

A STUDY TO DETERMINE THE SATISFACTION LEVEL OF VICTIMS ACCESSING SERVICES AT IDENTIFIED SEXUAL OFFENCES COURTS IN SOUTH AFRICA

This study builds on the findings of the baseline survey, and aims to identify the needs, experiences and satisfaction of victims accessing services at 11 identified Sexual Offences Courts to ensure that the services provided at these courts are in line with the Model developed by the MATTSO Task Team and the relevant legislation and policies. This project was funded by UNICED South Africa.

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TABLE OF CONTENTS

Executive Summary	2
1. Introduction	3
2. Purpose and Objectives of Study	4
3. Research Methodology	4
4. Challenges Experienced	6
5. Findings of Desktop Review of Support Services Legislation, Policy and Research	6
6. Questionnaires	9
7. Analysis of Interviews	9
8. Findings	26
9. Recommendations	31
Annexure A: Findings of the of Desktop Review of Support Services Legislation, Policy and Research	32
Annexure B: Analysis of Interviews	38
Annexure C: Checklist: Court Compliance (Court-based victim support services)	57
Annexure D: Input received from role-players	60
Annexure E: Victim Satisfaction re Support Services in Sexual Offences Courts (Adults)	63
Annexure F: Victim Satisfaction re Support Services in Sexual Offences Courts (Children)	68

EXECUTIVE SUMMARY

In 2015 a baseline study was conducted in identified regional courts, which had not yet been upgraded to sexual offences courts, to investigate victim satisfaction. The findings of this study revealed that there was an overall satisfaction score of 48% amongst the participants who took part in the study. The present study built on the findings of the baseline survey, and aimed to identify the needs, experiences and satisfaction of victims accessing services at 11 identified Sexual Offences Courts to ensure that the services provided at these courts are in line with the Model developed by the MATTSO Task Team and the relevant legislation and policies. The study also aims to identify any gaps in service delivery and will lead towards improved access to justice for victims of sexual offences and, consequently, better protection for children.

The study was divided into two phases. The first phase took the form of a desktop investigation into support services legislation, policies and research to identify what services needed to be in place for victims of sexual violence. The second phase of the research took the form of interviews which were conducted with the relevant court officials, adult victims, child victims and guardians as well as a checklist of services available at these courts.

As was found in the baseline study, the satisfaction of witnesses interviewed was directly proportional to the sensitivity and warmth that they received at the hands of court personnel. In some courts, where not all services were in place, witnesses were still very positive about their experience because they had been treated with care and kindness. Again this highlights the fact that the quality of trained and specialised staff should be given greater priority than the physical resources, and that this is a key element in the success of these courts.

The study also identified certain areas of concern. The interviews with the court officials highlighted a serious lack of specialised training, with some officials reporting that they had last received training 10 years ago. Very few victims receive referrals for therapy after they have testified, and this has a huge impact on the emotional well-being of victims. Also, there were still victims who were not receiving their witness fees at all. The issue of witness fees and food for child witnesses still remains a challenge. Although the majority of courts had private waiting rooms for adults, there were still some who did not. Only 68% of the adult victims had access to a private adult waiting room, and they said that they did not feel safe waiting in the public waiting area.

Overall, however, both adult and child victims were satisfied with the services that they had received at the courts. Witnesses were asked to measure how they had been treated and 76% of the adult witnesses and 82% of the child witnesses rated their experience as good. It is clear from the findings of this study that there was a substantial increase in victim satisfaction from the ordinary regional courts to the Sexual Offences Courts. The improved services in the latter courts contributed to an increase in victim satisfaction. In the baseline survey the overall finding of victim satisfaction was 48%. This has increased to 69% in this study.

1. INTRODUCTION

Research on the impact of sexual offences conducted over the past thirty years is unanimous in describing the serious physical, emotional, psychological and developmental outcomes abuse holds for victims, particularly children. Research has, however, also revealed that victims of sexual abuse suffer secondary trauma as a result of their treatment within the criminal justice system, which exacerbates the symptoms of the existent trauma caused by the initial abuse. Factors giving rise to secondary trauma within the criminal justice system include hostile and insensitive treatment, a lack of understanding of victims of sexual abuse by role players, and procedural issues like delays, postponement and cross-examination. These factors inhibit victims from reporting acts of sexual violence in an attempt to avoid the criminal justice process.

The complexities of working with victims of sexual violence require specialised intervention on the part of all stakeholders, and this includes the specialisation of personnel as well as the creation of a victim-friendly courtroom environment in which victims are required to testify. To ensure that victims are treated with fairness and respect for their dignity and privacy, they require support services that are delivered with sensitivity and care.

The need for improved access to justice, improved court performance and the desire to address the needs of vulnerable groups resulted in the promulgation of the Criminal Law (Sexual Offences and Related Matters) Amendment Act 32 of 2007 (hereafter the Act), the purpose of which is to afford complainants of sexual offences the maximum and least traumatising protection that the law can provide. The Preamble to the Act recognises that sexual violence in South Africa is a 'grave concern' that has a 'particularly disadvantageous impact on vulnerable persons' and society as a whole. It further recognises that the legal response to victims of sexual violence is both limited and reactive in nature, and acknowledges flaws in the criminal justice system that exacerbate the plight of victims 'through secondary victimisation and traumatisation.'

Further, the Minister of Justice and Constitutional Development established a Task Team (MATTSO) in 2012 to investigate the feasibility of re-introducing the Sexual Offences Courts. The Task Team found that there were sufficient grounds and a compelling need for the re-establishment of the Sexual Offences Courts and these courts are in line with the ethos of the objects of the Criminal Law Amendment Act 32 mentioned *supra*. The re-establishment of the Sexual Offences Courts would promote a victim-centered court system that would be prompt, responsive and effective and would thus contribute to reducing secondary trauma. The Task Team also developed a research-based model for Sexual Offences Courts to provide a set of minimum standards that these courts would have to adhere to, and proposed that priority be given to the immediate upgrading of those regional courts which had been identified as being resourced closest to the Sexual Offences Court Model. To date, 58 courts have been upgraded to Sexual Offences Courts in terms of the Model.

2. PURPOSE AND OBJECTIVES OF STUDY

In 2015 a baseline study was conducted in identified regional courts, which had not yet been upgraded to sexual offences courts, to investigate victim satisfaction. The findings of this study revealed that there was an overall satisfaction score of 48% amongst the participants who took part in the study. The present study builds on the findings of the baseline survey, and aims to identify the needs, experiences and satisfaction of victims accessing services at 11 identified Sexual Offences Courts, selected by the Department of Justice: PRVG, to ensure that the services provided at these courts are in line with the Model developed by the MATTSO Task Team and the relevant legislation and policies. The study also aims to identify any gaps in service delivery and will lead towards improved access to justice for victims of sexual offences and, consequently, better protection for children. This study was undertaken by UNICEF in collaboration with the Department of Justice: PRVG. The specific objective of this study is to conduct a victim satisfaction survey in 11 premier Sexual Offences Courts to identify achievements and gaps in the provision of court-based services to victims of sexual crimes accessing these courts.

3. RESEARCH METHODOLOGY

The research design consisted of two phases, namely a literary (desktop study) and an empirical (interview) component. In order to determine whether victims were satisfied with the services that they had received at the sexual offences courts, it was necessary first to identify what services they were entitled to. This formed part of the first phase and involved an analysis of relevant legislation, regulations, policies, and research reports. The findings of this investigation resulted in a list of services to which victims were entitled, and formed the basis of the questionnaires that were developed for the interviews in the second phase of the research. Five questionnaires were designed for the different groups of participants and included the following:

- i. Checklist of Court Infrastructure and Resources
- ii. Questionnaire for Adult Victims of Sexual Violence
- iii. Questionnaire for Child Victims of Sexual Violence
- iv. Questionnaire for Parents or Caregivers
- v. Questionnaire for Court Officials.

The second phase of the research adopted an empirical research design, since an empirical design is the production of knowledge based on experience or observation. This involved the conducting of semi-structured interviews with both adult and child victims, who had testified at the 11 premier Sexual Offences Courts, parents and guardians as well as legal personnel. Court personnel assisted with the accessing of the witnesses, and witnesses were required to complete a consent form and received a stipend for transport. Originally 9 premier Sexual Offences Courts were identified, but it was subsequently discovered that all three courts at Bloemfontein had been upgraded, so these were also included in the survey. The interviews were conducted at the respective court buildings. Once the information had been obtained from the witnesses, parents and legal personnel, the data was captured and analysed. The final component of the research entailed measuring the data acquired during the qualitative research design phase against the findings of the baseline study.

For the purposes of this study, 221 people were interviewed. This included 124 victims of sexual violence, 59 adults and 65 children who had testified in the identified Sexual Offences Courts; 34 parents or caregivers, and 63 legal and court personnel across the 9 provinces. The composition of the target group is set out in the table below:

FIG.1: TARGET GROUP

ADULTS (59 INTERVIEWS)		
GENDER	FEMALE	52
	MALE	7
SEXUAL ORIENTATION	STRAIGHT	32
	LESBIAN	3
	GAY	2
	NO RESPONSE	22
DISABILITY	MENTAL	2
	PHYSICAL	4
	DEAF	2
CHARGE	RAPE	59
CHILDREN (65 INTERVIEWS)		
GENDER	FEMALE	57
	MALE	8
DISABILITY	MENTAL	2
	PHYSICAL	1
CHARGE	RAPE	63
	SEXUAL ASSAULT	1
	ATTEMPTED RAPE	1
CAREGIVER OR GUARDIANS (34 INTERVIEWS)		
GENDER	FEMALE	31
	MALE	3
DISABILITY	MENTAL	2
	PHYSICAL	1
	BLIND	1
RELATIONSHIP TO CHILD	MOTHER	23
	FATHER	2
	GRANDMOTHER	4
	GRANDFATHER	1
	FOSTER MOTHER	2
	AUNT	2
ROLEPLAYERS		
COURT PREPARATION OFFICER		10
INTERMEDIARY		9
MAGISTRATE		9
PROSECUTOR		15
INTERPRETER		11
COURT MANAGERS		9

4. CHALLENGES EXPERIENCED

There were a number of challenges that had to be overcome in conducting the victim satisfaction survey, chief amongst these was accessing the victims for the study. Both child and adult victims who had made use of the courts in the 9 provinces had to be accessed. Although court preparation officers and intermediaries had some contact information, it was difficult tracing these victims. Telephone numbers had changed and victims had moved. Assistance was sought from investigating officers to assist with the tracking down of victims. And, even when victims were found, many were unwilling to take part in the survey or did not arrive as promised. This hurdle was overcome to a large extent by the dedicated assistance of court personnel, who spent many hours tracking down victims for the purposes of the research.

Further challenges related to the time factor within which the research had to be completed, as well as the Christmas period and school holidays which impacted on the accessing of children for interviews. As the courts were scattered across all nine provinces, logistical arrangements also proved to be a further challenge as researchers had to be transported from one province to the next within the given time constraints.

5. FINDINGS OF THE DESKTOP REVIEW OF SUPPORT SERVICES LEGISLATION, POLICY AND RESEARCH

The first phase of the research involved an analysis of relevant legislation, regulations, policies, charters and research. The purpose of this investigation was to identify the specific services to which victims of sexual violence were entitled. The detailed investigation is included as Annexure A. These identified services were then used to develop questionnaires, which formed the basis of the interviews conducted in the second phase.

5.1 Documentation analysed

For purposes of clarity and brevity the documents analysed in the desktop research are listed below:

5.1.1 Legislation

5.1.1.1 Criminal Procedure Act 51 of 1977

5.1.1.2 Prevention and Combatting of Trafficking in Persons Act 7 of 2013

5.1.1.3 Children's Act 38 of 2005

5.1.1.4 Domestic Violence Act 116 of 1998

5.1.2 Regulations

5.1.2.1 Draft Regulations relating to Sexual Offences Courts: Criminal Law (Sexual Offences and Related Matters) Amendment Act 32 of 2007

5.1.3 Charter and Policies

5.1.3.1 Service Charter for Victims of Crime in South Africa

5.1.3.2 National Policy Guidelines for Victim Empowerment Programme

5.1.3.3 National Policy Framework

5.1.3.4 MATTSO Report and Sexual Offences Court Model

5.1.4 Research

5.1.4.1 Baseline Study

5.2 Findings of Desktop Review

In the desktop review that was conducted, certain key services for victims of sexual crimes, who have to testify in court, were identified from the legislation, policies, charters and research analysed. A catalogue of services was identified, and these services were used as a basis for the development of the various questionnaires, that were used in the interviews. The services identified include the following:

- i. Signage for Sexual Offences Courts
- ii. Separate entrance to avoid contact between the witness and the accused
- iii. Physical accessibility of courts for persons with disabilities
- iv. Court accompaniment services
 - a. Recognition of court accompaniment person
 - b. Met by court preparation officer
- v. Private waiting room services for children
 - a. Child friendly environment
 - b. Furniture
 - c. Toys
 - d. Information screen
 - e. Air conditioner
 - f. Educational and reading material also accessible to children with disabilities
- vi. Private waiting room services for adult witnesses
 - a. Furniture
 - b. Information screen
 - c. Air conditioner
 - d. Educational and reading material also accessible to people with disabilities
- vii. Access to private toilets
- viii. Facility for preparing basic refreshments (optional)
 - a. Microwave (optional)
 - b. Refrigerator (optional)
- ix. Witness fees
 - a. Access
 - b. Time of payment
 - c. Provision of food¹
- x. Court preparation
 - a. Court preparation before testifying
 - b. Visit to court or testifying room
 - c. Explanation of available services
 - d. Explanation of court procedures
- xi. Consultation services
 - a. Private consultation

¹ Although the provision of food is not a service offered, it is nonetheless a practise that was being implemented at courts unofficially as was shown in the Baseline Study.

- xii. Provision of information services
 - a. About case
 - b. About court dates and postponements
 - c. About bail
- xiii. Intermediary services
- xiv. Testifying room services
 - a. Availability of 2-way closed circuit television system
 - b. Child-friendly environment
 - i. Furniture
 - ii. Blinds
 - iii. Seating
 - c. Availability of water
- xv. Use of anatomical dolls
- xvi. Interpreter services
- xvii. Pre- and post-trial emotional containment service
 - a. Pre-trial emotional containment received
 - b. Post-trial emotional containment services received
 - c. Referral for counselling
- xviii. Information management service
 - a. Statistics
- xix. Speedy trial service
 - a. Postponements
 - b. Delays
- xx. Infrastructural requirements for court officials
 - a. Office for court preparation officer
 - b. Office for prosecutor
 - c. Office for intermediary
 - d. Access to telephones
- xxi. Sensitivity of role-players
- xxii. Training of role-players

The above catalogue of services was used in the development of the various questionnaires on which subsequent interviews were based.

6. QUESTIONNAIRES

Five questionnaires were developed in accordance with the terms of reference. The first questionnaire (questionnaire one) took the form of a checklist and focused on the infrastructure, resources and programmes at each court. Field researchers were required to complete the checklist at each court by personally examining the testifying room, waiting rooms and courtrooms, as well as obtaining relevant information from the court role players present.

Questionnaire two focused on the court personnel at the identified sexual offences courts. The crux of this questionnaire was to investigate whether the role players had received the training that had been identified in the MATTSO as a minimum for offering services in these courts. In addition, it also examined issues of office space, access to computers and telephones as well as issues surrounding witness fees.

Questionnaire three was aimed at parents and caregivers to examine the services they had received at the courts, while questionnaire four focused on the services received by adult victims and questionnaire five the services received by child victims.

7. ANALYSIS OF INTERVIEWS

The interviews conducted with the participants were captured and analysed and an overview of the findings is described below. A more in-depth narrative analysis is contained in Annexure B.

7.1 Checklist of Sexual Offences Courts

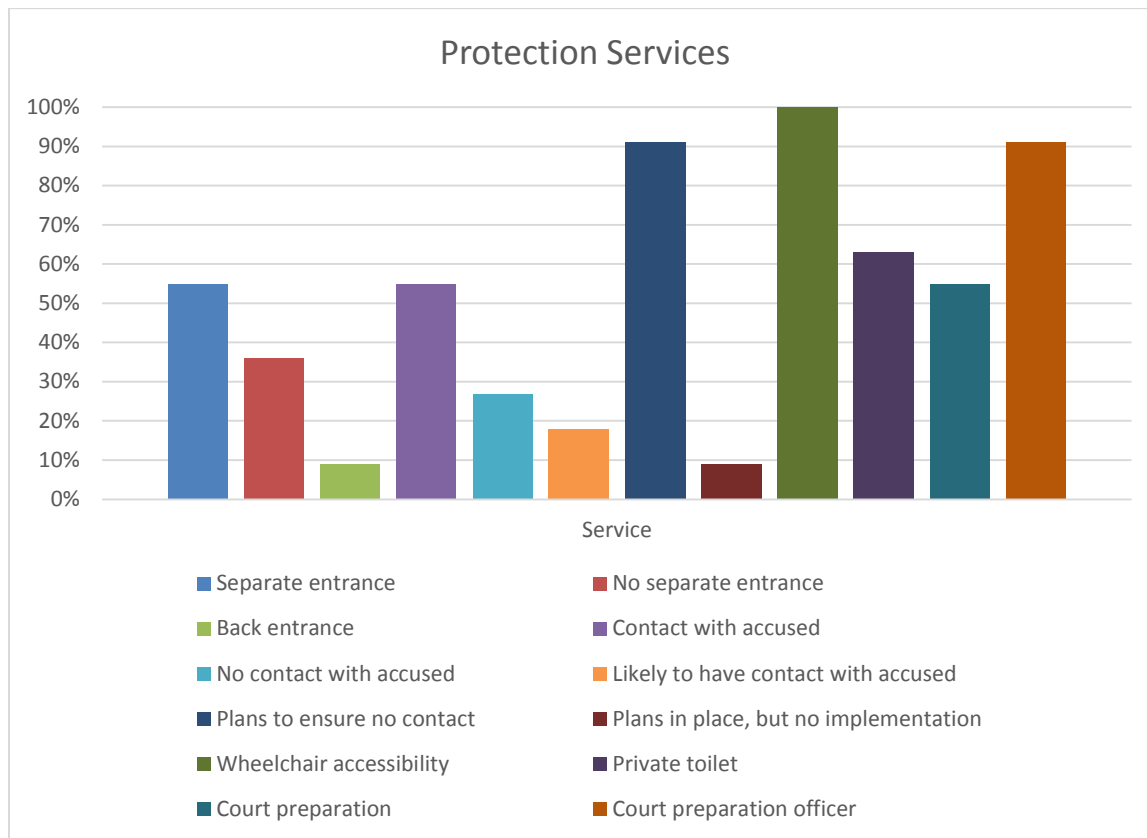
The checklist focussed on the infrastructure in place at the 11 Sexual Offences Courts identified.

(Table attached as Annexure C)

7.1.1 Protection services

Protection services refers to those services that afford the victim a certain amount of protection, like a separate entrance so that he or she does not have to come into contact with the accused, access to a private toilet as well as wheelchair accessibility. Some of the courts did have separate entrances for victims, but in some instances these were rarely used because they were at the back of the court building or simply not used. In most courts there was a possibility that witnesses would come into contact with the accused, but some courts had put plans in place to ensure that this contact was minimised or eliminated by accompanying the child to the waiting room or locating the waiting room in a staff access controlled area. All courts are wheelchair accessible, although in one court the testifying room was not accessible by wheelchair. Court preparation is offered in almost every sexual offences court in the study and just over half of the participants received court preparation on the day of the trial. Only one of the courts did not have a court preparation officer. These findings are presented in Fig.2 below:

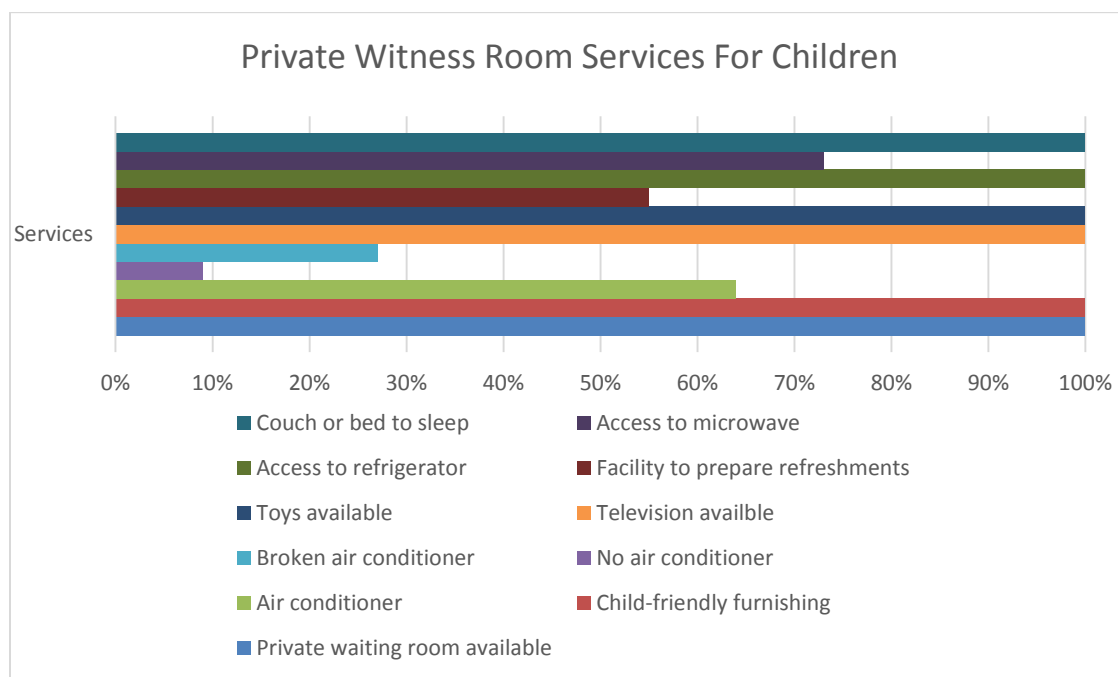
FIG.2: PROTECTION SERVICES



7.1.2 Private witness waiting room services for children

All of the courts in the study had a private waiting room for child victims, which has been decorated in a child-friendly manner. The waiting rooms are equipped with air conditioners, television monitors and toys. Just over half of the courts have a facility where refreshments can be prepared, the majority have microwaves and all have refrigerators. All the waiting rooms also have a couch or bed where the child can sleep. These findings are presented in Fig.3 below:

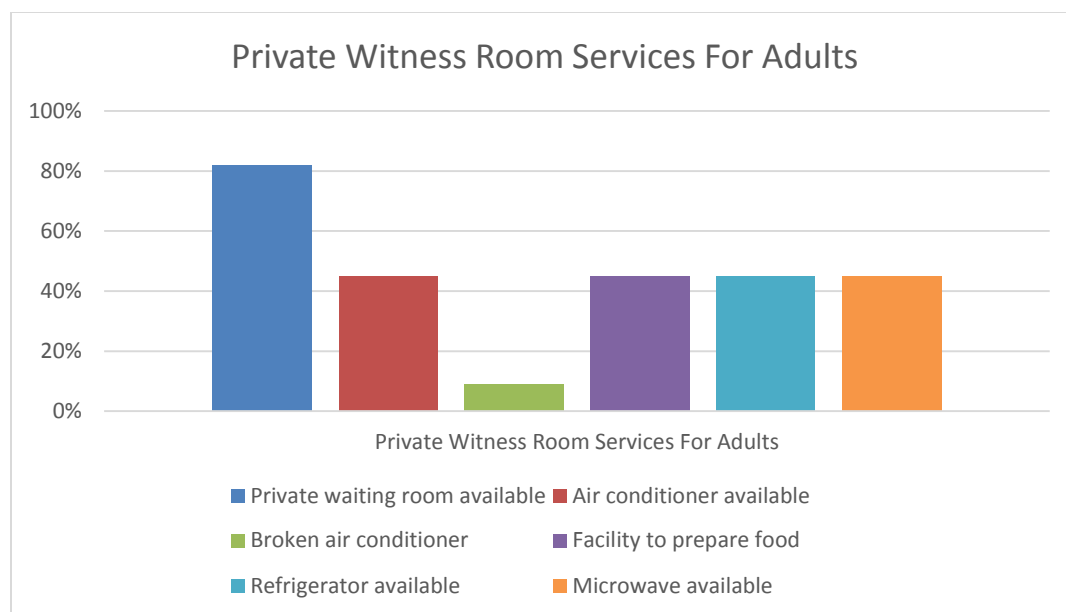
FIG.3: PRIVATE WITNESS ROOM SERVICES FOR CHILDREN



7.1.3 Private witness room services for adults

Not all of the courts had waiting rooms specifically set aside for adult victims, and in some courts these waiting rooms were used for teenagers to separate boys and girls. Some of the waiting rooms are equipped with air conditioners, and just under half have access to a facility to prepare food, a microwave and a refrigerator. These findings are presented in Fig.4 below:

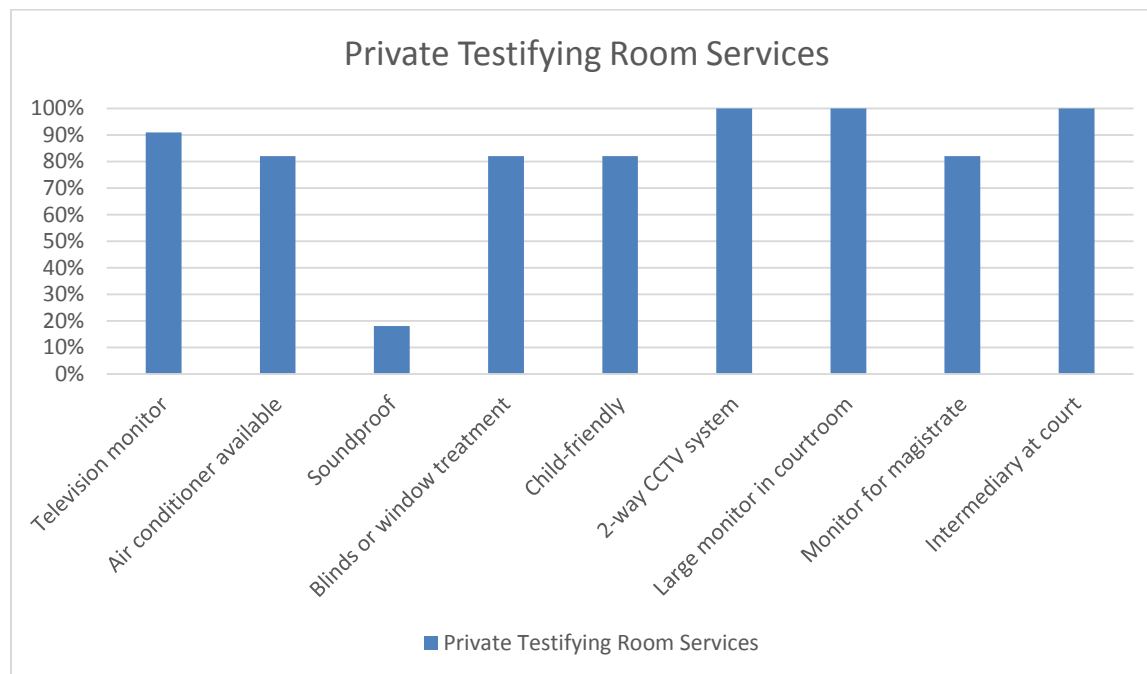
FIG.4: PRIVATE WITNESS ROOM SERVICES FOR ADULTS



7.1.4 Private testifying room services

Only one of the courts did not have a monitor in the testifying room and the majority of them had air conditioners. Most of the testifying rooms were furnished with office furniture and very few of them were soundproof, but this was countered by the fact that a number of them were far enough from the courts not to be heard. The majority of the rooms were child-friendly and all had 2-way CCTV systems in place. There were large television monitors in the main courtroom but two of the courts did not have separate monitors for the magistrates. These findings are presented in Fig.5 below:

FIG.5: PRIVATE TESTIFYING ROOM SERVICES



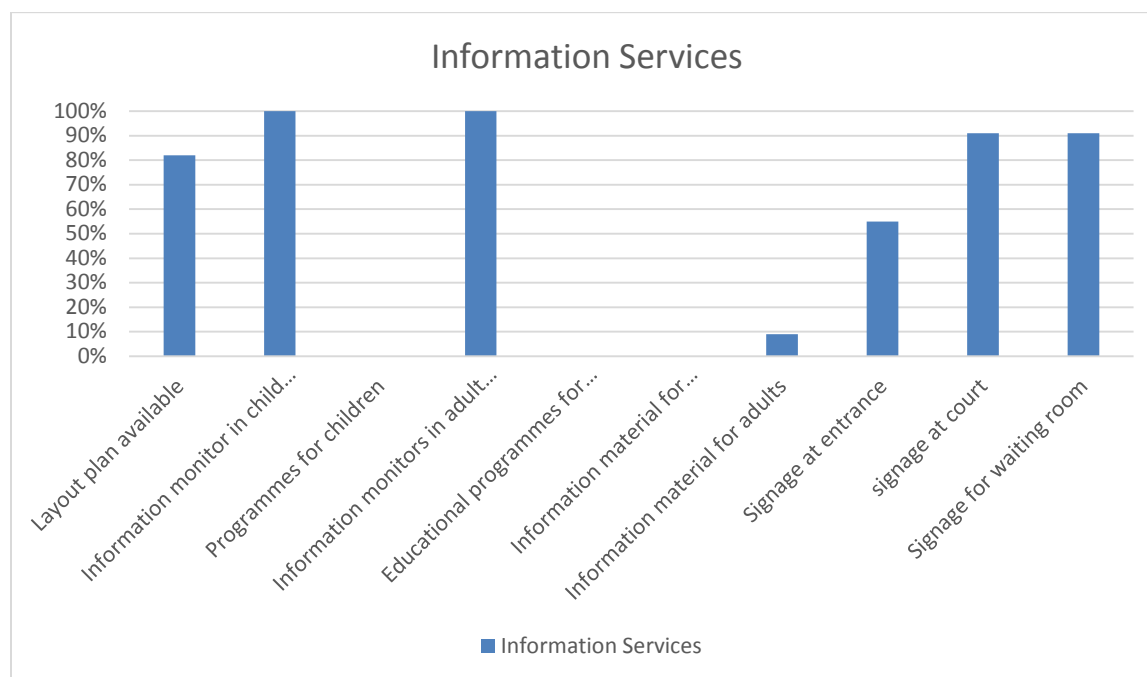
7.1.5 Intermediary services

All the courts have intermediaries available.

7.1.6 Information services

Very few courts had a layout plan available for witnesses to see, and just over half have signage at the entrance providing directions to the sexual offences courts. Except for one court, there was signage at the sexual offences courtrooms and the waiting rooms. All the child waiting rooms were equipped with information screens, although there were no educational or empowering programmes available for them to watch. The majority of the adult waiting rooms also had information screens, although these too did not have educational or empowering programmes. Only one court had informative pamphlets or booklets in the adult waiting room. There were none in the child waiting room but in some instances the intermediary kept them in her office. There were colouring books and other story books in the child waiting room. There were no Braille books. All of the courts have access to a legal aid officer dedicated to the sexual offences courts. These findings are presented in Fig.6 below:

FIG. 6: INFORMATION SERVICES



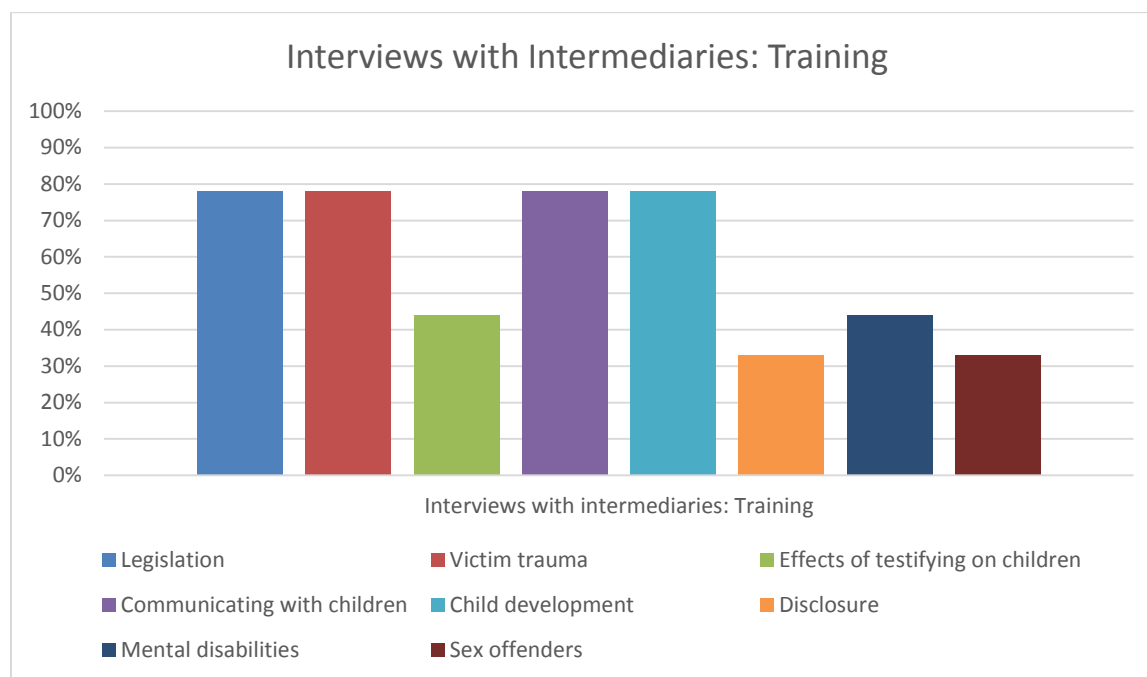
7.2 Interviews with role players at Sexual Offences Courts

Role players were interviewed at the identified sexual offences court and an analysis of their responses is included below.

7.2.1 Intermediaries

Nine (9) intermediaries were interviewed. The intermediaries were interviewed with respect to the training they have received. The questions on the contents of the training were based on the recommendations of the MATTSO. It is clear from the results that not all intermediaries have received training on the identified topics, and those who have, commented that the training was not sufficient at the level that they needed it. Only 44% have received training on mental disabilities, for instance. This is reflected in Fig. 7 below:

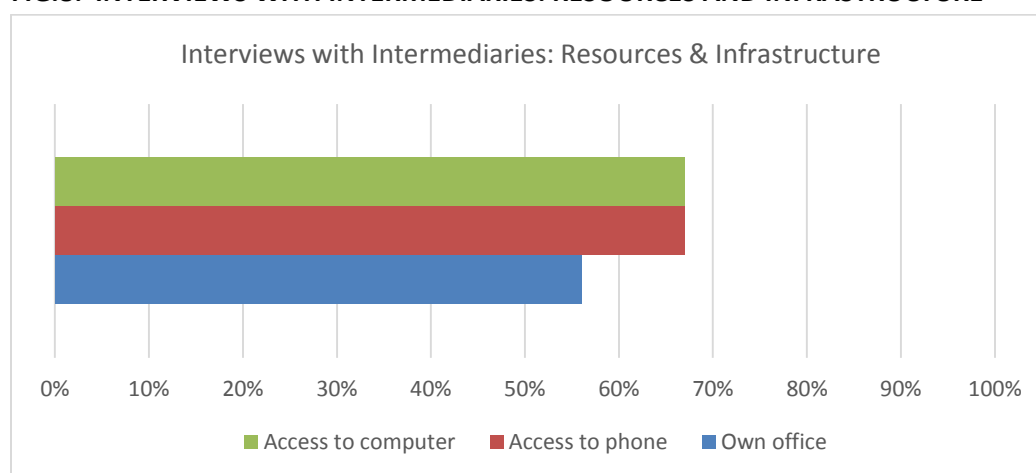
FIG.7: INTERMEDIARY TRAINING



Fifty six percent (56%) of the intermediaries have their own office, while the other 44% share offices with other court personnel or use the testifying room as their office. Only 67% of the intermediaries have access to telephones, and these are not necessarily in their offices and can only be used to make internal phone calls. Only 67% of the intermediaries have access to computers. These findings are presented in Fig.8 below:

When the intermediaries were asked whether they felt that there was anything more that they could do to assist victims, 89% of them believed that there was, and made numerous suggestions which have been attached as Annexure D.

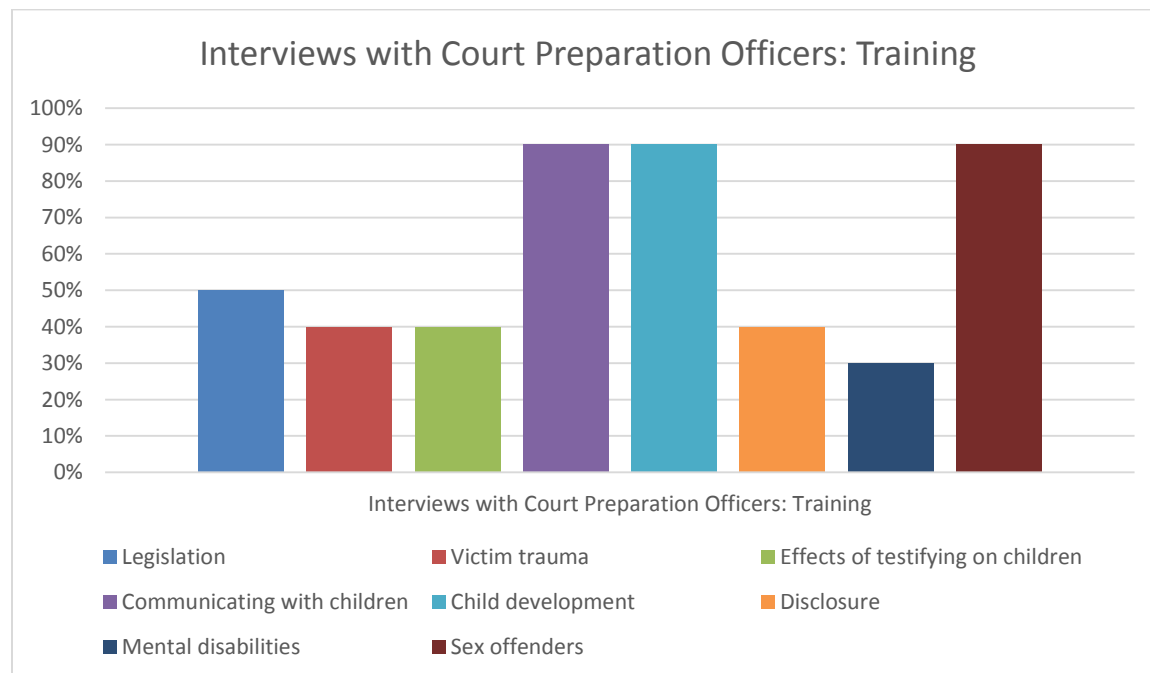
FIG.8: INTERVIEWS WITH INTERMEDIARIES: RESOURCES AND INFRASTRUCTURE



7.2.2 Court Preparation Officers

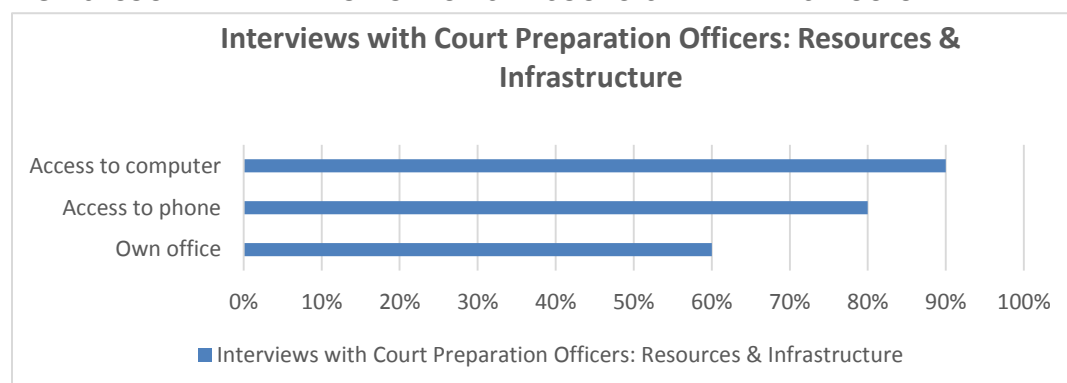
Ten (10) court preparation officers were interviewed. There was one at each court except for Potchefstroom, which does not have a court preparation officer. There are also 3 court preparation officers appointed at the Bloemfontein court. Not all of the court preparation officers had received training on the topics identified in the MATSSO, and only 30% had received any training on working with persons with mental disabilities. These findings are reflected in Fig.9 below:

FIG.9: COURT PREPARATION OFFICERS: TRAINING



Only 60% of court preparation officers had offices, while the rest shared offices with other personnel or used the testifying room or waiting room as an office. Eighty percent (80%) had access to telephones and 90% had access to computers. This is reflected in Fig.10 below. When asked whether they could do more to assist child witnesses, 90% of the interviewees believed that they could, and made a number of suggestions, which have been included in Annexure D:

FIG. 10: COURT PREPARATION OFFICERS: RESOURCES AND INFRASTRUCTURE



7.2.3 Prosecutors

Fifteen (15) prosecutors were interviewed. Not all of the prosecutors have received training on the topics identified in the MATSSO, and approximately half of them have received training on child development, disclosure and the effects of testifying on children. These findings are presented in Fig.11 below:

FIG.11: PROSECUTORS: TRAINING



Approximately two-thirds of the prosecutors in these courts have their own office, with the rest sharing offices with other prosecutors or intermediaries. Consequently these prosecutors do not have a private place where they can interview victims. These findings are reflected in Fig.12 below. When asked whether there was any more that they could do to assist victims, 93% of the prosecutors believed that there was, and made a number of suggestions which have been included in Annexure D.

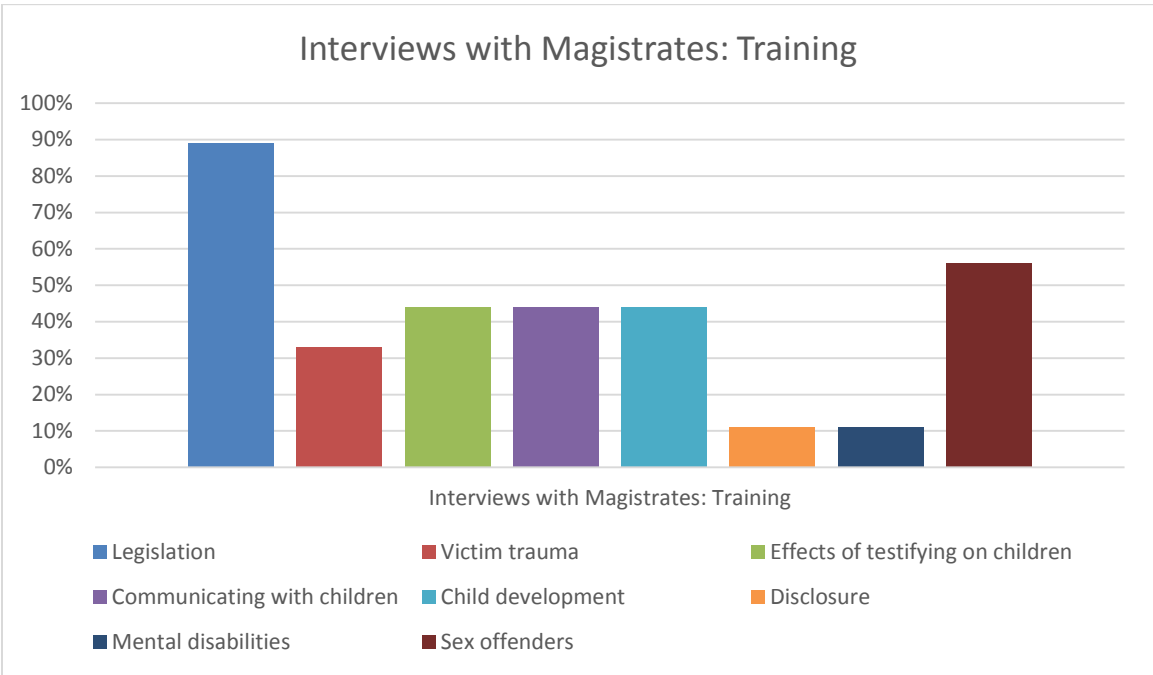
FIG.12: PROSECUTORS: RESOURCES AND INFRASTRUCTURE



7.2.4 Magistrates

Nine (9) magistrates were interviewed, one at each of the identified courts. Although 89% of the magistrates had received training on the applicable sexual offences legislation, less than half of them had received training on any of the other topics, with only 11% having received training on disclosure, which is a vital element of sexual offences involving children. Also, only 11% of magistrates had received training on mental disabilities. One of the magistrates, who had received training, commented that the training had been received approximately 10 years before while still a prosecutor and no training had taken place in the intervening period. One of the magistrates responded that the magistrate's job is to deal with the accused and she "does not regard the victim; the victim must testify – if they speak well, they can win, if not they lose." The latter magistrate had only received aspirant training. The comments and suggestions made by magistrates have been included in Annexure D. The above findings are reflected in Fig.13 below:

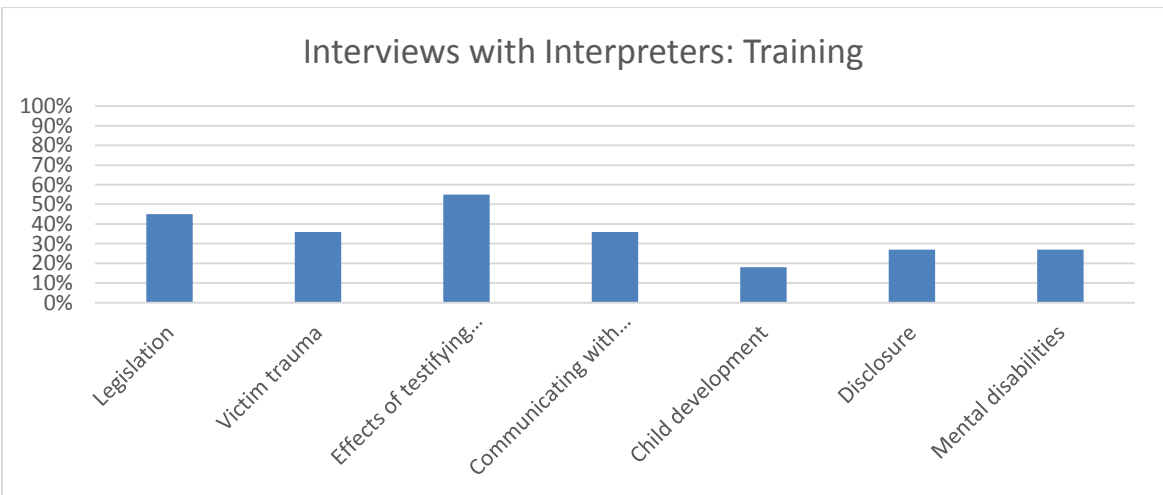
FIG.13: MAGISTRATES: TRAINING



7.2.5 Interpreters

Eleven (11) interpreters were interviewed. The interpreters received the least training with respect to sexual offences, with only about a third of them having received training. Thirty six (36%) of the interpreters had received training on communicating with children; 18% on child development; and only 27% on mental disabilities. Despite this, 91% of the interpreters were used to interpret during the prosecutor’s consultation with the child witness. These findings are reflected in Fig.14 below. The interpreters also made comments and suggestions which have been included in Annexure D.

FIG.14: INTERPRETERS: TRAINING



7.2.6 Court managers

Nine (9) court managers were interviewed, one from each of the identified courts. According to the court managers, only 44% of the courts paid the witness fees to child witnesses in the morning, while 44% pay them after the witness has testified. Eleven percent (11%) sometimes paid them early, depending on the circumstances of each case. There is no specific officer who is responsible for organising the witness fees, and this task has been performed by court clerks, court preparation officers, intermediaries, stenographers, cashiers and prosecutors.

Sixty seven percent (67%) of the courts have a clerk who is specifically dedicated to the sexual offences courts. Twenty two percent (22%) of the courts provide the children with something to eat in addition to the witness fees. This is funded by the office budget, personnel individually, Department of Social Development and NGOs.

7.3 Interviews with parents/caregivers at Sexual Offences Courts

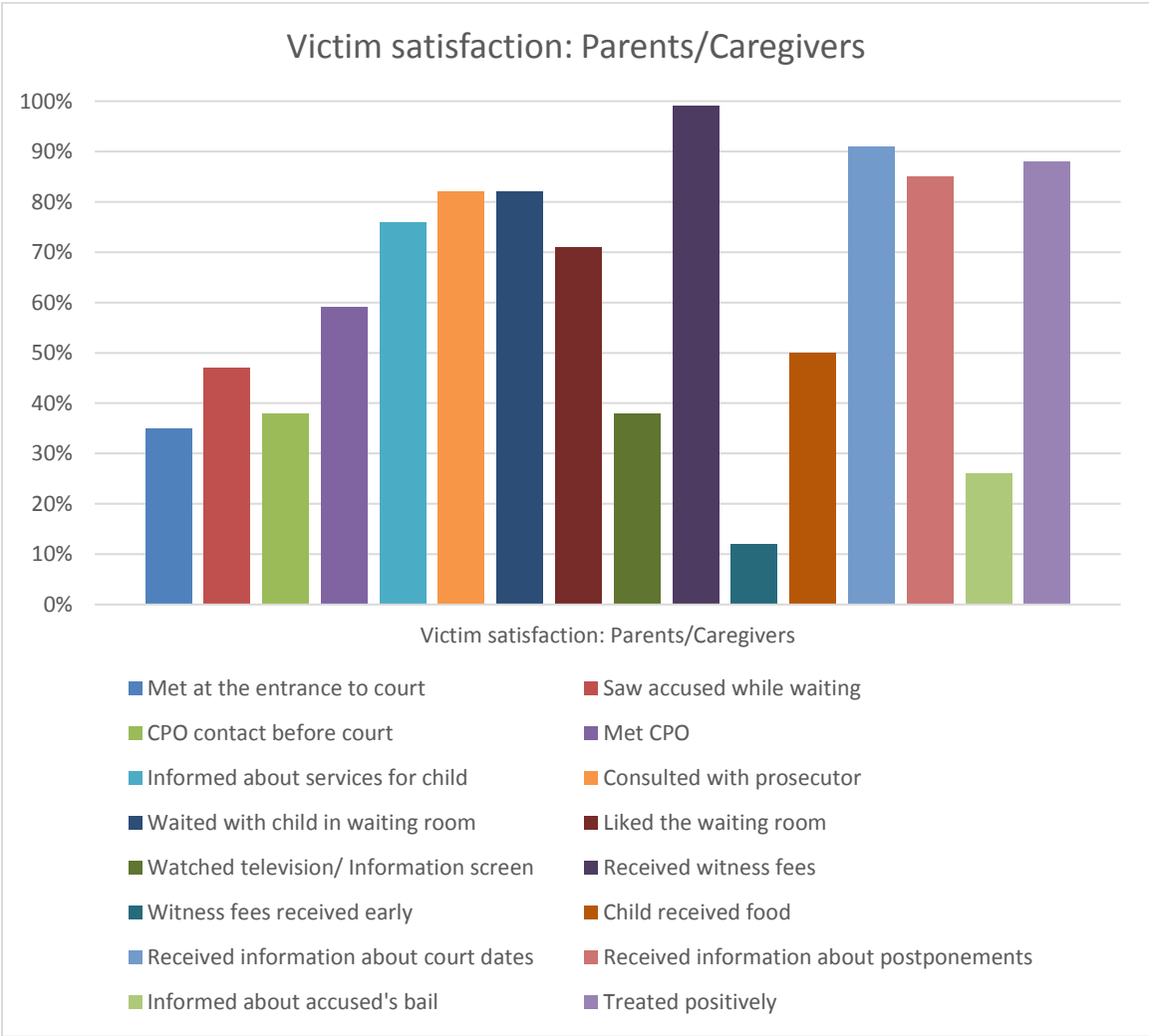
Thirty four parents/ caregivers were interviewed, 65% of them being witnesses in the cases as well. The findings from the interviews are reflected in the Fig.15 below. Overall the caregivers were pleased with the treatment that they received at the hands of court personnel with 88% of them rating the experience as good. In order to obtain more information about their satisfaction with the services received, they were asked to identify what their good and bad experiences had been. When asked about the good experiences they had had, they made the following comments:

- “Helpful;”
- “Made to feel comfortable;”
- “Chance to explain what happened;”
- “Kind and welcoming;”
- “Good experience;”
- “Treated well. Friendly.”

The following bad experiences were highlighted:

- “Defence lawyers;”
- “Not informed when case finalized;”
- “Not informed about outcomes of case;”
- “Delays and effects on child;”
- “Too many postponements;”
- “Seeing accused out on bail without knowing;”
- “Bad communication about witness fees and not knowing how to complete forms;”
- “Dissatisfied about outcomes of case;”
- “Time spent waiting at court;”
- “Not informed case had been withdrawn.”

FIG.15: VICTIM SATISFACTION RE SUPPORT SERVICES IN SEXUAL OFFENCES COURTS (PARENTS/ CAREGIVERS)



7.4 Interviews with adult victims at Sexual Offences Courts
(Table attached as Annexure E)

Fifty nine (59) interviews were conducted with adult victims at the 9 identified sexual offences courts. The detailed findings of the interviews are presented in Fig.16 below. Generally, the adult victims who accessed the sexual offences courts found the waiting room to be comfortable and described it as follows: “nice, smart;” “neat, big and nicely painted;” “boring;” “clean but packed full of people;” “beautiful;” “good place;” and “calm, open place.” Overall 76% of the adult victims described their experience as a positive one. When asked to identify what had been good and bad experiences, they responded as follows. Good experiences were identified as:

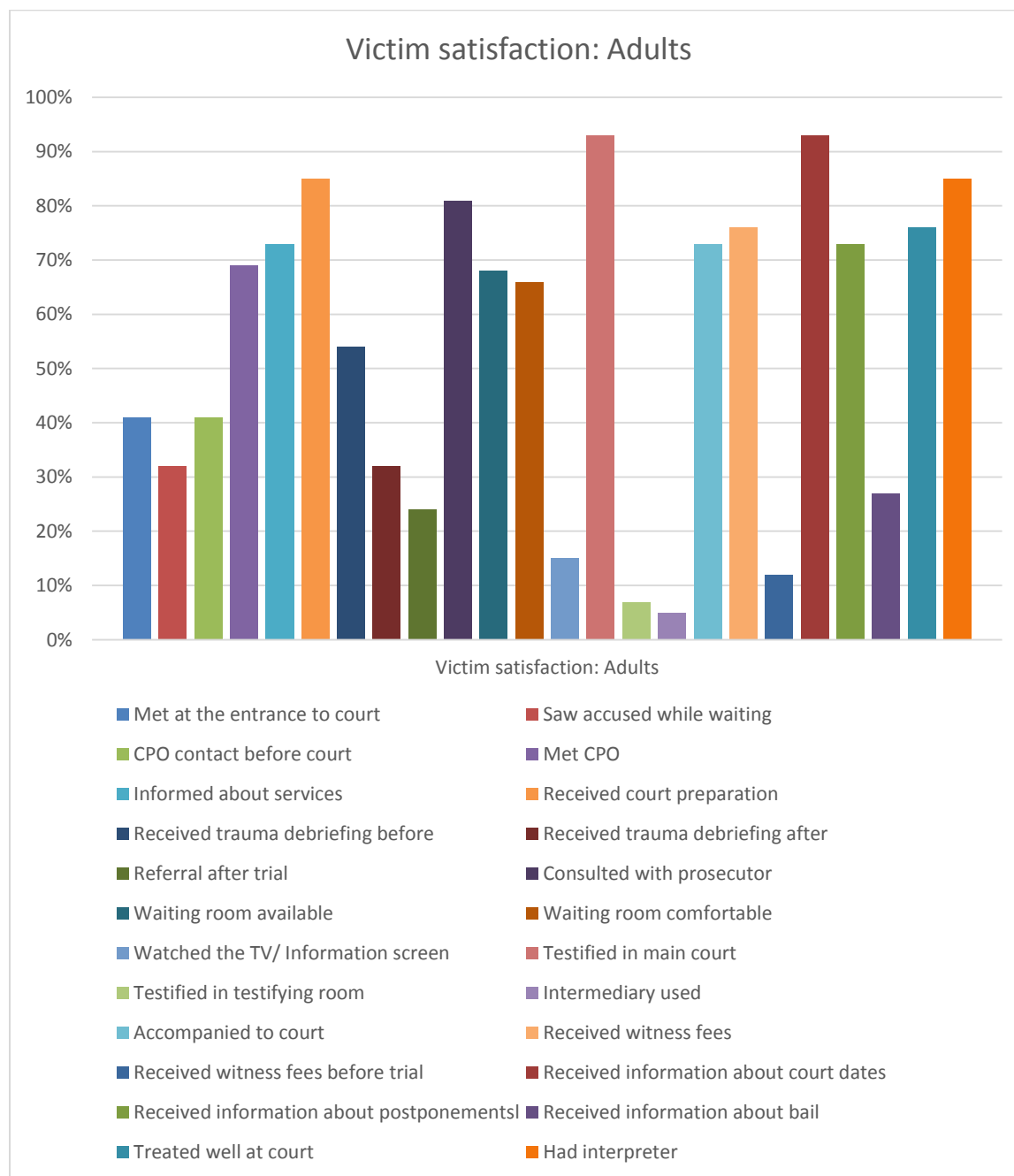
- “Asked relevant questions that I knew how to answer.”
- “Prosecutor was nice and supportive.”

- “They were gentle when asking questions.”
- “Treated me very nicely and supportive.”
- “Helped a lot – gave closure to what happened 4 years back, gave a chance to heal because hadn’t dealt with it. Finally had the chance to talk about it.”
- “Court personnel were all helpful – it went well.”
- “There were nice posters in the waiting room saying things like ‘you will be okay’ and ‘don’t be scared.’
- “The IO was very helpful, the prosecutor was kind and phoned to check on her (the witness).”
- “Witness has a problem where she forgets and they took it seriously and would remind her of anything relevant continuously.”
- “Whenever she testified, she had to see the three accused and wanted to cry – people from the court took her outside and gave her water to calm down.”

When asked what bad experiences they had had, the adult victims made the following comments:

- “Didn’t like seeing the accused.”
- “Not comfortable with the fact that it has taken so long for the case to be finalized.”
- “Waiting all day.”
- “Defence lawyer asked horrible questions.”
- “Questioning repeatedly made me anxious, traumatised.”
- “Not kept in the loop. Had bad experience on the stand, like I was the accused and was all alone. Felt magistrate and prosecutor were unsupportive and complacent and let her get hammered by the defence.”
- “Didn’t like the court as she had to see the perpetrator.”
- “Didn’t let her know about the outcome of the case.”
- “Traumatic to talk about something never discussed.”
- “Speaking opened my wounds again,”
- “Didn’t let her know that the accused would be released. Just saw him outside.”

FIG.16: SATISFACTION SURVEY: ADULT VICTIMS



7.5 Interviews with child victims at Sexual Offences Courts

(Table attached as Annexure F)

Sixty five child victims were interviewed about their court experiences. The detailed findings have been included as Fig.17 below. The children were positive about the waiting rooms with 89% of them liking it. They described them positively as follows:

- “nice room,”

- “nice and smart;”
- “looks like an office,”
- “smart;”
- “it was beautiful;”
- “it was colourful;”
- “it was relaxing;”
- “it was fun;”
- “nicely painted;”
- “it was friendly and nice.”

Ninety two (92%) of the children testified in the testifying room, and described it in positive terms. Eighty eight percent (88%) of the children made use of the intermediary and described this process as follows:

- “Quite nice. Fine.”
- “It was helpful.”
- “Felt better that there was someone with me.”
- “Didn’t like it.”
- “Helped to answer questions – felt happier that there was someone with me.”
- “She felt she spoke well because of the intermediary.”
- “It was ok. Nice having someone there for her.”
- “She wasn’t scared to speak freely.”
- “It made it easy;”
- “Didn’t like her there – didn’t want her there.”

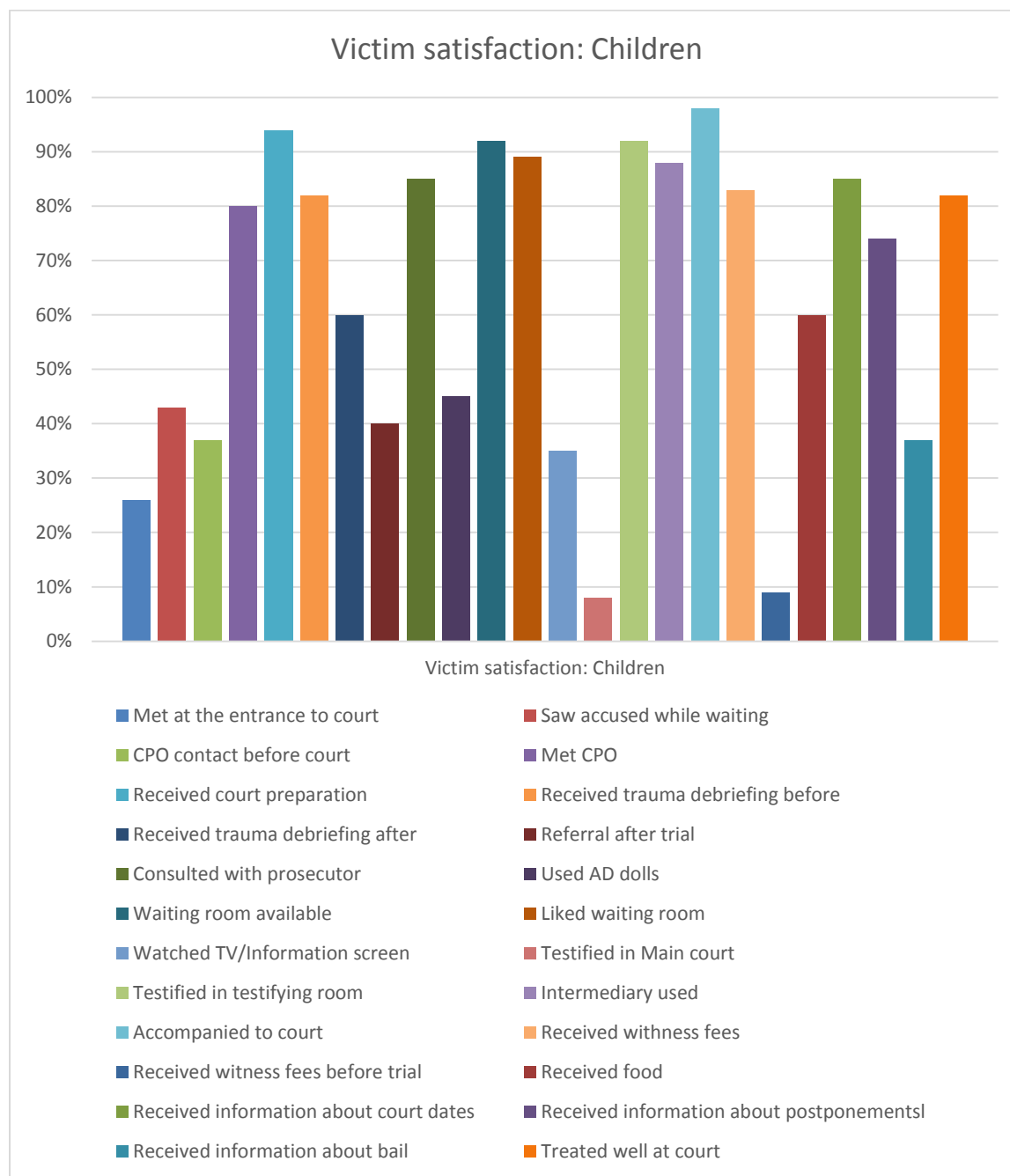
When asked to evaluate the way they had been treated in court, 82% rated their treatment as good, 6% as bad and 12% were ambivalent. When asked about what good experiences they had had, the children elaborated as follows:

- “Was treated very nicely by court personnel; Enjoyed writing and colouring while waiting;”
- “The people were all kind;”
- “Talking to different people and seeing how much they care;”
- “Intermediary was a big help, very understanding, could calm victim when she got angry;”
- “The rooms were beautiful and the way they dressed and spoke was fun;”
- “She liked being given a chance to speak about what happened to her, was comfortable with intermediary;
- “I felt safe;”
- “Helped her to tell the truth – she feels free and like she doesn’t have a secret to hide anymore;”
- “They made me feel that whatever happens I’m not alone and have support;”
- “Treated us very well – almost forgot what we were there for.”

They described their bad experiences as follows:

- “Long wait – boring;”
- “She didn’t want people to know about rape, but was forced to speak about it for court;”
- “Prosecutor was unhelpful – mean, rude, not helpful at all;”
- “Having to see accused and speak about it again;”
- “She got asked so many questions it made her dizzy;”
- “Had a terrible court experience – fainted, wet and ruined himself talking about incident in testifying room (11 year old boy);”
- “Sad from talking about things – no follow up, no counselling or referral. Child testified from 9 – 15.30pm with only an hour break, and case was dismissed due to lack of evidence;”
- “Never heard outcome of case, even after testifying;”
- “It felt like the case was prolonged far more than it needed to be. Many times we were not informed what was happening and were left in the passage. Court officials wouldn’t help when they were on lunch.”

FIG.17: SATISFACTION SURVEY: CHILDREN



8. FINDINGS

8.1 As was found in the baseline study, the satisfaction of witnesses interviewed was directly proportional to the sensitivity and warmth that they received at the hands of court personnel.

In some courts, where not all services were in place, witnesses were still very positive about their experience because they had been treated with care and kindness. When asked to identify what had been their best experiences in the process, almost all of the participants commented on the treatment they had received and described how certain of the role players had made them feel comfortable or were supportive. Again this highlights the fact that the quality of trained and specialised staff should be given greater priority than the physical resources, and that this is a key element in the success of these courts.

- 8.2** The interviews with the court officials highlighted a serious lack of specialised training, with some officials reporting that they had last received training 10 years ago. Magistrates, in particular, requested training on the topics highlighted in the MATTSO report, and very few officials had received any training on working with people with disabilities.
- 8.3** This research study replicated the findings of the baseline with respect to the fact that certain services were dependent on the dedication of individual staff members. Witness fees were still a big problem with many witnesses not receiving fees. In one instance, a witness said that the court ran out of cash for witness fees. Also fees were mostly dispensed in the afternoons after witnesses had testified, which meant that the children did not have anything to eat unless they received food, which was not consistently supplied and depended on individual court personnel. In some courts, witnesses were assisted by the prosecutor, cashiers, the intermediary or anybody who was willing to assist. In some cases the witnesses complained that they did not receive proper assistance and did not know how to complete the forms for the witness fees. It is, therefore, important that roles of court personnel be clarified and responsibilities be assigned so that a specific individual carries the responsibility for this service to ensure effective monitoring.
- 8.4** In the baseline study the vast majority of children were satisfied with the waiting rooms that were available in the court building for them and most described them in positive terms, and enjoyed playing with the toys and watching television. The findings in this study were almost identical to those of the baseline study, although a lot more of the children described the rooms as “beautiful” and “calm” and a number of them said it made them feel “safe.” The children occupied their time by watching television while they waited, although there was sometimes not much to watch other than “soapies.”
- 8.5** Although the majority of courts had private waiting rooms for adults, there were still some who did not. In fact, one of the courts used the adult waiting room for teenagers so adult victims had to sit in the public waiting area. Only 68% of the adult victims had access to a private adult waiting room, and they said that they did not feel safe waiting in the public waiting area.
- 8.6** Again, as in the baseline, the court preparation officers played a vital role in both offering and ensuring that witnesses received services, and were integral to the overall satisfaction experienced by witnesses. In this study, many of the children also mentioned the positive experience they had had with the intermediary. This again highlights the importance of adequately sensitized and trained staff.
- 8.7** Only 85% of the adult witnesses and 92% of the child witnesses received court preparation, some of these having received it from the prosecutor and investigating officer. One court did not have a court preparation officer. In the baseline study, most of the court preparation had

taken place on the day of the trial, whereas in the present study there was a dramatic increase in preparation taking place before the day of the trial.

- 8.8** In the case of adult witnesses, only 54% had received debriefing before the trial (often from police or members of Thuthuzela Centres and NGOs) while 32% had received debriefing after the trial. In the case of the children, 82% had received debriefing before the trial (again by various organisations) while only 60% had received debriefing after the trial. Since testifying in cases of sexual violence can be traumatic, it is essential that witnesses receive debriefing after they have testified.
- 8.9** As far as referrals to counselling and assistance after the trial is concerned, fewer adults received referrals with 24% being referred in the present study as opposed to 29% in the baseline. The number of children receiving referrals increased from 23% to 40%. In order to ensure that victims receive counselling, which will in turn contribute to their healing, it is essential that victims be referred to organisations that are able to assist in this regard. This was a point that was raised by all the role players in their interviews as they believed victims were not receiving after court care.
- 8.10** Only 81% of adults and 85% of children reported having consulted with the prosecutor before they testified. This is an increase from the finding in the baseline study.
- 8.11** There were no information booklets available in Braille at any of the courts.
- 8.12** Very few witnesses were informed about the fact that the accused had been granted bail. Some said that the first time they discovered this was when they accidentally bumped into the accused in the community. Many of the witnesses found this extremely disturbing. In addition, very few witnesses had been given an opportunity to discuss the possibility of bail so could not give any input in this regard.
- 8.13** Access to witness fees was not consistent and depended on whether the witness was informed or received assistance. Amongst the adults, 68% received witness fees, and 88% of the children received witness fees. In almost all of the cases, the witness fees were organised after the testifying or consultation had taken place, which meant that the witnesses did not have anything to eat before that unless they had their own money or brought food from home. Although witness fees for children are supposed to be paid out in the mornings, some courts regarded this as a challenge in that the witnesses often disappeared after they received their money or the parents pocketed the money. Courts were thus still left with children who were tired and hungry, and some had made *ad hoc* arrangements to provide food for the children. It is clear that the issue of witness fees and food for child witnesses remains a challenge.
- 8.14** In this study witnesses were asked to measure how they had been treated and 76% of the adult witnesses and 82% of the child witnesses rated their experience as good.
- 8.15** The baseline survey was conducted in regional courts that had not been upgraded to Sexual Offences Courts, whereas this study was conducted in regional courts that had been upgraded to Sexual Offences Courts. It is clear from the findings of this study that there was a substantial increase in victim satisfaction from the ordinary regional courts to the Sexual Offences Courts. The improved services in the latter courts contributed to an increase in victim satisfaction. In the baseline survey the overall finding of victim satisfaction was 48%. This has increased to 69% in this study.

- 8.16** It was also discovered that many prosecutors shared offices and did not have a place where they could conduct private consultations with witnesses, which meant that some witnesses were consulted in the court room or even in the passage.

The overall findings of the survey have been summarised in the table below.

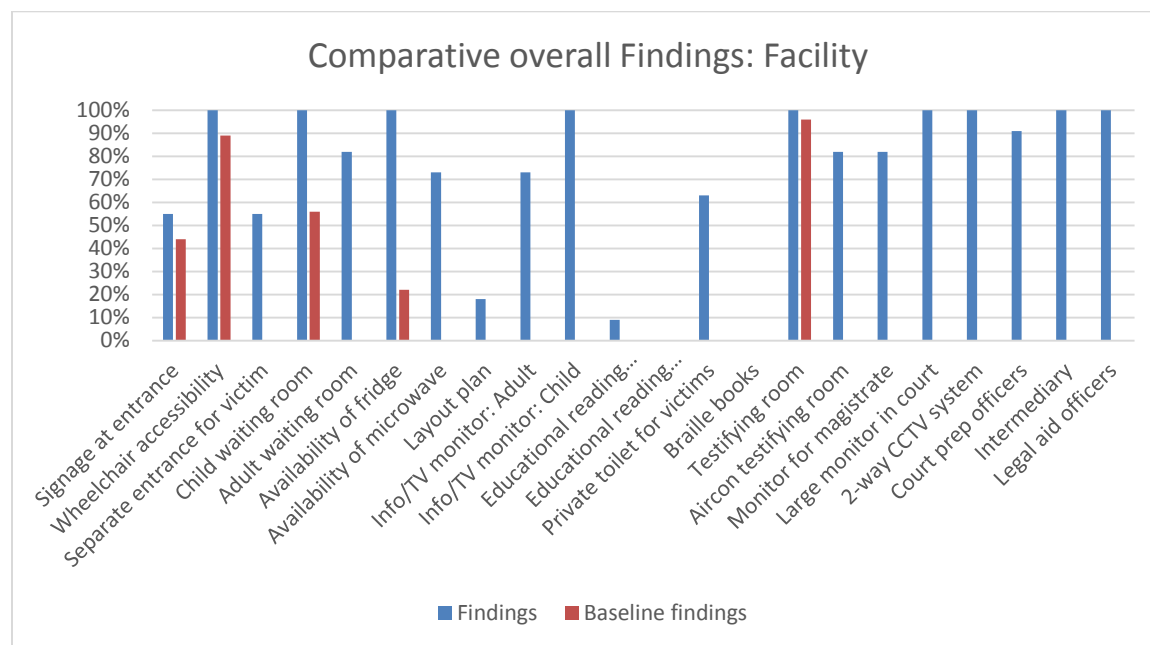
FIG.18: OVERALL FINDINGS

FACILITY		PERCENTAGE OF VICTIM SATISFACTION
SIGNAGE AT ENTRANCE		55
WHEELCHAIR ACCESSIBILITY		100
SEPARATE ENTRANCE FOR VICTIM		55
CHILD WAITING ROOM		100
AIRCON IN CHILD WAITING ROOM		64
ADULT WAITING ROOM		82
AVAILABILITY OF FRIDGE		100
AVAILABILITY OF MICROWAVE		73
LAYOUT PLAN		18
INFO/ TELEVISION MONITOR: ADULT		73
INFO/ TELEVISION MONITOR: CHILDREN		100
EDUCATIONAL READING MATERIAL: ADULT		9
EDUCATIONAL READING MATERIAL: CHILDREN		0
PRIVATE TOILET FOR VICITMS		63
BRAILLE BOOKS		0
TESTIFYING ROOM		100
AIRCON TESTIFYING ROOM		82
MONITOR FOR MAGISTRATE		82
LARGE MONITOR IN COURT		100
2 WAY CCTV SYSTEM		100
COURT PREPARATION OFFICERS		91
INTERMEDIARY		100
LEGAL AID OFFICERS		100
AVERAGE FACILITY		72
ADULT		
ADULT WAITING ROOM		68
MET AT ENTRANCE		41
SEE ACCUSED WHILE WAITING		32
MET CPO		69
INFORMED OF AVAILABLE SERVICES		73
COURT PREPARATION		85
VISIT COURT		58
DEBRIEFING	BEFORE TRIAL	54
	AFTER TRIAL	32
COURT REFERRAL		24
CONSULTATION		81
ACCESS TO INTERPRETER		85
ACCESS TO WITNESS FEES		76

ACCESS TO ADULT WAITING ROOM		68
TREATED WELL AT COURT		76
AVERAGE ADULT		61
CHILDREN		
MET AT ENTRANCE		17
MET CPO		80
EXPLAIN WHAT WOULD HAPPEN AT COURT		91
COURT PREPARATION		94
VISIT COURT		67
DEBRIEFING	BEFORE TRIAL	82
	AFTER TRIAL	60
COURT REFERRAL		40
CONSULTATION		85
ACCESS TO WITNESS FEES		83
ACCESS TO TESTIFYING ROOM		92
ACCESS TO INTERMEDIARY		88
ACCESS TO CHILD WAITING ROOM		92
TREATED WELL AT COURT		82
AVERAGE CHILD		75%
OVERALL AVERAGE		69%

The overall average satisfaction for the sexual offences court was 69%. This is an improvement from the baseline study, which found a 48% satisfaction rate. Although the present study expanded on the information sourced in the baseline, below is a comparison between the two studies to highlight the areas of improvement, where this is applicable.

FIG.19: COMPARISON BETWEEN PRESENT STUDY AND BASELINE STUDY



9. RECOMMENDATIONS

- 9.1** Emphasis should be placed on the training and specialisation of court personnel who come into contact with witnesses of sexual offences, and this must include components relating to sensitization since this is vital to the success of the courts.
- 9.2** The training of court officials must be investigated to determine the training needs, and training in these areas must be conducted.
- 9.3** The roles and responsibilities of court personnel need to be clarified to ensure that services are delivered and can be monitored.
- 9.4** There must be waiting rooms assigned to adult victims of sexual offences to protect them from having to come into contact with the accused, and these rooms should not be assigned for other purposes.
- 9.5** Signage to the sexual offences courts should be clear to enable witnesses to access the courts easily.
- 9.6** Court preparation officers must be assigned to all courts to ensure that witnesses receive proper services.
- 9.7** All witnesses of sexual offences must receive court preparation before they testify, and this should take place before the day of the trial, where possible.
- 9.8** Witnesses of sexual offences must receive debriefing after they have testified and the responsibility for ensuring this must be assigned to a court official.
- 9.9** Witnesses of sexual offences must receive a referral for counselling after they have testified and the responsibility for ensuring this must be assigned to a court official.
- 9.10** All witnesses must be afforded an opportunity to consult with the prosecutor before they testify.
- 9.11** Alternate methods of information provision must be made available for persons with disabilities.
- 9.12** Information brochures and programmes must be available for witnesses in the waiting rooms.
- 9.13** It is essential that witnesses be informed of decisions with respect to the bail of the accused, and be afforded an opportunity to provide input in this regard. The responsibility of ensuring that this is done must be assigned to an official and become part of their responsibilities for purposes of effective monitoring.
- 9.14** All witnesses must receive witness fees and must be assisted by a designated official to do so. In the case of children, witness fees should be organised in the morning. The challenges experienced in the implementation of this policy must be investigated to ensure that children are not hungry when they testify.
- 9.15** Prosecutors must be provided with their own offices or a private place where they can interview witnesses.

ANNEXURE A: FINDINGS OF THE DESKTOP REVIEW OF SUPPORT SERVICES LEGISLATION, POLICY AND RESEARCH

The first phase of the research involved an analysis of relevant legislation, regulations, policies, charters and research. The purpose of this investigation was to identify the specific services to which victims of sexual violence were entitled. The services identified include the following:

1. LEGISLATION

1.1. Intermediary and testifying room services

Section 170A of the Criminal Procedure Act 51 of 1977 enables a witness under the mental or biological age of 18 to testify from a room outside the main court with the assistance of an intermediary, where the witness would experience undue mental stress or suffering as a result of testifying in court. This section is also extended to include other victims in terms of the Children's Act 38 of 2005 and the Prevention and Combatting of Trafficking in Persons Act 7 of 2013.

2. REGULATIONS

2.1. Services emanating from the Draft Regulations relating to Sexual Offences Courts: Criminal Law (Sexual Offences and Related Matters) Amendment Act 32 of 2007

The Regulations that pertain to the Sexual Offences Courts require that victims of sexual violence receive a number of services. At the time of writing, the Regulations have not yet been approved, but they embody the services that have been identified in the MATTSO Report. These include the following:

- i. Regulation 4 deals with the basic facilities that must be available at a designated sexual offences court, and provides that the following should be available:
 - a. a waiting room for child witnesses (4(a));
 - b. a waiting room for adult witnesses (4(b));
 - c. a testifying room (4(c)); and
 - d. toilets for victims (4(1)(f)).
- ii. Regulation 5 deals with advanced requirements regarding facilities, and requires that a designated court have the following facilities:
 - a. a consulting room (5(a));
 - b. a court preparation room (5(b));
 - c. restrooms for witnesses (5(c));
 - d. an office for the court preparation officer (5(d));
 - e. an office for the intermediary (5(e));
 - f. an office for the designated probation officer (5(f)); and
 - g. an office for the prosecutor dealing with sexual offences.
- iii. Regulation 6 requires the facilities to be child-friendly (6(1)), fully accessible to persons with disabilities (6(2)), and the facilities must accommodate the needs of elderly persons (6(3)).

- iv. If there is not a separate entrance available to the court building for the use of victims, a court preparation officer must accompany a victim and the person supporting the victim to the applicable facilities (7).
- v. Regulation 8 required that the designated court has a separate entrance to the court building for witnesses and that the above facilities should be in close proximity to that entrance. If it is not possible to create a separate entrance to the court building for witnesses, the facilities must be in close proximity to the entrance. The purpose of this is to avoid contact with an accused person or any other member of the public.
- vi. The above mentioned facilities can only be used by a witness and the persons supporting the victims, but the latter are subject to a maximum of 3 persons (9(1)).
- vii. The waiting rooms for witnesses must be furnished and decorated in a manner that is aimed at setting a victim at ease, ensuring comfort, has proper ventilation and is accessible to witnesses with disabilities and special needs (10(1)). The décor of the waiting rooms must take into account the ages of the child and the adult, the fact that they may have to spend lengthy periods of time in the waiting rooms, and the safety of victims, especially children (10(2)).
- viii. The waiting rooms must have information, which is accessible to persons with disabilities, about court procedures, the role of a witness, witness fees payable to witnesses as well as where refreshments can be obtained. It should also contain toys and comfort items for children. In addition, the waiting room must contain an easily understandable lay-out plan of the relevant facilities and offices (10).
- ix. The consulting room must be designed in such a manner as to ensure privacy. The room must have more than one cubicle or area where victims may be consulted and the consultation must not be audible to other persons (12).
- x. Regulation 14 refers to the features of the main courtroom, and requires certain accommodations to be made for those victims who are not allowed to give evidence by means of s170A or s158 of the Criminal Procedure Act 1977. These accommodation include the fact that the accused dock must not be positioned in close proximity to the victim nor must it be positioned in such a way that a victim is forced to walk passed the accused person in order to get to the witness dock.
- xi. Regulation 18 requires that a set of anatomical dolls be available to assist children with testifying, where applicable.
- xii. A court preparation programme must be available at designated courts to prepare victims for court proceedings (19(1)), and must be presented by a court preparation officer (19(2)).

- xiii. Before a victim testifies, the court preparation officer must take the victim to the court room or the testifying room, whichever is applicable, and explain to the witness how the equipment functions and what the role of the intermediary is (19).
- xiv. In terms of regulation 21, a forensic social worker or a victim empowerment volunteer at a police station serving a designated court, must provide trauma counselling services to a witness after the incident is reported and during the investigation of the case. If a forensic social worker is not available, a specially trained investigating officer from a FCS Unit must ensure that trauma counselling services are available.
- xv. In terms of regulation 26 a court manager at a designated court must ensure that information on court procedure is available at a designated court in all South African languages as well as addresses the needs of persons with disabilities.
- xvi. Regulation 4(3) requires that a designated court must have proper signage to indicate the location of the facilities.
- xvii. Regulation 21(11) requires that water must be available in the testifying room during court hours.

3. CHARTER AND POLICIES

3.1. Services informed by the Service Charter for Victims of Crime in South Africa

The Victims' Charter affirms 7 specific rights for victims that are applicable to services that must be provided to these victims. Although these are rights, they do require certain services to be implemented. The following applicable services have been identified:

- i. The right to be treated with fairness and with respect for dignity and privacy
Victims have the right to be attended to promptly and courteously, treated with respect for your dignity and privacy. This implies that victims should not be exposed to unnecessary delays and should be consulted in private.
- ii. The right to receive information
Victims have the right receive information and be informed of all relevant services available by service providers. This would include information about the case, court dates, and witness fees.
- iii. The right to give information
Victims have the right to provide information in a number of contexts, including consulting with the prosecutor and testifying in court as well as providing information in bail applications.
- iv. The right to assistance
A victim has the right to request assistance and, where relevant, have access to available local social, health and counselling services, as well as legal assistance which is responsive to

his or her needs. Victims are also entitled to have access to an interpreter, and prosecutors must ensure that, in relation to sexual offences, cases are heard in specialised courts.

3.2. Services informed by National Policy Guidelines for Victim Empowerment Programme

Victim empowerment is described as an approach to facilitating access to a range of services for all people who have suffered harm, trauma and loss through violence and crime. It aims to promote the resourcefulness of victims of crime and violence by providing opportunities to access services available to them. The National Policy Guidelines provide a framework for inter-departmental and intersectoral collaboration to facilitate partnerships in order to address the diverse and sensitive needs of victims holistically. One of the pillars of victim empowerment is the adoption of a family-centred approach, which requires interventions to be family-centred. This means it should include the immediate family or dependents of the primary victim as potential support for the victim.

3.3 National Policy Framework

The National Policy Framework (NPF) has also identified the services that should be available to victims of sexual crimes. However, it should be borne in mind that at the time of writing, the NPF was under review in terms of the Act. The services required by the NPF include:

- i. the provision of specialist personnel, such as intermediaries, court preparation officers, and interpreters;
- ii. the provision of services for vulnerable witnesses, such as intermediary services, closed-circuit television systems and anatomically detailed dolls;
- iii. the training of personnel involved in the management of sexual offences;
- iv. the improvement of information management to ensure the effective collection and management of data;
- v. the recognition of cultural differences and the integration of these into training curricula;
- vi. the access to and provision of information to victims;
- vii. the development of inter-departmental protocols to ensure the effective coordination, referral and alignment of services as well as feedback on services provided to victims;
- viii. the accessibility of victim-friendly court structures to enhance the protection and empowerment of victims;
- ix. the improvement of case flow management;
- x. the speedy collection of evidence from victims and perpetrators;
- xi. the protection and preservation of forensic evidence to prevent loss and contamination;
- xii. the efficient management of scientific laboratories to eliminate case backlogs and enhance effective case flow management;
- xiii. the adoption of a Victim-Centred Approach to Sexual Offences, which requires all service delivery points within the value chain of sexual offences to provide victim-friendly services that exhibit speed, sensitivity and responsive attitudes to reduce, and ultimately, eradicate secondary victimisation; and
- xiv. services and facilities must be made accessible to all people, especially persons with disabilities, e.g. by providing appropriately designed ramps, doorways, elevators for the

physically disabled victims, sign-language interpreters for victims with impaired hearing, and Braille education material, audio tapes and communication aids for the visually impaired.

3.4 Services informed by the Sexual Offences Court Model

In the Sexual Offences Court Model various services were recommended for victims of sexual violence to reduce secondary traumatisation in line with the objects of the Criminal Law (Sexual Offences and Related Matters) Amendment Act 32 of 2007. The following services applicable to victims have been identified in the Sexual Offences Court Model:

- i. A two-way closed-circuit television system must be available.
- ii. There must be a comfortable, adequately furnished testifying room.
- iii. There must be a waiting room for children, decorated in a warm, welcoming manner.
- iv. There must be a waiting room for adults decorated in a warm, welcoming manner.
- v. There must be information screens in the waiting room with relevant information and programmes, as well as booklets and pamphlets available.
- vi. Children should have access to anatomical dolls that comply with minimum standards where applicable.
- vii. Victims must have access to court preparation services.
- viii. Victims must have access to witness fees
- ix. Additionally, there must be clear, adequate signage so that victims can find the courts easily.

3.5 Baseline Survey

The findings from the baseline study identified the following services that were required:

- i. the sensitivity and warmth received at the hands of court personnel;
- ii. allocation of responsibility for certain duties, especially for accessing witness fees;
- iii. the availability of waiting rooms especially assigned to adults;
- iv. directions at court to find the sexual offences courts;
- v. the availability of court preparation;
- vi. debriefing;
- vii. referrals for counselling;
- viii. consultations with prosecutors;
- ix. information booklets to be available in Braille at the courts;
- x. information about whether the accused has received bail; and
- xi. access to witness fees.

In addition, the baseline study identified the following key systemic challenges, which were also raised in the MATTSO Report:

- i. Delays and postponements should be minimized as far as possible in cases of sexual crimes.
- ii. There is a lack of facilities, such as offices to consult, offices for intermediaries and toilet facilities.
- iii. Resources are also limited in that many intermediaries do not have access to computers or telephones.
- iv. Children are often hungry and there is no provision for refreshments.

- v. Language barriers are also a challenge, particularly in cases involving deaf witnesses who do not understand sign language, and children where interpreters have not been trained in child language.
- vi. Unwanted contact between state witnesses and the accused at court buildings must be avoided.

ANNEXURE B: ANALYSIS OF INTERVIEW

The interviews conducted with the participants were captured and analysed and the findings are described below:

1. Checklist of Sexual Offences Courts

The checklist focussed on the infrastructure in place at the 11 Sexual Offences Courts identified.

Protection Services

Protection services refers to those services that afford the victim a certain amount of protection, like a separate entrance so that he or she does not have to come into contact with the accused, access to a private toilet as well as wheelchair accessibility.

- Separate entrance for victims so that they do not come into contact with the accused:
 - 55% of the courts had a separate entrance to ensure that the victim does not come into contact with the accused
 - 36% of the courts did not have a separate entrance for victims
 - 9% of the courts did have a separate entrance but it was rarely used because it was at the back of the court.
- Contact between victim and accused possible: This is to determine whether in terms of the location of the court in relation to waiting rooms, the witness will come into contact with the accused before they testify
 - In 55% of the courts the witnesses come into contact with the accused
 - In 27% of the courts the witness does not come into contact with the accused
 - In 18% of the courts it is likely that the witness will come into contact with the accused
- Plans in place to ensure that there is no contact between the victim and the accused:
 - In 91% of the courts there are plans to ensure that the accused does not come into contact with the witness
 - In one instance the intermediary meets the child and takes the child to a waiting room in a staff accessed area (East London);
 - In other courts the waiting room is in staff access controlled areas;
 - In other courts the entrance is completely separate and waiting room leads outside (Mankweng)
 - In 9% of the courts there are plans to ensure no contact but these have not been implemented
- Courtroom wheelchair accessible
 - 100% of the courts are wheelchair accessible but the testifying room in Potchefstroom is not
- Private toilet for victims
 - 63% of courts have private toilets for victims
 - 36% do not have private toilets for victims

- In Potchefstroom there are separate private toilets for male and female as well as smaller toilets and urinals for younger children
- In one of the courts the private toilets had not been cleaned for three months because the cleaning contract had not been renewed (Mankweng)
- Court preparation programme available
 - 91% of the courts have a court preparation programme available
 - 9% (one court at Potchefstroom) does not have a court preparation programme available because they do not have a court preparation officer
- When does witness receive court preparation
 - At 55% of the courts witnesses receive court preparation on the day of the trial
 - At 18% of the courts witnesses receive court preparation before the day of the trial
 - At 27% of the courts court preparation is offered sometimes before the day of the trial and sometimes on the day of the trial depending on the individual situation
- Court preparation officer
 - 91% of the courts have a court preparation officer at the courts (at one of the courts this is organised by GRIP)
 - 9% (1) of the courts do not have a court preparation officer

Private witness room services

- Waiting room for children
 - All the courts have a waiting room specifically for children (100%)
- Furniture
 - All waiting rooms are furnished with chairs, couches, tables and children furniture
- Air conditioner
 - 64% of the courts have air conditioners in the child waiting rooms
 - 27% of the courts have broken air conditioners in the child waiting rooms
 - 9% do not have air conditioners
- Television available
 - All of the courts have televisions in the child waiting rooms
- Toys for children
 - All the courts have toys available in the child waiting rooms which differ from court to court, although some of the toys are broken and in a bad state of repair
- Facility to prepare refreshments
 - 55% of the courts have access to a facility where refreshments can be prepared
 - 45% of the courts do not have access to such a facility
- Refrigerator
 - All of the courts have refrigerators available for child witnesses
- Microwave
 - 73% of the courts have access to microwaves for child witnesses
 - 27% do not have access to microwaves for child witnesses
- Bed or couch available for child to sleep

- All the courts have a bed or couch available for the child to sleep. This is either in the waiting room or in the testifying room

Private witness room services for adults

- Waiting room for adults
 - 82% of the courts have waiting rooms for adult witnesses
 - 18% of the courts do not have waiting rooms for adults
 - There is a private waiting room in East London but it is not used except for teenagers to separate boys and girls
 - In Tonga the waiting rooms are used as offices so the furniture is scattered throughout
- Furniture
 - The 9 waiting rooms for adults contain chairs tables and televisions
- Air conditioner
 - 45% of the courts have air conditioners in the adult waiting rooms
 - 27% do not have air conditioners
 - 9% of the courts have air conditioners that are broken
 - 18% of the courts do not have private adult waiting rooms
- Facility to prepare refreshments
 - 45% of the courts have a facility where witnesses can prepare food
 - 36% of the courts do not have a facility where witnesses can prepare food
 - 18% of the courts do not have access to private waiting rooms for adults witnesses
- Refrigerator
 - 45% of the courts have a refrigerator available for adult witnesses
 - 36% of the courts do not have a refrigerator available for adult witnesses
 - 18% of the courts do not have access to a private waiting room for adult witnesses
- Microwave
 - 45% of the courts have a microwave available for adult witnesses
 - 36% of the courts do not have a microwave available for adult witnesses
 - 18% of the courts do not have access to a private waiting room for adult witnesses

Private testifying room services

- Television monitor
 - 91% of the testifying rooms have a monitor
 - 9% (1 of the Bloemfontein courts) does not have a monitor in the testifying room
- Furniture
 - Some of the courts have chairs and a table in the testifying room , but most of them have office furniture while in Mankweng the furniture in the waiting room and testifying room are the same
- Air conditioner in testifying room
 - 82% of the testifying rooms have air conditioners
 - 18% of the testifying rooms do not have air conditioners
- Soundproof
 - Only 18% of the testifying rooms are soundproof

- 82% (9) of the testifying rooms are not soundproof but 66% (6) are far enough away from the court not to be heard
- Blinds or window treatment
 - 82% of the testifying rooms have some form of covering on the windows
 - 18% of the testifying rooms do not have windows
 - 18% of the testifying rooms do not have some form of covering on the window
- Child friendly
 - 82% of the testifying rooms are child-friendly
 - 18% of the testifying rooms are not child friendly
- 2 way CCTV system in place
 - All (100%) of the testifying rooms have 2 way CCTV systems
- Large monitor in courtroom
 - All of the courts (100%) have a large monitor in the main courtroom
- Monitor for magistrate
 - 82% of the courts have separate monitors for the magistrates
 - 18% of the courts do not have separate monitors for the magistrates

Intermediary services

- Intermediary at court
 - All of the courts (100%) have intermediaries available

Information services

- Layout plan available
 - 82% of the courts do not have a layout plan available
 - 18% of the courts have a layout plan available in the passage
- Information screens on child waiting rooms
 - All (100%) of the courts have television monitors for information screens
- Programmes for children
 - There are no educational or empowering programmes available only television programmes and cartoon DVDs
- Information screen for adults
 - 18% (2) courts do not have separate waiting rooms for adults
 - 9% of the adult waiting rooms do not have a television monitor
 - 73% of the adult waiting rooms do have television monitors for information screens
- Programmes for adults
 - There are no educational or empowering programmes available only television programmes and cartoon DVDs
- Booklet/pamphlets in child waiting rooms
 - In none of the courts were there informative booklets or pamphlets for the children. These were kept in the intermediary office or in the adult waiting room. There were colouring books and other story books in the children waiting room
- Booklets/pamphlets in adult waiting rooms
 - Only 1 (9%) court had informative pamphlets in the adult waiting room

- Books in Braille
 - None of the courts had books in Braille
- Signage at entrance
 - 55% of the courts buildings have signage to the sexual offences courts at the entrance
 - 45% of the court buildings do not have signage to the sexual offences courts at the entrance
- Signage at court
 - 91% of the sexual offences courts have signage at the courtroom
 - 9% of the sexual offences courts do not have signage at the courtroom
- Signage for waiting rooms
 - 91% of the waiting rooms have signage although some signage has fallen off and has not been replaced
 - 9% of the waiting rooms do not have signage
- Legal Aid Officers dedicated to Sexual Offences Courts
 - All of the courts have access to a legal aid officer dedicated to the Sexual Offences Courts

1.2 Interviews with role players at Sexual Offences Courts

Role players were interviewed at the identified sexual offences court and a brief analysis of the interviews is included below:

Intermediaries

Nine (9) intermediaries were interviewed. The intermediary based at Palmridge Court was away on training so was unable to be interviewed, but Potchefstroom had 2 intermediaries and both of these intermediaries were interviewed.

Training

The intermediaries were interviewed with respect to the training they have undergone. The questions on the contents of the training were based on the recommendations of the MATTSO. It is clear from the results that not all intermediaries have received training on the identified topics, and those who have, commented that the training was not sufficient at the level that they needed it. Only 44% have received training on mental disabilities.

Resources and infrastructure

Fifty six percent (56%) of the intermediaries have their own office, while the other 44% share offices with other court personnel or use the testifying room as their office. Only 67% of the intermediaries have access to telephones, and these are not necessarily in their offices and can only be used to make internal phone calls. Only 67% of the intermediaries have access to computers. When the intermediaries were asked whether they felt that there was anything more that they could do to assist victims, 89% of them believed that there was, and made the following suggestions:

- Intermediaries feel restricted in that they only interact with children in the courtroom. Intermediaries should be able to refer victims for counselling, and need training on referrals and report writing.

- Interpreters require sensitivity training.
- High court witnesses are treated differently to regional court witnesses and the children are often made to wait in the adult waiting rooms so this needs to be clarified.
- There is a lack of cohesion in the court system and a lack of understanding about the role of the intermediary. This role needs to be explained to magistrates and prosecutors so that they do not feel threatened by the presence of the intermediary. Court personnel should work with intermediaries closely so that there is a coherent approach.
- Victims need counselling and should receive follow ups from social development.
- More outreach programmes must be organised in the community to inform them of the services available such as the Thuthuzela Care Centres.
- Priority must be given to sexual offences cases. There are many cases on the roll and cases often get postponed, especially because dockets are not available.
- The manner in which the police treat victims must be standardised. There must be protocols that police are trained on so that they know, for instance, the correct court entrance to use for victims. Sometimes the investigating officers lack sensitivity and sometimes transport the accused and victim to court in the same vehicle.
- Counselling must be organised for victims to prevent re-offending.
- Children often wait a very long time at court before they testify, and their testimony must be prioritised. Postponements are also too far apart.
- The personnel who work in the Sexual Offences Courts should receive debriefing on a monthly basis.

INTERVIEWS WITH ROLEPLAYERS				
INTERMEDIARIES				
NO OF INTERVIEWS	9			
TRAINING				
LEGISLATION	Y	7 (not in depth)	78%	
	N	2	22%	
VICTIM TRAUMA	Y	7 (not in depth)	78%	
	N	2	22%	
EFFECTS OF TESTIFYING ON CHILDREN	Y	4	44%	
	N	5	56%	
COMMUNICATING WITH CHILDREN	Y	7 (not in depth)	78%	
	N	2	22%	
CHILD DEVELOPMENT	Y	7	78%	
	N	2	22%	
DISCLOSURE	Y	3	33%	
	N	6	67%	
MENTAL DISABILITIES	Y	4 (not in depth)	44%	
	N	5	56%	
SEX OFFENDERS	Y	3	33%	
	N	6	67%	
OTHER				
OWN OFFICE	Y	5	56%	
	N	4	44%	

IF NOT, WHERE	Share office with others; Use testifying room			
ACCESS TO PHONE	Y	6 (but not in office and some only internal calls)	67%	
	N	3	33%	
ACCESS TO COMPUTER	Y	6	67%	
	N	3	33%	
CAN YOU DO MORE TO ASSIST VICTIMS	Y	8	89%	
	N	0	0	
	Don't know	1	11%	

Court Preparation Officers

Ten (10) court preparation officers were interviewed. There was one at each court except for Potchefstroom, which does not have a court preparation officer. There are also 3 court preparation officers appointed at the Bloemfontein court.

Training

Not all of the court preparation officers had received training on the topics identified in the MATSSO, and only 30% had received any training on working with persons with mental disabilities.

Resources and infrastructure

Only 60% of court preparation officers had offices, while the rest shared offices with other personnel or used the testifying room or waiting room as an office. Eighty percent (80%) had access to telephones and 90% had access to computers. When asked whether they could do more to assist child witnesses, 90% of the interviewees believed that they could, and made the following suggestions:

- There should be food and snacks available for the victims, and this should be included in budgeting.
- There should be more support for victims. Personnel make an effort by collecting and distributing toiletries to victims and collect food for the children.
- Court personnel can get debriefing if they enquire but this should be mandated and more rigorously enforced.
- Personnel should be more sensitive and discreet. Everyone in court knows that victims are going to the Sexual Offences Courts because of the footprint signage on the floor.
- There needs to be greater focus on non-sexual offences related problems that victims experience that hinder their progress, like lack of food or not having identification.
- There must be clarity regarding the roles and responsibilities of personnel to prevent overlapping. For instance, different organisations have different processes so Thuthuzela and Tonga SAPS complainants often do not get pre-court preparation in Tonga.
- More needs to be done about secondary support for victims. It is important to check how victims are coping after the case is finalised.
- Where other organisations, like Rapcan and Childline, assist with court preparation, there is a lack of communication between the court preparation officer and these organisations which means that often victims do not get court preparation or it is rushed and incomplete.

INTERVIEWS WITH ROLEPLAYERS				
COURT PREPARATION OFFICERS				
NO OF INTERVIEWS	10			
TRAINING				
LEGISLATION	Y	5 (1 belongs to GRIP and trained by them)	50%	
	N	5	50%	
VICTIM TRAUMA	Y	4	40%	
	N	6	60%	
EFFECTS OF TESTIFYING ON CHILDREN	Y	4	40%	
	N	6	60%	
COMMUNICATING WITH CHILDREN	Y	9	90%	
	N	1	10%	
CHILD DEVELOPMENT	Y	9	90%	
	N	1	10%	
DISCLOSURE	Y	4	40%	
	N	6	60%	
MENTAL DISABILITIES	Y	3	30%	
	N	6	60%	
SEX OFFENDERS	Y	9	90%	
	N	1	10%	
OTHER				
OWN OFFICE	Y	6	60%	
	N	4	40%	
IF NOT, WHERE	Share office with others; Use testifying room	Share offices; Witness waiting room		
ACCESS TO PHONE	Y	8	80%	
	N	2	20%	
ACCESS TO COMPUTER	Y	9	90%	
	N	1	10%	
CAN I DO MORE TO ASSIST	Y	9	90%	
	N	0	0	
	Don't know	1	10%	

Prosecutors

Fifteen (15) prosecutors were interviewed.

Training

Not all of the prosecutors have received training on the topics identified in the MATSSO, and approximately half of them have received training on child development, disclosure and the effects of testifying on children.

Other

Sixty seven (67%) of the prosecutors in these courts have their own office, with the rest sharing offices with other prosecutors or intermediaries. Consequently only 67% of the prosecutors have a private place where they can interview the child. Ninety three (93%) have access to telephones and computers. When asked whether there was any more that they could do to assist victims, 93% of the prosecutors believed that there was, and made the following comments:

- Court role players should receive training on how to deal with and be professional with victims of sexual offences. Courts need better funding, more qualified staff and more training.
- There must be better psychological support and counselling for victims to help them to move on after the case.
- Many regional court cases are often shifted from one prosecutor to another. A prosecutor should be able to keep the cases assigned to them so that they can provide better support.
- Space in the court building is very limited so consultation can be very tricky. Prosecutors have to take turns to use the office for consultation.
- Due to the case load assigned to the courts, prosecutors do not have much time to consult with individual victims. There is not enough time to develop rapport with the child victims.
- It is so important that the victims receive counselling.
- Courts should budget food for the children and beds or couches must be made available since the children fall asleep on the hard benches.
- There is only one DVD in the waiting room and the children have to watch it again and again because they wait so long.
- Victims need counselling. The Thuthuzela and other care centres provide vital services, but the children must be referred for counselling. Once the case is over, victims are forgotten and they fall through the cracks.
- There needs to be more community education. Most of the victims find themselves being accused by the community, sometimes even by their own families. Often alcohol is involved and parents do not support victims because they warn about consequences of alcohol and the children do not obey.
- Prosecutors need to be specialised.

INTERVIEWS WITH ROLEPLAYERS				
PROSECUTORS				
NO OF INTERVIEWS	15			
TRAINING				
LEGISLATION	Y	13	87%	
	N	2	13%	

VICTIM TRAUMA	Y	9	60%	
	N	6	40%	
EFFECTS OF TESTIFYING ON CHILDREN	Y	7	47%	
	N	8	53%	
COMMUNICATING WITH CHILDREN	Y	12	80%	
	N	3	20%	
CHILD DEVELOPMENT	Y	8	53%	
	N	7	47%	
DISCLOSURE	Y	8	53%	
	N	7	47%	
MENTAL DISABILITIES	Y	10	67%	
	N	5	33%	
SEX OFFENDERS	Y	9	60%	
	N	6	40%	
OTHER				
OWN OFFICE	Y	10	67%	
	N	5	33%	
IF NOT, WHERE	Share office with others; Use testifying room	Share offices (other prosecutors and intermediary		
PRIVATE PLACE TO CONSULT WITNESS	Y	10	67%	
	N	5	33%	
ACCESS TO PHONE	Y	14	93%	
	N	1	7%	
ACCESS TO COMPUTER	Y	14	93%	
	N	1	7%	
CAN YOU DO MORE TO ASSIST VICTIMS	Y	14	93%	
	N	1	7%	
	Don't know	0	0	

Magistrates

Nine (9) magistrates were interviewed, one at each of the identified courts.

Training

Although 89% of the magistrates had received training on the applicable sexual offences legislation, less than half of them had received training on any of the other topics, with only 11% having received training on disclosure, which is a vital element of sexual offences involving children. Also, only 11% of magistrates had received training on mental disabilities. One of the magistrates, who had received training, commented that the training had been received approximately 10 years before while still a prosecutor and no training had taken place in the intervening period. One of the magistrates responded that the magistrate's job is to deal with the accused and she "does not regard the victim; the victim must testify – if they speak well, they can win, if not they lose." The latter magistrate had only received aspirant training. The magistrates, who took part in the interviews, made the following comments:

- Only the older magistrates have been trained on these topics, because training on child witnesses was conducted approximately 10 years ago. Many of the new magistrates have had no training on this beyond their qualifications. Refresher courses are also important.
- There are severe shortages of intermediaries in certain languages. In one of the courts there were approximately 20 cases on the roll waiting for an Afrikaans speaking intermediary.
- Some of the courts do not have all the necessary equipment, like a personal monitor for the magistrate, and the testifying rooms need to have better lighting and angles and better microphones.
- Victims need counselling before and after testifying. Adult victims often do not go for counselling and need to be encouraged to attend.
- Preparation for witnesses needs to be more thorough.
- Training received by magistrates is too broad. The magistrate concerned said that they had attended one 3-week training course that covered everything.

INTERVIEWS WITH ROLEPLAYERS				
MAGISTRATES				
NO OF INTERVIEWS	9			
TRAINING				
LEGISLATION	Y	8	89%	
	N	1	11%	
VICTIM TRAUMA	Y	3	33%	
	N	6	67%	
EFFECTS OF TESTIFYING ON CHILDREN	Y	4 (1: 10 Years ago when was a prosecutor)	44%	
	N	5	56%	
COMMUNICATING WITH CHILDREN	Y	4 (1: 10 Years ago when was a prosecutor)	44%	
	N	5	56%	
CHILD DEVELOPMENT	Y	4	44%	
	N	5	56%	
DISCLOSURE	Y	1	11%	
	N	8	89%	
MENTAL DISABILITIES	Y	1	11%	
	N	8	89%	
SEX OFFENDERS	Y	5	56%	
	N	4	44%	

Interpreters

Eleven (11) interpreters were interviewed.

Training

The interpreters received the least training, with only about a third of them having received training. Thirty six (36%) of the interpreters had received training on communicating with children; 18% on child

development; and only 27% on mental disabilities. Despite this, 91% of the interpreters were used to interpret during the prosecutor's consultation with the child witness.

Interpreters made the following comments in the interviews:

- The victims need to be better prepared for court.
- Interpreters need better training, as they tend to guess as they go along. They have not received training in children's language.
- Interpreters also need regular debriefing. Unfortunately that provided by EWP is not useful as they are not equipped to deal with the specifics that court personnel have to deal with, especially the trauma aspect.
- There is no support for victims after testifying. Victims need counselling, and there seem to be no counselling referrals made by court.

INTERVIEWS WITH ROLEPLAYERS				
INTERPRETERS				
NO OF INTERVIEWS	11			
TRAINING				
LEGISLATION	Y	5	45%	
	N	6	55%	
VICTIM TRAUMA	Y	4	36%	
	N	7	64%	
EFFECTS OF TESTIFYING ON CHILDREN	Y	6	55%	
	N	5	45%	
COMMUNICATING WITH CHILDREN	Y	4	36%	
	N	7	64%	
CHILD DEVELOPMENT	Y	2	18%	
	N	9	82%	
DISCLOSURE	Y	3	27%	
	N	8	73%	
MENTAL DISABILITIES	Y	3	27%	
	N	8	73%	
DO YOU ASSIST WITH CONSULTATION	Y	10	91%	
	N	1	9%	

Court managers

Nine (9) court managers were interviewed, one from each of the identified courts. According to the court managers, only 44% of the courts paid the witness fees to child witnesses in the morning, while 44% pay them after the witness has testified. Eleven percent (11%) sometimes paid them early, depending on the circumstances of each case. There is no specific officer who is responsible for organising the witness fees, and this task has been performed by court clerks, court preparation officers, intermediaries, stenographers, cashiers and prosecutors.

Sixty seven percent (67%) of the courts have a clerk who is specifically dedicated to the sexual offences courts. Twenty two percent (22%) of the courts provide the children with something to eat in addition to the witness fees. This is funded by the office budget, personnel individually, Department of Social Development and NGOs.

INTERVIEWS WITH ROLEPLAYERS				
COURT MANAGERS				
NO OF INTERVIEWS	9			
ARE WITNESS FEES PAID IN THE MORNING	Y	4	44%	
	N	4	44%	
	It depends	1	11%	
WHO IS RESPONSIBLE FOR THIS	Court clerk Court preparation officer Intermediary Cashier Stenographer Prosecutor			
DEDICATED CLERK FOR SOC	Y	6	67%	
	N	3	33%	
ARE CHILDREN GIVEN ANYTHING TO EAT	Y	2	22%	
	N	6	67%	
	Sometimes	1	11%	
HOW IS THIS FUNDED	Office budget Personnel DSD NGOs			

Interviews with parents/caregivers at Sexual Offences Courts

Thirty four parents/ caregivers were interviewed, 65% of them being witnesses in the cases as well. Thirty five percent of them had been met at the entrance by a person(s) most were unable to identify. Forty seven (47) percent of the parents/caregivers had seen the accused while they were waiting during the trial. Fifty nine (59%) percent of them met the court preparation officer and 76% of them were informed about the services available for their child. The majority of them (82%) spoke to the prosecutor, and these interviews took place in the office, waiting room or court. Eighty two (82%) percent of the parents/caregivers were allowed to wait in the waiting room with their child, and 38% made positive comments about the appearance of the room, although 71% said that they liked the room.

Only 79% of parents received witness fees for themselves and their children, and this task was usually performed by a number of different court officials, including the prosecutor and the intermediary. The money was used to pay for food and transport. Half of the children were given food and this included noodles, the prosecutor's lunch, cereal, porridge, popcorn, fruit, biscuits and tea.

When asked to evaluate their treatment by court personnel, the parents/caregivers rated their treatment as good (88%), bad (6%) and ambivalent (6%). When asked about the good experiences they had had, they made the following comments:

- “Helpful;”
- “Made to feel comfortable;”
- “Chance to explain what happened;”
- “Kind and welcoming;”
- “Good experience;”
- “Treated well. Friendly.”

The following bad experiences were highlighted:

- “Defence lawyers;”
- “Not informed case finalized;”
- “Not informed about outcomes of case;”
- “Delays and effects on child;”
- “Too many postponements;”
- “Seeing accused out on bail without knowing;”
- “Bad communication about witness fees and not knowing how to complete forms;”
- “Dissatisfied about outcomes of case;”
- “Time spent waiting at court;”
- “Not informed case had been withdrawn.”

VICTIM SATISFACTION RE SUPPORT SERVICES IN SEXUAL OFFENCES COURTS (PARENTS/ CAREGIVERS)

SERVICE		NUMBER	PERCENTAGE
No of interviews		34	
Did witness testify	Y	22	65
	N	12	35
Met at entrance to court	Y	12	35
	N	22	65
If yes, who met you	No-one	22	64
	Not sure	3	9
	CPO	2	6
	Other	7	21
Did you see accused while waiting	Y	16	47
	N	18	53
Did CPO contact you before court	Y	13	38
	N	21	62
Did you meet CPO	Y	20	59
	N	14	41
Were you informed about services for your child	Y	26	76
	N	8	24
Talk to prosecutor before court	Y	28	82
	N	6	18
Where did you talk?	Office	16	47
	Court	2	6
	N/A	6	18
	Waiting room	7	21

SERVICE		NUMBER	PERCENTAGE
	Other	3	8
Did you wait in the waiting room with your child	Y	28	82
	N	6	18
What did it look like	Positive comments	13	38
	Negative comments	2	6
	Ambivalent	2	6
Did you like the waiting room	Y	24	71
	N	2	6
	Ambivalent	3	8
	N/A	5	15
Television / information screen	Y	25	73
	No	2	6
	Broken	2	6
	N/A	5	15
Did you watch it	Y	13	38
	N	14	41
	Broken	2	6
	N/A	5	15
Did you receive your witness fees and your child's	Y	27	79
	N	7	21
Who organised them	Nobody	6	18
	Prosecutors	14	41
	Other	8	23
	Intermediary	6	18
When did you get them: before/ after	Before	4	12
	After	23	67
	Didn't get	7	21
What did you use money for	Food	4	12
	Transport	12	35
	Food & transport	11	32
	Didn't get witness fees	7	21
Was your child given anything to eat	Y	17	50
	N	17	50
Did anyone give you information about court dates	Y	31	91
	N	3	9
Information about postponements and reasons	Y	29	85
	N	5	15
Did they tell you if accused applied for bail	Y	9	26
	N	25	74
Did they discuss the bail with you	Y	11	32
	N	23	68
Did you find the courtroom easily	Y	28	82
	N	6	18
Were there signs that helped you find the courtroom	Y	22	65
	N	12	35

SERVICE		NUMBER	PERCENTAGE
How did the people at the court treat you	Good	30	88
	Bad	2	6
	Ambivalent	2	6

Fifty nine (59) interviews were conducted with adult victims at the 9 identified sexual offences courts. There were 52 (88%) females and 7 (12%) males.

Forty one (41%) percent of adult victims were met at the entrance, sometimes by the intermediary or the court preparation officer, but mostly the investigating officer or the security guard. Thirty two (32%) percent of the adults came into contact with the accused while they were waiting to testify. Just over two thirds of the adult victims met the court preparation officer, and 85% of them received court preparation, although some of the preparation was conducted by the prosecutor and the investigating officer. Fifty four (54%) percent of the adult victims received trauma debriefing before the trial and only 32% afterwards. Twenty four percent (24%) of the victims received a referral after they testified. Eighty one (81%) percent of the adult victims consulted with the prosecutor before they testified in a variety of places, ranging from an office, the waiting room, the court to a passage.

Sixty eight (68) percent of the adult victims had access to a private adult waiting room, the majority of whom found it comfortable and described it as follows: “nice, smart;” “neat, big and nicely painted;” “boring;” “clean but packed full of people;” “beautiful;” “good place;” and “calm, open place.” Most of the adult victims testified in the main courtroom (93%) with only 4 individuals (7%) testifying in the testifying room, three of whom (5%) used an intermediary. In the interview they viewed this process in apposite light and described it as “nice” and the intermediary as “comfortable to work with.” The adult victim with the mental disability showed a thumbs up sign when asked about the testifying room and intermediary and smiled. Seventy six (76%) of the victims received their witness fees, which were organised by various court personnel, and 64% received them early in the day and most of them used the fees to pay for their transport.

Seventy six (76%) described their court experience as a good one, 22% were ambivalent and only 2% felt it had been bad. When asked what good experiences they had had, the victims provided the following comments:

- “Asked relevant questions that I knew how to answer.”
- “Prosecutor was nice and supportive.”
- “They were gentle when asking questions.”
- “Treated me very nicely and supportive.”
- “Helped a lot – gave closure to what happened 4 years back, gave a chance to heal because hadn’t dealt with it. Finally had the chance to talk about it.”
- “Court personnel were all helpful – it went well.”

- “There were nice posters in the waiting room saying things like ‘you will be okay’ and ‘don’t be scared.’
- “The IO was very helpful, the prosecutor was kind and phoned to check on her (the witness).”
- “Witness has a problem where she forgets and they took it seriously and would remind her of anything relevant continuously.”
- “Whenever she testified, she had to see the three accused and wanted to cry – people from the court took her outside and gave her water to calm down.”

When asked what bad experiences they had had, the adult victims made the following comments:

- “Didn’t like seeing the accused.”
- “Not comfortable with the fact that it has taken so long for the case to be finalized.”
- “Waiting all day.”
- “Defence lawyer asked horrible questions.”
- “Questioning repeatedly made me anxious, traumatised.”
- “Not kept in the loop. Had bad experience on the stand, like I was the accused and was all alone. Felt magistrate and prosecutor were unsupportive and complacent and let her get hammered by the defence.”
- “Didn’t like the court as she had to see the perpetrator.”
- “Didn’t let her know about the outcome of the case.”
- “Traumatic to talk about something never discussed.”
- “Speaking opened my wounds again,”
- “Didn’t let her know that the accused would be released. Just saw him outside.”

Interviews with child victims at Sexual Offences Courts

Sixty five child victims were interviewed about their court experiences. Twenty six (26%) of these victims were met on their arrival at the court, but the children were unable to identify who the court personnel were who met them. Forty three (43%) of the children saw the accused in the passage while they were waiting to testify. Eighty (80%) percent of the children met the court preparation officer and 94 % received court preparation with just over half receiving court preparation before the day of the trial. They received explanations about what would happen in court (91%), paid a visit to the courtroom (67%) and were introduced to personnel from the courtroom (48%).

The majority of the children (82%) received trauma debriefing before the trial, although much of this was received from role players outside of the courtroom. Sixty (60%) percent received trauma debriefing after the trial and only 40% received a referral from the court for counselling. As far as consultation with the prosecutor before the trial was concerned, only 85% consulted with the prosecutor but 2% could not remember whether they had or not. These consultations took place in the office, waiting room, intermediary room and testifying room. Forty five (45%) of the children made use of the anatomical dolls to show what had happened to them, and their feelings about the dolls were mixed, ranging from nice (28%), not nice (5%), scary (6%) and unsure (9%).

Ninety two (92%) of the children had access to a children's waiting room, and 89% liked the room, describing it positively as follows:

- "nice room,"
- "nice and smart,"
- "looks like an office,"
- "smart,"
- "it was beautiful,"
- "it was colourful,"
- "it was relaxing,"
- "it was fun,"
- "nicely painted,"
- "it was friendly and nice."

Ninety two (92%) of the children testified in the testifying room, and described it in positive terms. Eighty eight percent (88%) of the children made use of the intermediary and described this process as follows:

- "Quite nice. Fine."
- "It was helpful."
- "Felt better that there was someone with me."
- "Didn't like it."
- "Helped to answer questions – felt happier that there was someone with me."
- "She felt she spoke well because of the intermediary."
- "It was ok. Nice having someone there for her."
- "She wasn't scared to speak freely."
- "It made it easy,"
- "Didn't like her there – didn't want her there."

Eighty three (83%) percent of the children received their witness fees, and only 9% received their fees early in the day. The majority of them spent the money on transport and food, and 60% received food to eat from the court personnel. This included fruit, oodles, bread, biscuits and cereal.

When asked to evaluate the way they had been treated in court, 82% rated their treatment as good, 6% as bad and 12 were ambivalent. When asked about what good experiences they had had, the children elaborated as follows:

- "Was treated very nicely by court personnel; Enjoyed writing and colouring while waiting,"
- "The people were all kind,"
- "Talking to different people and seeing how much they care,"
- "Intermediary was a big help, very understanding, could calm victim when she got angry,"
- "The rooms were beautiful and the way they dressed and spoke was fun,"
- "She liked being given a chance to speak about what happened to her, was comfortable with intermediary;

- “I felt safe;”
- “Helped her to tell the truth – she feels free and like she doesn’t have a secret to hide anymore;”
- “They made me feel that whatever happens I’m not alone and have support;”
- “Treated us very well – almost forgot what we were there for.”

They described their bad experiences as follows:

- “Long wait – boring;”
- “She didn’t want people to know about rape, but was forced to speak about it for court;”
- “Prosecutor was unhelpful – mean, rude, not helpful at all;”
- “Having to see accused and speak about it again;”
- “She got asked so many questions it made her dizzy;”
- “Had a terrible court experience – fainted, wet and ruined himself talking about incident in testifying room (11 year old boy);”
- “Sad from talking about things – no follow up, no counselling or referral. Child testified from 9 – 15.30pm with only an hour break, and case was dismissed due to lack of evidence;”
- “Never heard outcome of case, even after testifying;”
- “It felt like the case was prolonged far more than it needed to be. Many times we were not informed what was happening and were left in the passage. Court officials wouldn’t help when they were on lunch.”

ANNEXURE C: CHECKLIST: COURT COMPLIANCE (COURT-BASED VICTIM SUPPORT SERVICES)

SERVICE		NUMBER	PERCENTAGE
PROTECTION SERVICES			
Separate entrance for witnesses	Y	6	55
	Y but rarely used	1	9
	N	4	36
Witness comes into contact with accused	Y	6	55
	N	3	27
	Possible	2	18
Plans in place to ensure no contact with accused	Y	10	91
	N	0	0
	Yes but not implemented	1	9
Courtroom wheelchair accessible	Y	10	91
	N	1	9
Private toilet for victims	Y	7	63
	N	4	36
COURT PREPARATION SERVICES			
Court preparation programme available	Y	10	91
	N	1	9
When does witness receive court preparation	On day	6	55
	Before day	2	18
	Before and on day	3	27
Court preparation officer at court	Y	10	91
	N	1	9
PRIVATE WAITING ROOM SERVICES FOR CHILDREN			
Waiting room for children	Y	11	100
	N	0	0
Air conditioner	Y	7	64
	Broken	3	27
	N	1	9
Television	Y	11	100
	N	0	0
Toys for children	Y	10	91
	N	1	9
Facility to prepare refreshment	Y	6	55
	N	5	45
Refrigerator	Y	11	100
	N	0	0
Microwave	Y	8	73
	N	3	27
Bed or couch to sleep	Y	11	100
	N	0	0
PRIVATE WAITING ROOM SERVICE FOR ADULTS			

SERVICE		NUMBER	PERCENTAGE
PROTECTION SERVICES			
Private waiting room for adults	Y	9	82
	N	2	18
Air conditioner	Y	5	45
	N	3	27
	Broken	1	9
	N/A	2	18
Facility to prepare refreshments	Y	5	45
	N	4	36
	N/A	2	18
Refrigerator	Y	4	36
	N	5	45
	N/A	2	18
Microwave	Y	4	36
	N	5	45
	N/A	2	18
TESTIFYING SERVICES			
Monitor	Y	10	91
	N	1	9
Air conditioner	Y	9	82
	N	2	18
Soundproof	Y	2	18
	N	9	82
Blinds for windows	Y	9	82
	N	1	9
	No window	1	9
Child-friendly décor	Y	9	82
	N	2	18
2 way CCTV	Y	11	100
	N	0	0
Large monitor in main court	Y	11	100
	N	0	0
Monitor for magistrate	Y	9	82
	N	2	18
Intermediary at court	Y	11	100
	N	0	0
INFORMATION SERVICES			
Layout plan	Y	2	18
	N	9	82
Information screen: child waiting room	Y	11	100
	N	0	0
Programmes for children	No DVDs	3	27
	Cartoon DVDs	8	73

SERVICE		NUMBER	PERCENTAGE
PROTECTION SERVICES			
Yes TV or Information screen: adult waiting room	Y	8	73
	N	1	9
	N/A	2	18
Programmes for adults	Y	0	0
	N	8	73
	N/A	3	27
Braille books	Y	0	0
	N	11	100
Signage at entrance of court building	Y	10	91
	N	1	9
Signage for court	Y	10	91
	N	1	9
Signage for waiting rooms	Y	10	91
	N	1	9
Legal Aid Officers dedicated to SOC	Y	11	0
	N	0	0

ANNEXURE D: INPUT RECEIVED FROM ROLE-PLAYERS

1. INTERMEDIARIES

When the intermediaries were asked whether they felt that there was anything more that they could do to assist victims, 89% of them believed that there was, and made the following suggestions:

- Intermediaries feel restricted in that they only interact with children in the courtroom. Intermediaries should be able to refer victims for counselling, and need training on referrals and report writing.
- Interpreters require sensitivity training.
- High court witnesses are treated differently to regional court witnesses and the children are often made to wait in the adult waiting rooms so this needs to be clarified.
- There is a lack of cohesion in the court system and a lack of understanding about the role of the intermediary. This role needs to be explained to magistrates and prosecutors so that they do not feel threatened by the presence of the intermediary. Court personnel should work with intermediaries closely so that there is a coherent approach.
- Victims need counselling and should receive follow ups from social development.
- More outreach programmes must be organised in the community to inform them of the services available such as the Thuthuzela Care Centres.
- Priority must be given to sexual offences cases. There are many cases on the roll and cases often get postponed, especially because dockets are not available.
- The manner in which the police treat victims must be standardised. There must be protocols that police are trained on so that they know, for instance, the correct court entrance to use for victims. Sometimes the investigating officers lack sensitivity and sometimes transport the accused and victim to court in the same vehicle.
- Counselling must be organised for victims to prevent re-offending.
- Children often wait a very long time at court before they testify, and their testimony must be prioritised. Postponements are also too far apart.
- The personnel who work in the Sexual Offences Courts should receive debriefing on a monthly basis.

2. COURT PREPARATION OFFICERS

When the intermediaries were asked whether they felt that there was anything more that they could do to assist victims, 90% of them believed that there was, and made the following suggestions:

- There should be food and snacks available for the victims, and this should be included in budgeting.
- There should be more support for victims. Personnel make an effort by collecting and distributing toiletries to victims and collect food for the children.
- Court personnel can get debriefing if they enquire but this should be mandated and more rigorously enforced.
- Personnel should be more sensitive and discreet. Everyone in court knows that victims are going to the Sexual Offences Courts because of the footprint signage on the floor.

- There needs to be greater focus on non-sexual offences related problems that victims experience that hinder their progress, like lack of food or not having identification.
- There must be clarity regarding the roles and responsibilities of personnel to prevent overlapping. For instance, different organisations have different processes so Thuthuzela and Tonga SAPS complainants often do not get pre-court preparation in Tonga.
- More needs to be done about secondary support for victims. It is important to check how victims are coping after the case is finalised.
- Where other organisations, like Rapcan and Childline, assist with court preparation, there is a lack of communication between the court preparation officer and these organisations which means that often victims do not get court preparation or it is rushed and incomplete.

3. PROSECUTORS

When asked whether there was any more that they could do to assist victims, 93% of the prosecutors believed that there was, and made the following comments:

- Court role players should receive training on how to deal with and be professional with victims of sexual offences. Courts need better funding, more qualified staff and more training.
- There must be better psychological support and counselling for victims to help them to move on after the case.
- Many regional court cases are often shifted from one prosecutor to another. A prosecutor should be able to keep the cases assigned to them so that they can provide better support.
- Space in the court building is very limited so consultation can be very tricky. Prosecutors have to take turns to use the office for consultation.
- Due to the case load assigned to the courts, prosecutors do not have much time to consult with individual victims. There is not enough time to develop rapport with the child victims.
- It is so important that the victims receive counselling.
- Courts should budget food for the children and beds or couches must be made available since the children fall asleep on the hard benches.
- There is only one DVD in the waiting room and the children have to watch it again and again because they wait so long.
- Victims need counselling. The Thuthuzela and other care centres provide vital services, but the children must be referred for counselling. Once the case is over, victims are forgotten and they fall through the cracks.
- There needs to be more community education. Most of the victims find themselves being accused by the community, sometimes even by their own families. Often alcohol is involved and parents do not support victims because they warn about consequences of alcohol and the children do not obey.
- Prosecutors need to be specialised.

4. MAGISTRATES

The magistrates, who took part in the interviews, made the following comments:

- Only the older magistrates have been trained on these topics, because training on child witnesses was conducted approximately 10 years ago. Many of the new magistrates have had no training on this beyond their qualifications. Refresher courses are also important.
- There are severe shortages of intermediaries in certain languages. In one of the courts there were approximately 20 cases on the roll waiting for an Afrikaans speaking intermediary.
- Some of the courts do not have all the necessary equipment, like a personal monitor for the magistrate, and the testifying rooms need to have better lighting and angles and better microphones.
- Victims need counselling before and after testifying. Adult victims often do not go for counselling and need to be encouraged to attend.
- Preparation for witnesses needs to be more thorough.
- Training received by magistrates is too broad. The magistrate concerned said that they had attended one 3-week training course that covered everything.

5. INTERPRETERS

Interpreters made the following comments in the interviews:

- The victims need to be better prepared for court.
- Interpreters need better training, as they tend to guess as they go along. They have not received training in children's language.
- Interpreters also need regular debriefing. Unfortunately that provided by EWP is not useful as they are not equipped to deal with the specifics that court personnel have to deal with, especially the trauma aspect.
- There is no support for victims after testifying. Victims need counselling, and there seem to be no counselling referrals made by court.

ANNEXURE E: VICTIM SATISFACTION RE SUPPORT SERVICES IN SEXUAL OFFENCES COURTS (ADULTS)

SERVICE		NUMBER	PERCENTAGE
No. of interviews		59	
Sex	M	7	12
	F	52	88
Age		19 – 71	
Disability	None	52	88
	Mental	4	7
	Physical	2	3
	Blind	0	0
	Deaf	1	2
LGBTI	Straight	32	54
	Lesbian	3	5
	N/A	22	38
	Gay	2	3
Charge	Rape	59	100
Has victim testified	Y	57	97
	N	2	3
Witness/ victim	Witness	11	19
	Victim	48	81
Met at entrance to court	Y	24	41
	N	35	59
If yes, who met you	No one	35	59
	CPO	9	16
	Intermediary	2	3
	Other	13	22
Did you see accused while waiting	Y	19	32
	N	40	68
Did CPO contact you before court	Y	24	41
	N	35	59
Did you meet CPO	Y	41	69
	N	18	31
Were you informed about services for you	Y	43	73
	N	16	27
Did they do court preparation	Y	50	85
	N	9	18
When: before/ on day	Before	36	61
	On day	14	24
	N/A	9	15
Did they explain what would happen in court	Y	50	85
	N	3	5
	N/A	6	10
Did they take you	Y	34	58

SERVICE		NUMBER	PERCENTAGE
to court/ testifying room	N	25	42
Did they introduce you to anyone	Y	20	34
	N	35	59
	Not sure	4	7
To whom		Prosecutor; Magistrate (1)	
Trauma debriefing before	Y	32	54
	N	27	46
Trauma debriefing after	Y	19	32
	N	39	66
	Not yet	1	2
After court referral	Y	14	24
	N	45(1 asked but didn't get)	76
Talk to prosecutor before court	Y	48	81
	N	8	14
	Can't remember	3	5
Where did you talk?	Office	35	59
	Court	5	9
	Waiting room	7	11
	Passage	1	2
	Other	1	2
	N/A	10	17
Was anybody else present?	Y	11	19
	N	38	64
	N/A	10	17
Was there a waiting room	Y	40	68
	N	19	32
What did it look like		Nice, smart; It was clean but packed full of people; Neat, big and nicely painted; It was boring; It was beautiful; Good place; Calm, open place;	
Was it comfortable	Y	39	66
	N	1	2
	N/A	19	32
Television / information screen	Y	26	44
	N	11	19
	Broken	1	2
	N/A	21	35
Did you watch it	Y	9	15

SERVICE		NUMBER	PERCENTAGE
	N	19	32
	N/A	31	53
If yes, was it useful	Y	3	5
	N	5	9
	N/A	51	86
Were there books /pamphlets	Y	23	39
	N	17	29
	N/A	19	32
Were the books in your language	Y	11	19
	N	13	22
	N/A	35	59
Did you read any of them	Y	19 (magazines)	32
	N	7	12
	Not applicable	33	56
Main courtroom/ testifying room	Main court Room	55	93
	Testifying room	4	7
Did you point out accused	N/A	55	93
	Y	3	5
	N	1	2
How		Pointed on screen; By name	
Was the chair comfortable	N/A	55	93
	Y	4	7
	N	0	0
Water to drink	N/A	55	93
	Y	4	7
	N	0	0
If adult, did you have support person	N/A	55	93
	Y	0	0
	N	4	7
Did you have intermediary	Y	3	5
	N	56	95
What was it like		Showed thumbs up sign and smiled; Was nice; Was comfortable to work with her	
Did somebody come to court with you	Y	43	73
	N	15	25
	Can't remember	1	2
Did they wait in the waiting room with you	Y	29	49
	N	5	9
	N/A	25	42

SERVICE		NUMBER	PERCENTAGE
Did you receive your witness fees	Y	45	76
	N	14	24
Who organised them	Prosecutor	18	30
	CPO	4	7
	Don't know	10	17
	N/A	10	17
	Other	17	29
When did you get them: before/ after	Before	7	12
	After	38	64
	N/A	14	24
What did you use money for	Transport	30	51
	Food	2	3
	Transport& food	11	19
	Other	2	3
	N/A	14	24
Did they give you anything to eat	Y	0	0
	N	59	100
What		N/A	
Did anyone give you information about court dates	Y	55	93
	N	4	7
Information about postponements and reasons	Y	43	73
	Y with no reasons	3	5
	N	13	22
Did they tell you if accused applied for bail	Y	16	27
	N	43	73
Did they discuss the bail with you	Y	10	17
	N	49	83
Did you find the court room easily	Y	43	73
	N	16	27
Were there signs that helped you find the courtroom	Y	34	58
	N	25	42
How did people treat you at court?	Good	45	76
	Bad	1	2
	Ambivalent	13	22
How long was your case on the court roll	1 year	23	39
	2 year	9	15
	3 year	10	17
	4 year	5	9
	5 year	2	3
	More than 5	2	3
	Can't remember	8	14

SERVICE		NUMBER	PERCENTAGE
How many postponements were there	Under 5	35	59
	Over 5	17	29
	Can't remember	7	12
How long did you wait at court before you could testify	2 hours or less	27	46
	2 – 5 hours	16	27
	More than 5 hours	12	20
	Can't remember	3	5
	N/A	1	2
Did you have any language problems	Y	7 (2 with mental disabilities)	12
	N	52	88
Did you have an interpreter in court	Y	50	85
	N	9	15

ANNEXURE F: VICTIM SATISFACTION RE SUPPORT SERVICES IN SEXUAL OFFENCES COURTS (CHILDREN)

SERVICE		NUMBER	PERCENTAGE
No. of interviews		65	
Sex	F	57	88
	M	8	12
Age		7 – 19	
Disability	None	62	95
	Mental	2	3
	Blind	0	0
	Deaf	1	2
	Physical	0	0
Charge	Rape	63	96
	Attempted Rape	1	2
	Sexual Assault	1	2
Has victim testified	Y	65	100
	N	0	0
Witness/ victim	Victim	65	100
	Witness	0	0
Met at entrance to court	Y	17	26
	N	44	68
	Don't remember	4	6
Did you see accused in courtroom while waiting	Y	28	43
	N	37	57
Did CPO contact you before court	Y	24	
	N	35	54
	Don't know	6	9
Did you meet CPO	Y	52	80
	N	10	15
	Not sure	3	5
Did they do court preparation	Y	61	94
	N	4	6
When: before/ after	Before	37	57
	On day	21	32
	Don't remember	2	3
	N/A	5	8
Did they explain what would happen in court	Y	59	91
	N	6	9
Did you go to court/ testifying room	Y	44	67
	N	18	28
	Can't remember	3	5
Did they introduce you to anyone	Y	31	48
	N	34	52
Trauma debriefing before	Y	53	82
	N	12	18
Trauma debriefing after	Y	39	60

SERVICE		NUMBER	PERCENTAGE
	N	26	40
After court referral	Y	26	40
	N	37	57
	Can't remember	2	3
Talk to prosecutor before court	Y	55	85
	N	9	13
	Can't remember	1	2
Where did you talk?		Office; Intermediary room; Waiting room; Testifying room	
Did you use the dolls	Y	29	45
	N	33	50
	Not sure	3	5
What did you think of them	Nice	18	28
	Scary	4	6
	Not nice	3	5
	Not sure	6	9
	N/A	34	52
Was there a waiting room	Y	60	92
	N	5	8
Did you like the waiting room	Y	58	89
	N	3	5
	N/A	4	6
Were there toys	Y	41	63
	N	19	29
	N/A	5	8
Television / information screen	Y	45	69
	N	15	23
	N/A	4	6
	Can't remember	1	2
Did you watch it	Y	23	35
	N	24	37
	N/A	18	28
What did you watch		Cartoons; Kids movies; Gospel; Soapies	
Were there any books etc in the room	Y	36	55
	N	24	37
	N/A	5	8
Did you look at them	Y	28	43
	N	10	15

SERVICE		NUMBER	PERCENTAGE
	N/A	27	42
Main courtroom/ testifying room	Main Court	5	8
	Testifying room	60	92
Did you point out accused	Y	33	51
	N	27	41
	N/A	5	8
How		Pointed on TV monitor; By name; Went into main courtroom	
Was the chair comfortable	Y	57	87
	N	3	5
	N/A	5	8
Water to drink	Y	39	60
	N	20	31
	N/A	4	6
	Can't remember	2	3
Did you have intermediary	Y	57	88
	N	8	12
Did somebody come to court with you	Granny	4	6
	Mom	36	55
	Neighbour	1	2
	Other	23	35
	No one	1	2
Did they wait in the waiting room with you	Y	53	81
	N	11	17
	Not applicable	1	2
Did you receive your witness fees	Y	54	83
	N	10	15
	Don't know	1	2
When did you get them: before/ after	Before	6	9
	After	46	71
	Not sure	3	5
	N/A	10	15
What did you use money for	Transport	28	43
	Food	4	6
	Transport & Food	17	27
	Other	2	3
	Not sure	4	6
	N/A	10	15
Did they give you anything to eat	Y	39	60
	N	25	38
	Can't remember	1	2
Did anyone give you information about court	Y	55	85
	N	10	15

SERVICE		NUMBER	PERCENTAGE
dates	Don't know	0	0
Information about postponements and reasons	Y	48	74
	N	14	21
	Don't know	3	5
Did they tell you if accused applied for bail	Y	24	37
	N	34	52
	Don't know	7	11
Did they discuss the bail with you	Y	19	29
	N	34	52
	Don't know	12	19
How did the people at the court treat you	Good	53	82
	Bad	4	6
	Ambivalent	8	12
How long was your case on the court roll	1 Year	20	31
	2 Years	13	20
	3 Years	16	25
	4 Years	4	6
	5 Years	2	3
	More than 5 Years	0	0
	Don't know	10	15
How many postponements were there	Less than 5	32	49
	More than 5	20	31
	Don't know	13	20
How long did you wait at court before you could testify	Short	39	60
	Long	21	32
	Can't remember	5	8
Did you have any language problems	Y	18	28
	N	47	72