutions enough (DM pers comm.).

Poulson notes that "the subsidy funding is not enough to implement the project, acquire land and buildings and to cover the cost of construction and refurbishment, and additional funds need to be obtained from other sources. The amount of money raised often limits the extent to which buildings can be renovated and adapted for use as transitional housing" (Poulson 2000: 8).

There is no formal relationship between the GDoH and the Department of Social Services, however when GDoH evaluates an application for subsidy funding it does look at whether institutions have access to grants – it asks for a confirmation of access to grants from social welfare. Many of the Transitional Housing facilities don't seem to access operating costs or grants from the Department of Welfare. There are 5 institutions running transitional housing projects in Gauteng, with 7 projects between them. "All the (transitional housing) projects have had the benefit of the capital subsidy from Gauteng Department of Housing, but attempts to access operational subsidies from Departments of Health and Social

Development have been unsuccessful" (Lund et al 2003: 14). The organization Mes Aksie which runs the Ekuthuleni facility in Joubert Park is seen to be an example of a good interaction with the welfare departments. Mes Aksie charges R125 per bed per month and operates as a 'real' transitional project (as opposed to those which are more communal in nature, discussed below).

The Transitional policy initially allowed for a 6-month stay in the facility. However "...the experience of the Transitional Housing programme is that six months is not long enough to get people on their feet and the occupation time frame has been extended to 18 months" (Poulson 2000: 9). Now it appears that the Transitional policy allows for a 2-year stay in a facility, but actual relocation out of a facility may depend on the duration of an empowerment programme – which may for example stretch over 2.5 years (DM pers comm.). This 2-year limit might be too little in light of the time it may take people to become independent.

### **Transitional and Communal Housing**

Poulson raises the issue of where people move to after transitional housing and notes that '...there are gaps in delivery at both ends of where Transitional Housing fits into the broader housing programme' (Poulson 1986: 2). "... the programme attempts to bridge the gap between homelessness and the ability to reintegrate with society ..." (Poulson 1986: 3) It does this in at least 3 ways: firstly through providing rental accommodation and ultimately aiming to link occupants to affordable permanent housing' (Poulson 1986: 3); secondly, through empowerment and support initiatives; and thirdly facilitating access to programmes by other departments in a range of sectors (such as education, health, welfare).

Transitional housing is the only housing strategy that attempts to try and develop people further. An example of this form of housing is Cornelius House which has now been running for 5 years. Cornelius House accommodates single people with an income between R400- R1250 per month, and families that earn less than R2500 per month. It has a vacancy rate of 5-10% per month (sometimes this is due to people leaving in the middle of the month). The payment default rate is about 5%, which is very low. Residents need to be able to demonstrate income with a payslip, bank account details or proof of receipts and payments (Chris Lund pers. comm.). Cornelius House is now self-funding, bringing in about R30 000 per month from rentals, and keeping its costs at just below this level. Cornelius House is now a mixture between transitional and 'communal housing'. There is clearly a demand in the relatively long term for communal-type housing. There are a number of privately run 'communal facilities, with varying degrees of legitimacy.

It is useful to conceptualise a housing continuum in which there is a 'stepladder' of accommodation from street person to homeowner – eg. sleeping rough to shelter to transitional housing facility to communal housing to social housing to home owner (Chris Lund pers. Comm.). The distinction between transitional housing and communal housing is useful to understand: transitional housing is generally either individual or shared rooms, with all other facilities communal, for rentals of R90-R165 per bed, or R150-R450 per unit (including lights and water). The length of stay is 6 - 24 months. Communal housing on the other hand generally has individual rooms, with cooking in the rooms and other facilities communal, for rentals of between R450-R800 (excluding lights and water). The length of stay is not prescribed, but is subject to a monthly lease. The rooms are generally not

furnished. (Lund et al 2003). Communal housing is seen as a step-up form transitional housing, involving higher costs and more independence, but not as costly as social housing.

"... the general profile of the target market for transitional/ communal housing could be summarized as people with very low-income and education levels, people involved in unskilled or semi-skilled employment (security patrol, cleaning, domestic work etc)" (Lund et al 2003: 3). "Most of the residents are single individuals and single women with children. In some projects, residents included students" (Lund et al 2003: 75).

"It is proposed that communal housing be targeted at people earning between R2 500 and R3 500 per month ..(and)..that provision be made within transitional and communal housing for people with special needs" (Lund et al 2003 section 5.2.5). It is suggested that the Gauteng income policy guidelines for transitional housing be adopted – individuals earning less than R1250 per month and families earning less than R2500 per month (ibid).

"..there must be (a) functional link between transitional, communal and conventional social housing. People who graduate from transitional housing should be able to find accommodation in communal housing or conventional social housing projects" (Lund et al 2003 section 5.2.8). Lund notes that the numbers of really destitute people seem to be very low – maybe about 15 000 'homeless' – rough sleepers in Gauteng. However there is a huge group of people in the R400 – R2 500 income bracket (Chris Lund pers. Comm.).

Poulson notes that "the most critical link in the housing provision chain however, is access to affordable housing after transitional housing. Current provision of social housing tends to be too expensive and the rental gap is too high for people to cope with whilst still in a relatively unstable employment situation" (Poulson 2000: 11). The National Department of Housing is looking to the social housing sector to explore affordable accommodation (Lund et al 2003: 5). In addition the concept of each social housing project allocating a percentage of its accommodation to special needs or vulnerable groupings (such as abused women, or the aged) is being explored. There are examples of this kind of concept – for example Douglas Village as a complex is probably sustainable but the communal housing component of Douglas Rooms is probably not on its own. (Chris Lund pers. Comm.).

### **Moving On From Transitional/Communal Housing**

With regard to what happens when people leave a transitional housing facility, most organizations have an exit strategy where people are trained or provided with some skills with the idea that they should be able to get employment. Some organizations actively follow up in this regard, and link with employment agencies. Cornelius House notes that the most successful intervention has been through linkages to the private sector. The job creation centre in the facility has created one or two jobs, while the SMME's have not been very successful (Chris Lund pers. Comm.).

With regard to waiting lists and prioritization of access into 'RDP' and other housing when a person leaves an institution, the principle in the GDoH policy statements is that vulnerable groupings should be prioritized. So if confronted by a specific case this prioritization could be done (DM pers comm.). However it appears not to be common practice at the moment.

People leaving the transitional housing could also try for an individual subsidy but would need to be able to provide the balance of the funding needed to meet the purchase price. (DM pers comm.) People within transitional housing wishing to access an RDP house will need to be assisted – the transitional housing organization would have to assist with a supported application that will penetrate the GDoH's bureaucracy. (DM pers comm.) Shelters are generally in the city centre, however other housing provided by the GDoH (apart from social housing) is generally far less well located, and an allocation to one of these houses would displace people out of the city. It is not clear whether there are jobs in these projects – and this issue (of assisting in finding jobs close to an RDP project) would be too much to expect the institution to resolve.

Within GDoH there are Directorates, however the Social Housing Directorate is the only one with a sub-directorate on vulnerable groupings. The Department indicates that 5% of housing units should be reserved for vulnerable groups, however this is often conflated with social housing – so while this allocation and intervention should be across the board of directorates it tends to be limited only to the social housing directorate.

The document prepared by Lund et al recommends that the National Department of Housing formulates policy and regulations for transitional and communal housing within the national policy framework on social housing (Lund et al 2003 section 5.2.9) This will enable the sector to address affordability constraints within the sector (Lund et al 2003: section 5.2.1). 'It is further proposed that provision be made within transitional and communal housing for people with special needs' (Lund et al 2003 section 5.2.5).

### **Key Issues in Housing with Regards to Abused Women**

The first place of refuge for abused women is often a shelter. The Department of Social Development notes that shelter represent a critical component of crisis intervention (2001: section 2). Shelters in SA in the past have usually been run by non-Governmental organizations, with government tending to come on board from early 2002 (JG pers comm.). Nationwide there are a total of 41 shelters accommodating abused women and their children for periods from 1 week up to 6 months (DoSD 2002). 21 of these shelters are currently being subsidized by provincial Departments of Social Development (DoSD 2002). Some women stay longer than the required periods in shelters for a variety of reasons, including unemployment, limited housing opportunities and financial constraints (DoSD 2002). Many shelters appear to offer some form of subsistence as well as accommodation – for example The Sanctuary, which "provides all residents with three meals a day, toiletries and clothing where necessary" (<http://www.usaa.org.za>). The Department of Social Development notes that the implementation of the Domestic Violence Act (under the lead of the department of Justice) places obligations on the Department of Social Development to facilitate and fast track the provision of shelters for abused women, as well as ensuring the availability and accessibility of counselling services to women and children (2001 section 1).

The Gauteng Department of Social Services registers institutions such as those accommodating the aged and the disabled. Some of these facilities received operating subsidies from Social Services. Some people within these facilities are also abused – eg: some of the aged in retirement villages (which actually fall under the Department of Trade and Industry) are subject to financial abuse. However the most vulnerable to abuse are

those with intellectual disabilities (the severely and profoundly handicapped are in facilities licenced and subsidized by the Department of Health) (LS pers comm.).

A relationship with the Department of Housing exists around the NDoH providing funding for the buildings (capital subsidy), while Social Services provides operating costs in some cases. The Department of Health also plays a role in providing medication to the institutions. Social Services also interacts with DoH in encouraging DoH to include houses for the disabled and aged within their projects, rather than create separate 'special areas' for these people. Social Services is involved in paying grants to the disabled and aged (NB only the frail are in homes which receive a subsidy from Social Services) (LS pers comm.).

"Most shelters are short term, which means that ..women ..have to stay in the shelter for a short period of time. Therefore, women are left with no alternative but to return to their abusive partners due to financial dependence on their partners" (DSoD 2002). "Many women in abusive situations are unemployed or to a large degree financially dependent on their partners/ spouses, when they decide to end these abusive relationships they find themselves with no income, no place to stay, they often go back into these abusive relationships" (<http://www.usaa.org.za>).

"... women who leave long term shelters are still often in need of subsidized housing, which offers reduced rental for accommodation of women and children from shelters for periods longer than sheltering allows. In South Africa, the need for second stage housing has developed, but we have not address this problem in any systematic way" (Dangor 2002: 15). "The purpose of second stage living is to enable the resident to rent a flat/ house at a nominal price but still enjoy the security of being safe and to have access to counseling if needed. Children are enabled to attend the nearest school. The low rent also enables residents to save money in order to be able to set up their home away from the shelter. The question of developing second stage housing is an issue that cannot be addressed by Civil Society Organisations (CSOs) alone, it needs inter-sectoral collaboration" (DoSD 2002) There is a second stage housing scheme in the Western Cape – the Saartjie Baartman facility in Athlone, that includes a capacity building and skills building programme (JG pers comm.). In addition, three other shelters provide second stage housing (Park et al 2000: 365). However it is not clear where the funding for this second stage housing will come from – as noted above, the Department of Housing does not offer any operating subsidies for accommodation.

From those involved in issues around the abuse of women, it seems that "Second stage housing should reflect an independent living in preparation for the emancipation of women. Women living in such housing should be linked to community programmes such as economic empowerment, skills development, capacity building, and life skills such as self-defence and literacy programmes. If programmes are manned at the second stage housing, women that have returned to their houses should be linked to these programmes" (Tshabalala 2001: 31). The Department of Social Development also quotes this paragraph in its document "Minimum standards on shelters for abused women", without however elaborating on where responsibility for the provision and management of this second stage housing lies.

A further issue concerns abused women who are ill, who are often not offered adequate care and shelter or who may be refused admission to shelters (Park et al 2000). Meth notes that

"... the health status of women using the shelter is an issue for staff managing the shelter. The staff are clearly against housing women who have particular health problems." (Meth 2003). Likewise Social Development notes that "Women who disclose their HIV/AIDS status in shelters are sometimes stigmatized and discriminated against ... . In developing a shelter strategy there should be a strong link to HIV/ AIDS programmes and policies" (DoSD 2002).

"Empowerment and skills learned in a women's shelter are invaluable sources of power for women, but they take time and commitment by both the staff and the female clients" (Meth 2003). Poignantly she asks "How can women who are living in women's hostels, shack settlements or are homeless (while experiencing domestic violence) challenge domestic violence through the means of a shelter – if an implicit pre-requisite for living in a shelter is that you aim to be housed in the near future?" (Meth 2003).

### **Key Issues With Respect to Developing a Comprehensive Shelter and Housing Policy Responsive to the Needs Of Abused Women**

#### ***Current situation***

In summary then, what are the current range of housing options for abused women beyond a crisis response of providing accommodation in shelters? From a housing perspective, the national and provincial departments of housing are involved in one way or another in the following forms of housing:

- Transitional housing – While this is not a national programme, several provinces (eg Gauteng and KZN) have provincial transitional housing programmes. The programme can provide capital subsidies for the building of these medium-stay facilities; however no operational subsidies are provided. The maximum length of stay is 2 years, and the cost to the individual in 2003 was typically between about R100 and R200 per month per bed. The idea is to include 'empowerment' and skills training initiatives to enable residents to move beyond this housing. The institution requesting capital subsidies to build such a facility must demonstrate operating sustainability, and many potential groupings lack the capacity to demonstrate this and therefore fail to access subsidies. Links with these facilities and the Social Development departments appear to be relatively weak.
- Communal housing – This envisages more independence, self-sufficiency and cost to the individual – between R450 and R800 per month. There is no maximum length of stay. These facilities could potentially access the transitional or institutional subsidy (with some modification of regulations) in order to assist with the capital cost of building or converting a facility. Again there is no operating subsidy available from the housing programme.
- Social housing – This uses the NDoH's institutional subsidy for capital development and targets people with incomes between R2 500 and R3 500 per month (and may in the future reach higher to people with incomes of about R6000 per month). The institutions currently running social housing facilities struggle with issues of sustainability.

All of these three options above tend to be well-located in inner city areas, and as such have the potential to benefit from access to facilities and amenities, access to support structures



and to 'social capital' networks.

- RDP housing – This is a free grant to qualifying beneficiaries who then own their houses. There are however costs involved in ownership – the upfront contribution that needs to be paid and the cost of services and maintenance. The location of many of the projects is problematic, often in relatively peripheral areas. The appropriateness of RDP houses to vulnerable people must also be questioned - a housing benefit in a distant location outside of a supportive community may not be helpful. It should also be noted that in a recent review of beneficiaries' perceptions of subsidized housing, the issue of crime and safety came up repeatedly, with people complaining that housing projects are often unsafe and lack effective policing, transportation and lighting (Zack and Charlton 2003). However, in Gauteng at least it appears that allocation of an RDP house to a qualifying abused woman could be prioritized by the Provincial Department of Housing if necessary.
- Integrated/ urban renewal projects – (such as the Alexandra Urban Renewal Project). While not exclusively focused on housing delivery, these multi-sectoral projects contain large housing components, and offer interesting experiments in 'integrated delivery'. They may offer an opportunity for piloting a joint social development/ housing initiative within a supportive environment. (The Alex project, for example, has an active focus on 'special needs')

#### *Key considerations*

It would seem that housing for abused women needs to be viewed as a continuum, ranging from emergency short-term shelter to permanent, full independence. The housing options currently available through the state's subsidized programme do complement this perspective.

Possibly the most weakly developed of the housing options to date are the transitional and communal programmes. Important examples of these do exist in some of the major centers, however the experience is not widely developed and there are very few of these facilities available across the country. These housing options could provide useful 'stepping stones' on the path between emergency shelter and independent housing: indeed, transitional and communal housing have the potential to provide the 'second stage' housing referred to in some of the literature on women abuse.

However, as noted above, funding for the operating costs of all these facilities is inevitably a problem, and they are largely reliant on donations, grants, and in some instances, welfare subsidies. In general they have very little financial security.

A critical issue in all housing types noted above is the matter of poverty, income generation and livelihood strategies of the individual, none of which are effectively supported through the housing programme yet. As the housing programme does not provide any form of operating subsidy in any of the housing types, income generation to cover the costs of living in housing (costs which may range from rents, service charges, rate payments to maintenance costs), needs to be factored into any housing solution. Some municipalities have developed indigent policies, such as free basic water and the waiving of rates payments for dwellings below a certain value, which provides some assistance with living costs. There is no indication that government or housing department would look favourably

on any lobby for the state to further subsidise such operating costs.

The qualification criteria for RDP housing may be an issue limiting access by women in need, for example preventing access to housing by those women who have already received a subsidy, or who do not have dependents. However it seems that certain provinces (eg Gauteng) are amenable to waiving qualifying criteria under certain circumstances, and there is already relaxation of criteria in certain social and transitional housing projects. This might be a useful area for advocacy and lobbying work, should it be identified as an issue by CSVV.

The location of many RDP housing projects, far from main urban centres, and the lack of integrated development within them, are problematic and contribute further to the marginalization of the poor. These locational disadvantages, and the mono-functional character of many projects, may not contribute to the supportive environment needed by abused women.

The issue of vulnerable groupings generally is on the agenda of the Department of Housing. However within this broad categorization, certain groups – such as those affected by HIV/ Aids, and the disabled – have a higher profile than that of abused women. In making a case for a particular response to abused women, the extent and severity of need may need to be demonstrated. In this regard it would also be helpful to identify specific aspects of the *current* housing programme that could be used, adapted or modified to meet the needs of abused women, rather than to propose major changes at the outset. While some review of the housing programme is currently underway within government, its relative success in delivering to 'the poor' is politically valued and drastic changes to it are unlikely to be effected in the short term. The housing needs of abused women referred to earlier would also have to be identified and located within a broader package of support, where the contribution of housing to an overall solution was made clear.

### **Way Forward**

The following are suggestions which could be pursued to further the cause of abused women getting access to state subsidized housing.

- Identify specifically what it is that abused women need from housing as a component of their support package. This paper, while providing an overview of issues from a housing sector perspective, does not provide a detailed insight into the specific housing needs of abused women. Once these housing needs have been identified, it would be important to identify what aspects of these needs can be effectively met through the current state housing programme, and what aspects falls outside of the programme. It would then be important to strategically select which issues to take forward as lobbying and advocacy issues, and at what sphere to lobby these issues – at national, provincial or local government.
- Test the Gauteng Department of Housing's allocation procedure, by asking for a prioritized allocation of an RDP house in a situation where there has been abuse. It would be very useful to monitor and evaluate both the process of obtaining the house, as well as the post-occupancy experience of the beneficiary, to identify to what extent this housing solution meets the needs of the candidate.

- Pilot an approach in which an abused women who is allocated a house is encouraged to add on a room or build an outside room, which could then be rented by another woman in need. Although there are potentially problems with this approach, it could provide some income for the house owner as well as provide a mutually supportive environment for both women.
- Make contact with, and potentially lobby, the organization Women for Housing for them to consider taking up the issue of vulnerability within the category of 'women' and specifically the issue of abused women, as part of their area of focus. It is currently not part of their focus, as they are largely concerned with women within the construction industry and women working within the housing sector as a whole.
- Obtain the CASE report to the Gauteng Department of Housing, and potentially use its findings to lobby for a pilot project – for example a transitional facility, which can also test the relationship between housing and social development, through applying for operating grants. This report is a useful indication that the Provincial Department of Housing has a concern with women in housing – as is also evidenced by their 2002 review of their Women and Housing Policy.
- Examine more closely the issues and concerns faced by those facilities/ shelters which have accessed state housing subsidies, and which cater for abused women – such as Potter's House run by Yeast housing in Pretoria.
- Lobby for a more integrated approach to housing development, through actively campaigning for infrastructure and facilities that contribute to women's safety in residential areas – such as street-lighting, tarred roads that permit taxis and busses to enter developments, police stations etc. The complex issue of integrated development is squarely on the agenda of the Department of Housing, and much of what is needed in this regard is not within the Department's direct control; however, a gender and safety angle on the matter, lobbied across departments, might assist in finding solutions to this issue.
- Join with other groupings to lobby and publicise issues pertaining to women's legal rights to housing – through formal tenure mechanisms - in situations of separation, divorce or eviction

### **Discussions Held With**

Samantha Naidu, National Department of Housing, 18/11/03  
 Rory Gallocher, Gauteng Department of Housing, 20/11/03 (introductory conversation)  
 Chris Lund, Johannesburg Trust for the Homeless, 1/12/03  
 Joan Groenewald, National Department of Social Development 2/12/03  
 Dumisa Matumsa, Gauteng Department of Housing, 5/12/03  
 Leah Smit, Gauteng Department of Social Services, 10/12/03 (telephonic conversation)

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