

BASELINE STUDY OF VICTIM SATISFACTION WITH COURT SERVICES

The aim of this research has been to develop a baseline of services presently available to victims of sexual violence in regional courts in South Africa. This was achieved by investigating the support services that are available to victims, both children and adults, at certain identified regional courts in South Africa. This project was funded by UNICEF South Africa.

Dr Karen Muller



BASELINE STUDY OF VICTIM SATISFACTION WITH COURT SERVICES

1. INTRODUCTION

With the establishment of the Sexual Offences Courts in terms of the newly enacted Judicial Matters Second Amendment Act 43 of 2013, the need for empirical research has taken on greater significance. To be able to assist witnesses of sexual violence, it is necessary to find out how they experience the criminal justice system. It is necessary to establish from the victims themselves what aspects of the judicial process they experience as traumatic as this will contribute to a deeper understanding of the problems faced by these witnesses as they progress through the criminal justice system and will also contribute to a more empirical approach to the evaluation of the services provided in terms of the Sexual Offences Courts. In order to achieve this, it was necessary to conduct a study that would provide a baseline against which the newly created Sexual Offences Courts can be measured.

With the imminent establishment of the Sexual Offences Courts in terms of the Judicial Matters Second Amendment Act 43 of 2013, the need for empirical research has taken on greater significance. To be able to assist witnesses of sexual offences, it is necessary to find out how they experience the criminal justice system. It is necessary to establish from the witnesses themselves what aspects of the judicial process they experience as traumatic, as this will contribute to a deeper understanding of the problems faced by these witnesses as they progress through the criminal justice system and will also contribute to a more empirical approach to the evaluation of the services provided in terms of the Sexual Offences Courts.

The aim of this research then has been to develop a baseline of services presently available to victims of sexual violence in regional courts in South Africa. This was achieved by investigating the support services that are available to victims, both children and adults, at certain identified regional courts in South Africa. These identified courts were courts which have not yet been upgraded to Sexual Offences Courts in terms of the new Sexual Offences Courts Model. The findings from these surveys can be used to develop a baseline for the future monitoring of courts that have been upgraded to Sexual Offences Courts.

The empirical research design for this study included an examination of applicable documents and reports, the development of a questionnaire and conducting of semi-structured interviews with 200 witnesses who have given evidence in court and their parents/carers as well as an analysis of the interviews. Once the information was obtained from the witnesses, parents and legal personnel, the data was captured and analysed. The final phase of the research entailed measuring the data obtained during the qualitative research design phase against the literature study conducted in the first phase in order to develop a baseline for the future monitoring of sexual offences courts. This report presents the findings from this analysis.

2. BACKGROUND

The introduction of the Criminal Law (Sexual Offences and Related Matters) Amendment Act 32 of 2007 (hereafter “the Act”) has been the culmination of a process of attempting to respond to the concerns of victims of sexual violence in order to address the secondary victimisation encountered by them in the criminal justice process. This move to addressing the circumstances of both child and adult victims was the culmination of a series of processes following ratification of the Convention on the Rights of the Child (CRC) in June 1995 and the Convention on the Elimination of All forms of Discrimination Against Women (CEDAW) in December 1995 respectively, as well as Government’s commitment to the Beijing Platform of Action.

The Act aims to achieve, among other objectives, the provision of services to certain victims of sexual offences and strives to eliminate secondary victimization, thus expanding on Constitutional guarantees of rights to privacy, dignity, freedom and security of the person, as well as the right to be free from all forms of public and private sources of violence.

With an expanded definition of sexual violence, the Act has placed a significant degree of responsibility on government departments to deliver services, based on human rights, which are responsive to challenges of socio-economic conditions of beneficiaries and using an approach to service delivery which is integrated and coordinated.

The objects of the Act emphasise an effective, responsive and sensitive criminal justice system as it relates specifically to sexual offences. These are set out in section 2 of the Act and include the following:

- to afford complainants of sexual offences the maximum and least traumatizing protection that the law can provide;
- to give full effect to the provisions of the Act;
- to combat and ultimately eradicate the relatively high incidence of sexual offences committed in South Africa;
- to protect complainants of sexual offences and their families from secondary victimisation and trauma by establishing a co-operative response between all government departments involved in implementing an effective, responsive and sensitive criminal justice system relating to sexual offences;
- to promote the spirit of *batho pele* (“the people first”) in respect of service delivery in the criminal justice system dealing with sexual offences by:
 - ensuring more effective and efficient investigation and prosecution of perpetrators of sexual offences by clearly defining existing offences, and creating new offences;
 - giving proper recognition to the needs of victims of sexual offences through timeous, effective and non-discriminatory investigation and prosecution;
 - facilitating a uniform and co-coordinated approach by relevant Government departments in dealing with sexual offences;

- entrenching accountability of government officials;
- minimizing disparities in the provision of services to victims of sexual offences;
- providing certain services to victims of sexual offences, including affording victims of sexual offences the right to receive Post Exposure Prophylaxis in certain circumstances; and
- establishing a National Register for Sex Offenders.

It is evident from the preamble and the objects of the Act that the underlying philosophy is one of a people-oriented service delivery. The Act requires effective and efficient investigation and prosecution of perpetrators of sexual offences as well as proper recognition of the needs of victims of sexual offences. The Act necessitates the provision of certain services to certain victims of sexual violence to minimise or, as far as possible, eliminate secondary traumatisation. In order to achieve this, it is necessary that all role-players undergo training, and departments are required, in terms of the Act, to table these training courses in Parliament and provide an annual report on the implementation thereof. In this way, the Act has entrenched a concept of specialisation of services for victims of sexual violence.

In response to the above, the Criminal Law (Sexual Offences and Related Matters) Amendment Act 32 of 2007 was introduced and was subsequently amended by the Judicial Matters Second Amendment Act 43 of 2013, which introduced the concept of specialised sexual offences courts. These courts have been identified as courts that will hear sexual offences matters, and the aim is to provide these courts with a victim-friendly environment and specialised services that will focus on reducing secondary traumatisation. The Department of Justice and Constitutional Development, in an endeavour to promote the spirit of the Act, is in the process of rolling out Sexual Offences Courts throughout the country. The Amendment Act, 2013 is currently being amended again to address the gaps identified by the judiciary, and is therefore not in operation yet.

In addition, the Service Charter for Victims of Crime in South Africa provides certain rights to victims of crime to empower them in their journey through the criminal justice process. The Charter aims to eliminate secondary victimisation in the criminal justice process; ensure that victims remain central to the criminal justice process; clarify the service standards that can be expected by and are to be accorded to victims whenever they come into contact with the criminal justice system; and to make provision for recourse for victims when standards are not met.

3. AIMS AND OBJECTIVES

The aim of the research is to develop a baseline of services presently available to victims of sexual violence in regional courts in South Africa. This will be achieved by investigating the support services that are available to victims, both children and adults, at certain identified

regional courts in South Africa. These identified courts are courts which have not yet been upgraded to Sexual Offences Courts in terms of the new Sexual Offences Courts Model. The findings from these surveys will be used to develop a baseline for the future monitoring of courts that have been upgraded to Sexual Offences Courts.

The principle objectives of the research will be:

- To analyse the Service Charter for Victims of Crime and the Ministerial Advisory Task Team on the Adjudication of Sexual Offence Matters (MATTSO) report to identify the support services that should be available to victims of sexual offences.
- To gather information from witnesses of sexual violence testifying at the 9 identified courts about the support services they have received.
- To develop a baseline of victim satisfaction regarding support services available at courts so that this can be used as a tool to monitor the newly implemented Sexual Offences Courts.

4. RESEARCH METHODOLOGY

An empirical research design will be used in this research, since an empirical design is the production of knowledge based on experience or observation. The empirical research design for this study included a brief examination of applicable documents and reports, the development of a questionnaire and conducting of semi-structured interviews with 156 witnesses who have given evidence in court and their parent/carer as well as an analysis of the interviews. It was intended that a hundred of the witnesses be adult and a hundred be child witnesses. However, only 78 adults and 78 children were able to be interviewed. Once the information was obtained from the witnesses, parents and legal personnel, the data was captured and analysed. The final phase of the research entailed measuring the data during the qualitative research design phase against the literature study conducted in the first phase.

4.1 Target group

For the purposes of this study, the target group includes witnesses of sexual violence, both children and adults, who have testified at the following courts:

- Zwelitsha (Eastern Cape)
- Pretoria North (Gauteng)
- Madadeni (KwaZulu Natal)
- Ga-Rankuwa (North West)
- Botshabelo (Free State)
- Khayelitsha (Western Cape)
- Sibasa (Limpopo)
- Barkley West (Northern Cape)

- Mkobola (Mpumalanga)

Seventy-eight (78) children were interviewed in total, and seventy-eight (78) adults were interviewed in total. An analysis of the participants is included in the table below:

Table 12. Analysis of Target Group

ADULTS		
GENDER	FEMALE	75
	MALE	3
SEXUAL ORIENTATION	STRAIGHT	45
	LESBIAN	4
	BISEXUAL	5
	NO RESPONSE	24
DISABILITY	MENTAL	1
	PHYSICAL	5
CHARGE	RAPE	78
	KIDNAPPING (ADDITIONAL CHARGE)	2
	ATTEMPTED MURDER (ADDITIONAL CHARGE)	1
CHILDREN		
GENDER	FEMALE	64
	MALE	14
SEXUAL ORIENTATION	STRAIGHT	30
	LESBIAN	10
	BISEXUAL	3
	NO RESPONSE	35
DISABILITY	MENTAL	3
	PHYSICAL	0
CHARGE	RAPE	73
	SEXUAL ASSAULT	4
	ATTEMPTED RAPE	1

The children were further subdivided into the following groups in terms of age:

- 6 – 10: 7 children
- 11 – 14: 23 children
- 15 – 17: 48 children.

4.2 Literature review

In order to develop a questionnaire that would form the basis of the survey and be used to conduct the interviews, it was necessary to undertake an investigation into what services are required to be in place for victims of sexual violence. This involved a literature review of the applicable documents. The documents analysed included the following:

- Service Charter for Victims of Crime in South Africa
- MATTSO report on the Sexual Offences Courts
- Applicable legislation

- DoJ&CD: Report on the Implementation of the Criminal Law (Sexual Offences and Related Matters Amendment Act 32 of 2007: 1 April 2014 to 31 March 2015.

The above documents were analysed to identify the services that should be available to victims of sexual violence in terms of legislation, charters, regulations and protocols. This information was then used to develop the questionnaire, which would form the basis of the interview.

4.3 Development of questionnaire

The above-mentioned legislation, models and policies were analysed to identify what services are required to be available to victims of sexual violence. The services identified were then used to develop a draft questionnaire aimed at investigating the satisfaction of victims accessing these services. The following services were identified and were included in the questionnaire:

- 4.3.1 Access to testifying room and intermediary
- 4.3.2 Testifying room
 - 4.3.2.1 Equipment
 - 4.3.2.2 Décor
 - 4.3.2.3 Furniture
 - 4.3.2.4 Air conditioner
 - 4.3.2.5 Water or soft drinks
- 4.3.3 Waiting rooms for children
 - 4.3.3.1 Décor
 - 4.3.3.2 Furniture
 - 4.3.3.3 Toys
 - 4.3.3.4 Information screens
 - 4.3.3.5 Air conditioner
 - 4.3.3.6 Educational information and reading material
 - 4.3.3.7 Facility for preparing basic refreshments
 - 4.3.3.8 Access to private toilet
- 4.3.4 Waiting rooms for adults
 - 4.3.4.1 Décor
 - 4.3.4.2 Furniture
 - 4.3.4.3 Information screens
 - 4.3.4.4 Air conditioner
 - 4.3.4.5 Educational information and reading material
 - 4.3.4.6 Facility for preparing basic refreshments
- 4.3.5 Access to private toilet
- 4.3.6 Consultation rooms
 - 4.3.6.1 Private consultation
- 4.3.7 Main courtroom
 - 4.3.7.1 Position of witness dock

- 4.3.7.2 Access to witness dock
- 4.3.8 Court preparation
 - 4.3.8.1 Court preparation before testifying
 - 4.3.8.2 Visit to court room or testifying room
 - 4.3.8.3 Explanation of court procedures
- 4.3.9 Signage for Sexual Offences Courts
- 4.3.10 Witness Fees
 - 4.3.10.1 Access
 - 4.3.10.2 Time of payment
- 4.3.11 Use of Anatomical dolls
- 4.3.12 Provision of information
 - 4.3.12.1 About case
 - 4.3.12.2 About court dates and postponements
- 4.3.13 Availability of support persons
 - 4.3.13.1 Support person accompanying
 - 4.3.13.2 Met by court preparation officer
- 4.3.14 Counselling services organized by probation officer
 - 4.3.14.1 During investigation
 - 4.3.14.2 During trial
 - 4.3.14.3 After trial

Based on the above information gleaned from the analysis, a draft questionnaire was compiled, which included questions about the availability of these services. The draft questionnaire focused on the following topics:

- Provision of court preparation at courts
- Availability of pre- and post-trial debriefing by court preparation officers
- Availability of intermediary services
- Access to information
- Access to witness fees
- Access to private waiting rooms for adults and children
- Availability of *in camera* proceedings
- Availability of court accompaniment services
- Identification of gaps in services.

The draft questionnaire was presented to the Department of Justice and Constitutional Development for comment and discussion. The input received was then incorporated into the draft questionnaire and a final questionnaire was produced. The questionnaire is attached as Annexure A.

4.4 Training of fieldworkers

Fieldworkers were identified to assist with the conducting of interviews, and were required to undergo a process of training that was spread over two days. They were provided with

background information to contextualise the interviews to ensure that they had an understanding of the services available to victims of sexual violence, the Sexual Offences Court Model, and the need for sensitivity when working with victims of sexual offences. The main focus of the training was directed at the questionnaire so that the fieldworkers had a clear understanding of the purpose of the questions and what information needed to be elicited.

4.5 Conducting of interviews

The fieldworkers were responsible for conducting the interviews at each of the identified courts, with the assistance of intermediaries and court interpreters. Due to time constraints, the fieldworkers were only allocated three days at each court, and had to move from court to court to ensure that the interviews were conducted within the time frames. Regional heads, Directors Legal, Area Court Managers, Court Managers and intermediaries were contacted in each province so that witnesses could be accessed for the purpose of the interviews. Intermediaries and Court Managers used available resources to access the witnesses, who were invited to come to court to take part in the interviews. Witnesses were provided with a transport allowance, which was made available by UNICEF, to enable them to get to court.

The interviews were conducted in the waiting rooms, special courtrooms and offices of the intermediary. Some of the interviews with the adult participants were conducted per telephone as it was difficult to organise the transport of those witnesses or they refused to come to the court building. The participants were informed of the details of the research and their right to confidentiality was explained. They were then required to sign a consent form before the interview was initiated. The participants' responses were manually recorded on the interview sheets. In certain instances interviews had to be conducted through the medium of interpreters, and court interpreters were used for this purpose.

4.6 Capturing of data

Once the interviews had been conducted, they were allocated a number and were then transferred to data capturers, who were responsible for typing up all the interviews.

4.7 Analysis of Data

The data from the interviews was collated and analysed to produce a baseline of victim satisfaction regarding the services available to victims of sexual violence,

4.8 Production of final report

Once the analysis of the data had been completed, it was used to form the basis of the findings in this report.

5. APPLICABLE LEGAL FRAMEWORK

The following legislation, charters and regulations inform the support services which are available to victims of sexual offences:

- Criminal Procedure Act 51 of 1977
- Judicial Matters Second Amendment Act 43 of 2013
- Criminal Procedure (Sexual Offences and Related Matters) Amendment Act 32 of 2007
- Service Charter for Victims of Crime in South Africa
- Ministerial Advisory Task Team on the Adjudication of Sexual Offence Matters (MATTSO) report
- National Policy Guidelines for Victim Empowerment Programmes
- National Policy Framework
- Draft Regulations relating to Sexual Offences Courts: Criminal Law (Sexual Offences and Related Matters) Amendment Act 32 of 2007

6. IDENTIFICATION OF SERVICES AVAILABLE TO VICTIMS OF SEXUAL VIOLENCE

6.1 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. The function of the intermediary is to assist the child to understand the meaning of questions conveyed from the courtroom.

6.2 Services informed by the Sexual Offences Court Model

In the Sexual Offences Court Model, developed by the Ministerial Advisory Task Team on the Adjudication of Sexual Offences Matters, 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:

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

6.3 Services informed by the 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. The following applicable services have been identified:

- 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.
- 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.
- 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.
- 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.

6.4 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. The policy guidelines arose out of a need to protect and support victims of violence by ensuring that victim friendly services and programmes are integrated and co-ordinated through well-established government structures to prevent re-victimisation within the criminal justice system.

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.

6.5 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. These include the following:

- 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 waiting room for child witnesses (4(a));
 - a waiting room for adult witnesses (4(b));
 - a testifying room (4(c)); and
 - toilets for victims (4(1)(f)).
- Regulation 5 deals with advanced requirements regarding facilities, and requires that a designated court have the following facilities:
 - a consulting room (5(a));
 - a court preparation room (5(b));
 - restrooms for witnesses (5(c));
 - an office for the court preparation officer (5(d));
 - an office for the intermediary (5(e));
 - an office for the designated probation officer (5(f)); and
 - an office for the prosecutor dealing with sexual offences.
- 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)).
- 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).
- 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.
- 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)).
- 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)).
- 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).

- 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).
- 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 accommodations 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 past the accused person in order to get to the witness dock.
- Regulation 18 requires that a set of anatomical dolls be available to assist children with testifying, where applicable.
- 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)).
- 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).
- 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.
- 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.
- Regulation 4(3) requires that a designated court must have proper signage to indicate the location of the facilities.
- Regulation 21(11) requires that water must be available in the testifying room during court hours.

7. CHALLENGES EXPERIENCED WITH THE RESEARCH

There were numerous challenges experienced with the conducting of the research. Firstly, the time constraints placed severe limitations on the time available for conducting the actual interviews. The interviews could not begin until the regions had been informed and permission granted from the NPA to use court preparation officers as contact points. As a result, permission was only granted to begin the interviews on the 2 February 2016. As the final report had to be submitted before the end of March, the logistics of arranging visits to 9 provinces within this time frame was a significant challenge, which was exacerbated by the fact that there were a number of public holidays in this period.

A fundamental challenge was the lack of assistance from the NPA. Records and contact details of witnesses are kept by court preparation officers, and the researchers were not granted access to this information. Intermediaries, assisted by court managers, went to extreme lengths to trace victims for the purposes of the research. However, intermediaries only had access to child witnesses as they did not work with the adult victims of sexual violence. This resulted in the fieldworkers, assisted by court managers and intermediaries, accessing charge sheets and court records in an attempt to track down the witnesses. In some provinces, court managers resorted to requesting assistance from the police and members of the Family Violence, Child Protection and Sexual Offences Units. These police officers accessed dockets to find the information and even tracked down witnesses and brought them to the court for the interviews. In some provinces, like Khayelitsha and KwaZulu Natal, the lack of assistance from the NPA meant that there was no avenue available to access the victims.

A further challenge was the fact that, in some instances, victims were no longer available at the telephone numbers they had originally supplied, and could therefore not be traced.

8. ANALYSIS OF INTERVIEWS

8.1 Infrastructure and resources at identified courts

The 9 courts identified for the baseline survey were audited in terms of the questionnaire, and the following findings made. The table is attached as Attachment B.

Signage: Five (5) of the courts did not have any signage to the sexual offences courtrooms and only one (1) court, namely Botshabelo, had very good signage while that at Pretoria North was considered to be adequate. At Khayelitsha there was only signage at the entrance, although there was a help desk at reception. At Zwelitsha the general signage was not good but there was a security officer at the entrance who assisted and was prepared to escort witnesses.

Wheelchair accessibility: The only court not accessible by wheelchair was GaRanguwa, whereas the other eight (8) courts had varying degrees of accessibility. Khayelitsha, for instance, was accessible as far as the intermediary's office and the testifying room was concerned, but the waiting room was not accessible by wheelchair. In Zwelitsha there are 2 courts that hear sexual offence matters, but only one is accessible by wheelchair. In Sibasa the prosecutor's office and a court room are wheelchair accessible as well as a toilet. In Barkley West, however, the wheelchair ramp is so steep that it cannot be accessed by wheelchair without assistance.

Separate court entrance for victims: None of the nine (9) courts has there an official separate entrance for victims, although three (2) courts (Barkley West, Mkobola and Madadeni) do have separate entrances. However, these are kept locked and, in fact, the key to the other entrance at Madadeni has been lost. In Zwelitsha they sometimes allow the children to enter through the staff parking lot but this does not happen often.

Child waiting room: Only five (5) courts have separate waiting rooms for children. In Zwelitsha the waiting room is in an access-controlled passage, while the children's waiting room at Sibasa is in a wendy house. The children's waiting room at Madadeni is in a very bad condition while Mkobola has the nicest waiting room. In GaRanguwa there is a makeshift waiting room in a mobile unit where the children sometimes wait or they wait in the intermediary's office. In Khayelitsha there is a waiting room for children but this is shared with adults. In Barkley West and Botshabelo the children wait in the passage outside the courtroom.

Furniture in child's waiting room: Those courts with waiting rooms have a wide variety of furniture, including chairs, couches, tables and plastic child tables with accompanying chairs. The rooms also have toys and television sets, although a number of the television sets are broken. In Madadeni there is just a wooden court bench and a plastic table for the children.

Air conditioner in child waiting room: Only one (1) court has a working air conditioner. Two other courts do have air conditioners but these are broken.

Refrigerator or microwave in child waiting room: Two (2) courts have a refrigerator and a microwave, one (1) has a refrigerator only and at Zwelitsha they make use of the staff refrigerator. The other courts do not have access to a microwave or refrigerator.

Layout plan available on wall: None of the courts have a layout plan available on the wall of the waiting room. Only Barkley West has one but this is on a wall in a court passage.

Private toilet: There are no private toilets available especially for the use of children. The children all make use of the public toilets, although in Pretoria North and Zwelitsha they sometimes allow the children to use the staff toilets. In Mkobola and Khayelitsha the public toilets, which the children have to use, are in a disgusting condition. The doors do not close; there are no toilets seats and no toilet paper.

Private waiting rooms for adults: None of the courts have private waiting rooms for adults. In three (3) of the courts, they sometimes allow the adults to sit in the child waiting room if the latter are upset, but generally the adult victims wait on benches in front of the courtroom or outside the building.

Private toilet for adults: None of the courts have toilets specially designated for adult victims, and the adults are required to make use of the public toilets.

Braille books: None of the courts had books in Braille.

Testifying room: All of the courts had some form of a testifying room. Four (4) testifying rooms were located in the intermediary's office, and in Zwelitsha the testifying room is located in a separate room that also serves as a thoroughfare between the front entrance of the building and the offices for staff members. In Madadeni the room is also used to store papers.

Furniture in testifying room: All of the testifying rooms are equipped with tables and chairs and office furniture. In Sibasa the sun shines so brightly into the room that the court cannot see the child on the monitor. Consequently the intermediary has pasted newspaper onto the windows in an attempt to rectify the situation.

Air conditioner in testifying room: Only two courts have air conditioners in the testifying rooms, namely Pretoria North and GaRanguwa, and the one in GaRanguwa is broken.

8.2 Pretoria North

8.2.1 Adults

Personal information: Nine (9) adults were interviewed. The adults were all female and aged between 23 and 42. In terms of sexual orientation, eight (8) described themselves as straight and one (1) as bisexual. There were six (6) charges of rape, two (2) of rape and kidnapping, and one (1) of rape and attempted murder.

Court easily found: Five (5) participants said that they had found the court with ease while two (2) did not and two (2) had to be redirected.

Met at entrance and by whom: Four (4) participants were met at the entrance, three (3) of them by the court preparation officer and one (1) by the prosecutor. Four (4) were not met at the entrance while one (1) was fetched and brought to the court by the police because she did not want to testify.

Contact made by Court Preparation Officer (CPO) before court: The court preparation officer had made contact with three (3) participants before the trial. Two (2) participants received contact from the police only, one (1) could not remember because it was a very stressful period, and three (3) received no contact.

Meet CPO: Except for one (1) participant, all the others had met with the court preparation officer.

Informed of available services: All of the participants, with the exception of one (1), were informed of the available services.

Had court preparation: All of the participants, with the exception of one (1), received court preparation.

Time of court preparation: All of the court preparation sessions took place before the witness had to testify, except for the one participant who did not receive court preparation.

Explanation of court procedure: All of the participants, with the exception of one (1), received information about court procedures.

Visit to courtroom: Seven (7) participants were introduced to the courtroom or testifying room. Two (2) were not shown the courtroom before they testified.

Introduction to court officials: Six (6) were introduced to court officials, namely the prosecutor and the intermediary.

Debriefing received: Six participants had received debriefing, four (4) by the court preparation officer, one (1) by a social worker and one (1) at the hospital. Of these, four (4) had received the debriefing after they testified while two (2) had received it during the process and after testifying. Three (3) had not received any debriefing at all.

Court referral: Six (6) received referrals for counselling.

Consultation with prosecutor: Eight (8) of the participants consulted with the prosecutor before they testified, one (1) of whom complained that the consultation was very brief. One (1) participant did not consult with the prosecutor before testifying.

Location of consultation and presence of others: Five (5) of the consultations took place in the prosecutor's office; two (2) in the courtroom and one (1) on a bench outside the courtroom. Only in one instance were there other people present during the consultation.

Language problems: None of the participants experienced any language problems.

Adult waiting room: There was no adult waiting room available, so three (3) waited in the testifying room, one (1) waited in the children's waiting room and the rest waited outside the court on a bench.

Place of testifying: Two participants did not have to testify because the accused pleaded guilty before they were called to testify. The other seven (7) participants all testified in the main courtroom.

Information about testifying outside courtroom: Four (4) of the participants said that they had received information about being able to testify outside the courtroom and three (3) did not. The other two (2) did not testify.

Access to interpreter: Only one person did not have access to an interpreter.

Access to intermediary: None of the participants testified with the aid of an intermediary.

Support person: Five (5) participants brought along a family member as a support while three (3) came alone, and one (1) was brought by the police because she and her family were afraid of being killed by the accused who had not yet been arrested.

Access to witness fees: Eight (8) participants received witness fees. One (1) did not.

Organisation of witness fees: In the case of eight (8) of the participants, the witness fees had been organised by the court preparation officer in 7 instances while one (1) participant could no longer remember.

Time of witness fees: Four (4) participants received their witness fees after they had testified; two (2) received it early in the morning; one (1) during the tea break and one (1) at lunch time.

Use of witness fees: Six (6) participants used the witness fees for transport and food. Two (2) said that they had used it for transport only.

Witness fees for accompanying person: Only in one instance did the person accompanying also receive witness fees.

Information about court dates: Except for one (1) participant, all the others had received information about their court dates. They were all informed by the police and in two instances by the prosecutor and court preparation officer as well.

Information about postponements: The participants only received information about postponements if they were at court, but they were not given reasons for the postponements.

Bail: Only one (1) participant received information about bail and was consulted regarding bail.

8.2.2 Children

Personal information: Seven (7) children were interviewed. All the children were female and aged between 12 and 19 at the time of the interview, although all had been under 18 when they testified. One child had a mental disability. In terms of sexual orientation, four (4) said that they were straight, two (2) said they were lesbian, and one (1) said that she was bisexual. There were six (6) charges of rape and one (1) of sexual assault.

Met at entrance and by whom: Of the seven (7) children, only two (2) were met at the entrance. The one (1) child was met by the court preparation officer and the other could not remember who had met her.

Contact made by CPO before court: Six (6) children had been contacted before they went to court, two (2) by the police and one (1) by mail.

Meet CPO: Only one (1) child did not meet the court preparation officer.

Informed of available services: Six (6) of the seven (7) children had been informed of the available services.

Had court preparation: The children had all received court preparation. One (1) did, however, comment that she had only received very little preparation.

Time of court preparation: All court preparation had been conducted before the children had to testify.

Explanation of court procedure: Six (6) children said that the court procedure had been explained to them. One (1) child's response was "not really."

Visit to courtroom: All the children had been taken to see the courtroom, but only four (4) had been introduced to the intermediary and the prosecutor.

Debriefing received: Only one (1) child had received debriefing and that had been from a private psychologist.

Court referral: Only one (1) child was referred for counselling but she did not go. Two of the children had been interviewed before they testified so they had not yet received referrals.

Consultation with prosecutor: All of the children had consulted with the prosecutor except for the two (2) who had not yet testified. The consultation took place in the prosecutor's office for four (4) of the children, while one (1) was consulted outside.

Presence of anybody else: There was no one else present at the consultations, other than the children's mothers and, in one case, a sister.

Use of AD dolls: Three (3) children had not made use of the anatomical dolls; two (2) had used them and two (2) were still going to testify.

Language problems: Two (2) had language problems; three (3) did not; and two (2) had not yet testified.

Appearance of waiting room: In one instance, the child did not testify because the case was withdrawn just before she had to testify. The other six (6) children found the waiting room to be pleasant, describing it as "pretty and nice" and "nice with pretty paintings." Four (4) of the children referred to the paintings on the wall and this seemed to impress them. Only one (1) child said she did not like the waiting room.

Toys: Four (4) of the children said there were toys (dolls and colouring books) available for them, while two (2) said that there were none. The one (1) did not testify and did not use the waiting room.

Television: There was a television in the waiting room but it was broken so the children could not watch anything.

Books available: There were books available in the waiting room, but one (1) child said that she had not seen them.

Place of testifying: All the children, who testified, used the testifying room. Two (2) children were still going to testify. One (1) of the children described the room as "boring with bricks" and said she did not like it, while another said that it was "comfortable with a carpet."

Access to interpreter: All the children who testified had access to an interpreter. Two (2) children were still going to testify.

Access to intermediary: All the children who testified did so via an intermediary. Two (2) children were still going to testify.

Accused identification: Two (2) children had to identify the accused and they went into the main courtroom to do so.

Water: Two (2) children said that there was water available in the testifying room while two (2) said there was not. One (1) did not testify and the other two (2) were still going to testify.

AD dolls in court: Only two (2) children used the anatomical dolls in court, although the others who testified had seen them. One described the dolls as “adequate, not scary” and the other said “the dolls were ugly and I did not like them.”

Support person: All the children were accompanied to court, mostly by their mothers although one was accompanied by her sister.

Access to witness fees: All of the children received witness fees, which were organised by the court preparation officer.

Organisation of witness fees: The witness fees were all received after the prosecutor was done with the child, either for consultation or testifying. One child received it during the tea break. The witness fees were all used for transport and, in two instances, for food, while one child said that she bought sweets with the money.

Availability of food: the children were not provided with any food. In two instances, the children’s mothers brought food with for them.

Witness Fees for accompanying adult: The accompanying adults all received witness fees except in the case where the matter was withdrawn.

Information about court dates: Four (4) received information about court dates, and three (3) did not.

Information about postponements: Only one child received information about postponements with reasons. Generally the children are not informed of the reasons for the postponement.

Bail: The children did not receive any information about bail nor were they consulted.

8.3 GaRanguwa

8.3.1 Adults

Personal information: Nine (9) adults were interviewed at GaRanguwa. All the adults were females, aged between 20 and 54. One (1) had a physical disability. All described themselves as straight in terms of sexual orientation, except for one who said that she was bisexual. The charges were all charges of rape.

Court easily found: All the adults found the court without a problem.

Signage available: Seven (7) participants said there was signage; one (1) could not remember and one (1) did not see the signage.

Met at entrance and by whom: Four (4) participants said that they were met at the entrance; two (2) by the security guard, one (1) by the police detective, and one (1) by an unknown male.

Contact made by CPO before court: Four (4) said that the court preparation officer had made contact with them before the court. One (1) did not remember and two (2) only had contact with the police.

Meet CPO: Seven (7) met the court preparation officer and two (2) did not.

Informed of available services: Six (6) were informed of the services available, although one (1) commented that it was “not in depth”. Three (3) did not receive any information.

Had court preparation: Four (4) participants received court preparation.

Time of court preparation: Court preparation was conducted before they testified.

Explanation of court procedure: Five (5) received explanations about court procedure.

Visit to courtroom: Five (5) were taken to see the courtroom.

Introduction to court officials: Seven (7) were introduced to the prosecutor.

Debriefing received: Six (6) had received debriefing, but the debriefing had all been conducted by independent social workers except for one participant who had received debriefing at the police trauma unit. Some received debriefing before the trial, others during the trial and one after the trial.

Court referral: Seven (7) received referrals for counselling.

Consultation with prosecutor: Seven (7) consulted with the prosecutor. Three (3) of the consultations took place in the prosecutor’s office, three (3) in the court, and one (1) in the passage.

Presence of anybody else: In two instances, the mothers were present at the consultation. One (1) participant said that there were always people around.

Language problems: None of the participants experienced any language problems.

Adult waiting room: There is no waiting room available at the court for adult victims of sexual violence. Four (4) sat and waited outside the court building; three (3) sat and waited on benches outside the courtroom; and two (2) waited in the children’s waiting room.

Place of testifying: Four (4) testified in the main courtroom. Four (4) testified in the testifying room. One (1) participant did not testify as the accused died just before the trial was to begin. Those participants, who used the testifying room, thought it looked “nice.” They were also provided with water, which those who testified in court did not receive.

Information about testifying outside courtroom: Only two (2) participants were informed about the fact that they could testify from outside the courtroom.

Access to interpreter: Seven (7) participants had access to an interpreter.. One (1) did not testify.

Support person: Eight (8) participants had support persons, two of them being their mothers.

Access to witness fees: all the participants received witness fees.

Organisation of witness fees: Some were organised by the court preparation officer, two (2) went straight to the cashier and the rest were assisted by various court personnel.

Time of witness fees: All the participants received the witness fees after they testified.

Use of witness fees: The witness fees were used for transport and food.

Witness fees for accompanying person: Witness fees were given to the persons accompanying seven (7) of the participants.

Information about court dates: All the participants received information about the court dates, some from the investigating officer. The majority of them were given reasons for the postponements.

Bail: Five (5) received information about bail, but only two (2) had the matter discussed with them, one because the accused lived a few doors down from her.

8.3.2 Children

Personal information: Twelve (12) children were interviewed, five (5) were male and seven (7) female. The children were aged between 9 and 19, although all were under the age of 18 when they testified. One (1) child had a mental disability. In terms of sexual orientation, six (6) children refused to answer the question, four (4) said that they were lesbian, and two (2) said that they were bisexual. In all twelve (12) cases the charges were that of rape.

Met at entrance and by whom: Four (4) participants were met at the entrance, most of them by the court preparation officer. One (1) participant could not remember.

Contact made by CPO before court: Nine (9) of the participants were contacted by the court preparation officer before the trial.

Meet CPO: All the participants met the court preparation officer.

Informed of available services: Six (6) said that they were informed of available services, and one (1) could not remember.

Had court preparation: Eight (8) children had received court preparation, two (2) on the day of the trial and six (6) before the trial date.

Explanation of court procedure: Seven (7) said that they had received information on court procedure.

Visit to courtroom: Eight (8) had been taken to the testifying room before the trial.

Introduction to court officials: Six (6) of the participants had been introduced to some of the court officials, two (2) of the officials being magistrates.

Debriefing received: Six (6) of the participants had received debriefing, but this had been done by social workers outside of the court environment, either before, after or during the trial.

Court referral: Seven (7) children were referred for counselling. The mother of one (1) of the participants made her own referral.

Consultation with prosecutor: Eight (8) participants consulted with the prosecutor, one (1) could not remember, and one (1) commented, "No, met prosecutor for first time during trial while testifying." The consultation took place in the prosecutor's office.

Presence of anybody else: Nobody else was present during the consultations.

Use of AD dolls: the children did not make use of anatomical dolls.

Language problems: The children did not experience any language problems.

Child waiting room: There was a waiting room for children in a caravan.

Appearance of waiting room: Except for one (1), the remainder of the children liked the room.

Toys: There were toys in the room.

Television: There was a television in the room and, except for one (1) participant, all the children watched television. Ten (10) of the children said that they watched soaps on television.

Books: There were books in the room, and ten (10) said that they had looked at the books.

Place of testifying: All of the children testified in the testifying room, except for one (1) who had not yet testified.

Access to intermediary: Six (6) children did not make use of an intermediary; one (1) had not testified yet; and five (5) had been assisted by an intermediary.

Accused identification: Five (5) of the children had to identify the accused, and had to go into the main courtroom to do so.

Water: Five (5) children said that they had been provided with water. One (1) child said that she had been told to go and drink water in the bathroom after she testified when she asked for water.

AD dolls in court: None of the children used the dolls in the testifying room, although six (6) mentioned that they had seen the dolls. Two (2) of the children thought the dolls were ugly while the rest thought they were “okay” and one even thought they were “pretty.”

Support person: All of the children were accompanied by a relative, but only four (4) were allowed to wait in the waiting room with them.

Access to witness fees: All of the participants received witness fees.

Organisation of witness fees: The participants were unsure who had organised the fees, although the fees were all paid out in the afternoon after they had testified. All the participants said that the witness fees were used for food and transport.

Availability of food: the children were not given anything to eat.

Witness fees for accompanying adult: Except for one, all of the accompanying adults received witness fees.

Information about court dates: Ten (10) participants said that they had received information about court dates. Six (6) had been informed about postponements, although only one (1) was given reasons for the postponement.

Bail: Only three (3) participants received information about bail, and bail was discussed with only one (1) of them.

8.4 Madadeni

8.4.1 Adults

No adults were interviewed at Madadeni as the court was unable to access adult witnesses for the survey.

8.4.2 Children

Personal information: Only two (2) children took part in the survey. Both the children were female, and aged 12 and 17. As far as sexual orientation was concerned, one (1) said that she was straight and the other refused to respond to the question. Both cases involved charges of rape.

Court easily found: The court was easily found by both.

Met at entrance and by whom: One (1) child was met by the intermediary, the other was not.

Contact made by CPO before court: The court preparation officer made contact with both, but spoke to the mother of one of them.

Meet CPO: Both the children met the court preparation officer.

Informed of available services: Both the children received information about available services.

Had court preparation: Both children received court preparation.

Time of court preparation: The one child received court preparation on the day of the trial while the other received it on the day of the trial as well as the day before.

Explanation of court procedure: They both received explanations of court procedure.

Visit to courtroom: Both the children were taken to see the courtroom.

Introduction to court officials: Only one child was introduced to a court official, who was the magistrate.

Debriefing received: No debriefing was received.

Court referral: The children were not referred for counselling.

Consultation with prosecutor: Both the children consulted with the prosecutor, one in court and one in the prosecutor's office.

Presence of anybody else: In the case of the one (1) child, the mother was present during the consultation, but nobody was present in the consultation of the second child.

Use of AD dolls: The anatomical dolls were not used.

Language problems: the children said that they did not experience any language problems.

Child waiting room: There was a waiting room.

Appearance of waiting room: One (1) child said that the room looked nice while the other said "it was just a room."

Toys: Toys were available for only one (1) of the children.

Television: The television was not on so they did not watch.

Books: There were magazines and colouring books, the children said that they looked at them and the one coloured as well.

Place of testifying: Both children testified in the testifying room.

Access to interpreter: Both children made use of an interpreter.

Access to intermediary: Both children made use of an intermediary.

Accused identification: The children did not have to identify the accused.

Water: One (1) child had water to drink but the other did not.

AD dolls in court: Only one (1) child made use of the anatomical dolls in court. She thought the dolls were ugly.

Support person: Both children were accompanied. One waited in the waiting room with the child, but the other did not.

Access to witness fees: Both children received witness fees. The witness fees were used for transport and food.

Organisation of witness fees: One (1) child was assisted by the intermediary, and the other was assisted by the investigating officer.

Availability of food: One (1) child received a cooldrink and a sandwich.

Time of witness fees: Both children received the witness fees after they testified.

Information about court dates: Both children received information about court dates as well as postponements.

Bail: Both children received information about bail, and bail was discussed with them.

8.5 Zwelitsha

8.5.1 Adults

Personal information: Twelve (12) adults took part in the survey. There were 11 females and 1 male, aged between 20 and 54. One (1) female had both physical and mental disabilities, and another suffered from epilepsy. Nine (9) participants described themselves as straight, one (1) as bisexual, and two (2) refused to answer the question. The charges in all twelve cases were rape.

Court easily found: All the adults found the court easily, except for one (1).

Signage available: There was signage available. In one case, the investigating officer brought the witness to court and, in another, the security officer showed her to the court.

Met at entrance and by whom: Eleven (11) of the participants were met at the entrance; eight (8) by the security guard, one (1) by the court preparation officer, one (1) by the interpreter, and another by the court orderly.

Contact made by CPO before court: Only three (3) participants had been contacted by the court preparation officer before the trial. The only other contact made was by the investigating officer in the respective case.

Meet CPO: Six (6) of the participants did not meet the court preparation officer.

Informed of available services: Only six (6) of the participants were informed of the available services.

Had court preparation: Eight (8) participants received court preparation; six (6) of them by court preparation officer, one (1) by the investigating officer and one (1) by another male person.

Time of court preparation: Of the eight (8) participants who received court preparation, seven (7) received it on the day of the trial and only one (1) before the day of the trial.

Explanation of court procedure: All eight (8) who received court preparation said that they had received an explanation about the court procedure.

Visit to courtroom: Eight (8) said that they had been shown the courtroom, one (1) by the security guard.

Introduction to court officials: Five (5) said that they had been introduced to court officials, but one (1) could no longer remember. They were introduced to the prosecutor and the court preparation officer.

Debriefing received: Eight (8) had received debriefing but this had been offered by the court preparation officer in only one instance.

Where and when was debriefing received: Five (5) had received debriefing at the trauma unit at the hospital, one (1) privately and one (1) through social development. Some had received the debriefing before the trial, other after and yet others during the course of the trial.

Court referral: Three (3) said that they had received referrals for counselling from the court.

Consultation with prosecutor: Eleven (11) participants consulted with the prosecutor. This took place in the office (3), in the courtroom (7) and in the passage (1).

Presence of anybody else: This happened in the presence of others in only one instance.

Language problems: No language problems were experienced.

Adult waiting room: there is no waiting room specifically for adult victims of sexual offences. The participants waited on benches outside the courtroom, although one was allowed to use the children's waiting room.

Place of testifying: All the participants testified in the main courtroom.

Information about testifying outside courtroom: Only five (5) were informed that they could testify outside the main courtroom.

Access to interpreter: All had access to the services of an interpreter.

Support person: Only one (1) person was not accompanied. All the other participants were accompanied by family members.

Access to witness fees: All of the participants received witness fees.

Organisation of witness fees: the witness fees were organised by various court personnel, which included the stenographer, the court clerk, the court orderly, the prosecutor and the court preparation officer.

Time of witness fees: Eleven (11) received the witness fees after they testified, and one (1) received it before she testified.

Use of witness fees: All of the participants said that they used the money for food and transport.

Witness fees for accompanying person: Witness fees were given to the persons accompanying six (6) of the participants. One (1) was unaccompanied and the other five (5) said that it was only for witnesses.

Information about court dates: Information was provided, primarily by the investigating officer. Nine (9) of the participants were informed about postponements and were supplied with reasons for the postponements.

Bail: Only three (3) participants received information about bail from the investigating officer. Another said she was informed by the community. Bail was not discussed with them, and one (1) only found out about the bail when she saw the accused walking around.

8.5.2 Children

Personal information: Ten (10) children took part in the survey. There were six (6) females and four (4) boys, aged between 8 and 18. Six (6) described themselves as straight, one (1) as bisexual, and three (3) chose not to answer the question.

Met at entrance and by whom: Except for one (1) participant, all were met at the entrance by different people, amongst whom were the court preparation officer, the intermediary, the court orderly and the security.

Contact made by CPO before court: Six (6) of the participants were contacted before the trial by the court preparation officer. One (1) was unsure.

Meet CPO: Nine (9) of the ten (10) children met the court preparation officer.

Informed of available services: Eight (8) participants were informed of the services available to them.

Had court preparation: Nine (9) participants received court preparation.

Time of court preparation: Four (4) received court preparation before the trial, and five (5) received court preparation on the day of the trial.

Explanation of court procedure: All participants, who had received court preparation, received an explanation regarding court procedure.

Visit to courtroom: All participants, who had received court preparation, were taken to see the courtroom and testifying room.

Introduction to court officials: Five (5) were introduced to court officials, and these included the intermediary and the prosecutor.

Debriefing received: Seven (7) participants received debriefing, only one from the court.

Where and when was debriefing received: One (1) received the debriefing at court, two (2) at social development and (4) at the trauma unit at the hospital. This took place before the trial and during the course of the trial.

Court referral: Two (2) were referred for counselling; two (2) were unsure and one (1) did not think it was necessary.

Consultation with prosecutor: Six (6) consulted with the prosecutor. One (1) participant could not remember. The consultation took place in the testifying room, in the courtroom, in the passage and the prosecutor's office.

Presence of anybody else: Nobody else was present during the consultation, except in one case where the court preparation officer was present.

Use of AD dolls: Three (3) participants made use of the anatomical dolls during the consultation.

Language problems: Only one child said that she had experienced language problems.

Child waiting room: There is a child waiting room where the children waited, except for two (2) who waited in the testifying room.

Appearance of waiting room: The children described the room as a comfortable room with toys, and all the children said that they liked the room. Those who waited in the testifying room said it was boring with just a heater.

Toys: There were toys in the waiting room but not in the testifying room.

Television: There was a television in the waiting room, and the children said that they watched soapies, cartoons and children's programmes.

Place of testifying: Nine (9) children testified in the testifying room and one (1) testified in the main courtroom. They found the testifying room to be comfortable and quiet.

Access to interpreter: All the children had access to an interpreter.

Access to intermediary: The nine (9) children who testified in the testifying room all made use of the services of an intermediary.

Accused identification: Two (2) of the children had to identify the accused, and they did this by going into the main courtroom.

Water: Four (4) of the children were not provided with water when testifying.

AD dolls in court: Four (4) of the children said that they had used the anatomical dolls to demonstrate in court. One child refused to use them because "I am not a child." Three (3)

of the children described the dolls as “nice” while two (2) said they were ugly. Two (2) children said that they did not like the dolls because they reminded them of the incident, although one (1) said that it made it easier to explain.

Support person: All the children were accompanied by someone.

Access to witness fees: All of the participants received witness fees. The witness fees were used for transport and food, except in one (1) case where the child said that she bought cosmetics.

Organisation of witness fees: The witness fees were organised by a number of different people, and included the court clerk, a parent, the intermediary, the stenographer and the court preparation officer. **Availability of food:** the children did not receive food, except in one (1) instance where the prosecutor gave the child food.

Time of witness fees: In all instances the witness fees were given after the witness testified.

Information about court dates: Only (1) one child said that she had not been given information about court dates. Seven (7) participants had been informed about postponements with reasons.

Bail: Three (3) participants said that they had been given information about bail but the others did not know if it had been discussed with their parents. Bail was not discussed with them, but they were sometimes informed. One (1) had been informed by the community that the accused had received bail.

8.6 Sibasa

8.6.1 Adults

Personal information: There were 12 adults who took part in the survey. All of the adult victims were female and aged between 21 and 34. Two (2) participants stated that they were HIV positive. Eleven (11) participants described themselves as straight in terms of sexual orientation and one (1) did not wish to answer the question. All the matters involved charges of rape.

Court easily found: Four (4) of the participants said that they had had difficulty finding the court and one (1) was shown the way by the court preparation officer.

Signage available: Seven (7) participants did not see any signs, had to ask for directions and were helped by others to find the court.

Met at entrance and by whom: Seven (7) were met at the entrance by a variety of people, included amongst whom were the court preparation officer, the court manager, the security, and the investigating officer.

Contact made by CPO before court: Eleven (11) of the twelve (12) participants had been contacted by the court preparation officer before court.

Meet CPO: All of the participants had met the court preparation officer.

Informed of available services: Nine (9) participants said that they were informed of the available services; two (2) were not; and another said that she had only been informed about witness fees.

Had court preparation: Ten (10) participants had received court preparation.

Time of court preparation: Two (2) participants received court preparation before the trial and the rest received court preparation on the day of the trial.

Explanation of court procedure: All who attended court preparation said that they had been informed about court procedure.

Visit to courtroom: Seven (7) were taken to see the courtroom, although one (1) stated that she was only shown the testifying room.

Introduction to court officials: Six (6) participants were introduced to court officials, but two (2) could no longer remember. They were introduced to the prosecutor and the interpreter.

Debriefing received: All of the adults received debriefing.

Where and when was debriefing received: The debriefing took place before the trial and was offered by the trauma centre (Thohoyandou Victim Empowerment Programme), which is an NGO. One (1) participant, however, said that she had gone back for further assistance, but had been told that she had been there before and they could not assist her.

Court referral: There were three (3) referrals for counselling but they were done by TVEP and a private doctor.

Consultation with prosecutor: Eleven (11) of the participants consulted with the prosecutor. One (1) did not. All consultations were conducted in the prosecutor's office.

Presence of anybody else: All consultations were conducted in private, although parents were present in two instances.

Language problems: Two (2) said that they had experienced language problems. The one (1) said that she spoke Tsonga but had to speak her second language, Venda.

Adult waiting room: There is no adult waiting room. Three of the participants said that they waited in the public waiting room, but the majority preferred to sit outside on the grass. They said they enjoyed being outside. One (1) adult waited in the children's waiting room.

Place of testifying: Ten (10) participants testified in the main courtroom. One (1) testified in the testifying room, and the other started testifying in court, broke down and continued testifying in the testifying room.

Information about testifying outside courtroom: Only one (1) participant was informed that she could testify outside the courtroom. Another pointed out that she had been told the testifying room was "only for kids." The participant who broke down in court said that she had also not initially been informed that she could make use of the testifying room.

Access to interpreter: All participants had access to an interpreter, although not necessarily in their first language.

Support person: The two (2) participants who testified in the testifying room did not have support persons with them. But ten (10) of the participants brought a support person with to court, mostly family members.

Access to witness fees: Eleven (11) participants stated that they had received witness fees. The twelfth participant could not remember.

Organisation of witness fees: The witness fees were organised by a variety of people, including the office manager, cashier, intermediary and prosecutor.

Time of witness fees: All witness fees were received after the witnesses testified.

Use of witness fees: Nine (9) participants said that they had used the money for food and transport; one (1) could not remember; one (1) said that she used the money to pay for

crèche for her baby; and another said that she bought “food and stuff for the kids at home” because the prosecutor had given her KFC chips.

Witness fees for accompanying person: Only the witnesses got fees.

Information about court dates: All participants received information about the court dates. They were also told about postponements and given reasons, although one (1) participant complained that there had been too many postponements and her case had been on the roll for three (3) years.

Bail: Only two (2) participants received information about bail. The one (1) discovered it when the court phoned her to find out the accused’s identification number as they had confused the accused and the victim. Bail was only discussed with two (2) of the participants.

8.6.2 Children

Personal information: Fourteen (14) children took part in the survey. There were twelve (12) females and two (2) males, aged between 10 and 23. One (1) of the participants was mentally disabled. In terms of sexual orientation, four (4) described themselves as straight. The other children were unable to answer the question. The charges were all rape, except for one of sexual assault.

Met at entrance and by whom: Eleven (11) of the children had been met at the entrance, one (1) by the investigating officer and the others by the court preparation officer.

Contact made by CPO before court: All of the children were contacted by the court preparation officer before the trial.

Meet CPO: All of the children met the court preparation officer.

Informed of available services: They were all informed about the services available.

Had court preparation: All of the children received court preparation.

Time of court preparation: All of the court preparation took place on the day of the trial, except in two (2) instances when it took place on the day before the trial.

Explanation of court procedure: All the children had received an explanation about court procedure.

Visit to courtroom: Five (5) of the children had been shown the main courtroom while the rest (9) were shown only the testifying room.

Introduction to court officials: All of the children were introduced to court officials, namely the prosecutor and the intermediary.

Debriefing received: Three (3) did not receive debriefing, one (1) of whom was very depressed.

Where and when was debriefing received: Those who had received debriefing had all received it at the trauma centre (TVEP). Some had received the debriefing before the trial and others after the trial.

Court referral: The court had organised a referral in one case only.

Consultation with prosecutor: All of the children consulted with the prosecutor, and the consultations took place in the prosecutor’s office.

Presence of anybody else: Only in two (2) instances was anybody else present, and these were parents.

Use of AD dolls: Four (4) participants used anatomical dolls in consultation.

Language problems: None of the children experienced language problems.

Child waiting room: TVEP have a waiting room for children, and twelve (12) of the children testified in this waiting room. Two (2) waited in the intermediary's office.

Appearance of waiting room: the children liked the waiting room a lot, and described it as "awesome" and "like a crèche."

Toys: There were toys in the waiting room.

Television: There was a television in the waiting room, which most of the children watched. They watched soaps and cartoons.

Books: There were books in the waiting room, which all except three (3) read or looked at.

Place of testifying: Two (2) participants testified in the main courtroom. The one (1) turned 18 just before she had to testify. The other twelve (12) participants testified in the testifying room. The children really liked the testifying room, and most of them mentioned the lovely paintings. They described the room as "beautiful."

Access to interpreter: Some of the children were not sure because they were in the testifying room.

Access to intermediary: All of the children who testified in the testifying room had access to an intermediary.

Accused identification: Five (5) participants had to identify the accused. This was done by naming the accused, by identifying him in court and one child had to identify the accused in a photo album.

Water: There was water available for all of the children.

AD dolls in court: Two children used anatomical dolls to explain in court. The children thought the dolls were "beautiful."

Support person: All the children were accompanied, mostly by close family members.

Access to witness fees: All of the children received witness fees. They all used the witness fees for transport and food, although one (1) child said that she used it to buy books, another said she used it for school and a third said that she bought stationery at school.

Organisation of witness fees: The witness fees were organised by various court officials, including the office manager, the court preparation officer, and the intermediary.

Availability of food: Except for two (2) children, all the children received food from TVEP. The food included beef or chicken, pap and salad, a juice to drink.

Time of witness fees: Nine (9) children received their witness fees after they testified, while the rest received their witness fees early in the morning.

Witness fees for accompanying person: All the accompanying adults received witness fees.

Information about court dates: All the children received information about court dates, and they were informed about postponements, many of them with reasons supplied. One (1) child complained that there were very many postponements.

Bail: The children were not given any information about bail, nor was it discussed with them.

8.7 Khayelitsha

8.7.1 Adults

Personal information: Only one (1) adult was interviewed. The adult was female, aged 20 and described her sexual orientation as straight. The charge was rape.

Court easily found: She found the court easily.

Signage available: There were signs and people helped.

Met at entrance and by whom: She was met at the entrance by the prosecutor.

Contact made by CPO before court: The court preparation officer did make contact with her before court.

Meet CPO: She did meet the court preparation officer.

Informed of available services: She was informed of available services.

Had court preparation: She did receive court preparation.

Time of court preparation: The court preparation took place before the trial.

Explanation of court procedure: She did receive information about court procedure.

Visit to courtroom: She was not taken to see the courtroom.

Introduction to court officials: She was introduced to the magistrate.

Debriefing received: She did receive debriefing but not by the court.

Where and when was debriefing received: She received debriefing before the trial by a social worker.

Court referral: She did receive a referral.

Consultation with prosecutor: She did consult with the prosecutor before the trial. The consultation took place in the children's waiting room.

Presence of anybody else: Nobody else was present at the consultation.

Language problems: She experienced no language problems.

Adult waiting room: There is no adult waiting room. She waited in the children's waiting room, which she found to be warm and comfortable.

Place of testifying: She testified in the man courtroom.

Information about testifying outside courtroom: She was provided with information about testifying outside the courtroom.

Access to interpreter: She had access to an interpreter.

Support person: She was accompanied by a support person who waited with her.

Access to witness fees: She was given witness fees. She was also given something to eat – wheatbix and coffee.

Organisation of witness fees:

Time of witness fees: She received the witness fees after she testified.

Use of witness fees: The witness fees were organised by the intermediary.

Witness fees for accompanying person: The person accompanying her also received witness fees.

Information about court dates: She did receive information about the court dates. She was given information about postponements when she arrived at court.

Bail: She received no information about bail, and it was not discussed with her.

8.7.2 Children

Personal information: Eleven (11) children were interviewed in the survey. All eleven (11) children were female and ranged in ages from 6 to 18. Eight (8) of the participants

described their sexual orientation as straight, while this question was not posed to the younger children. The charges all related to allegations of rape.

Met at entrance and by whom: Only one (1) child was met at the entrance by a security guard.

Contact made by CPO before court: Nine (9) of the children said that the court preparation officer had made contact with them before the trial.

Meet CPO: All of the participants met the court preparation officer.

Informed of available services: Three (3) children were not informed about the services available.

Had court preparation: All the children received court preparation.

Time of court preparation: Court preparation took place before the trial (9 participants) and on the day of the trial (3 participants).

Explanation of court procedure: All the children received information about court procedure.

Visit to courtroom: Six (6) children were taken to see the courtroom.

Introduction to court officials: Six (6) children were introduced to court officials, who included the magistrate, prosecutor and intermediary.

Debriefing received: Nine (9) children had received debriefing.

Where and when was debriefing received: Debriefing was offered by Rape Crisis, the clinic and relevant NGOs. It was offered before the trial and, for one participant, during the trial.

Court referral: Only one (1) child received a referral.

Consultation with prosecutor: Two (2) children did not consult with the prosecutor. The majority of the consultations took place in the prosecutor's office, while one took place in the waiting room, one in the passage and one in the testifying room.

Presence of anybody else: In five (5) cases the parents were present during the consultation.

Use of AD dolls: Three (3) children used the anatomical dolls in their consultations.

Language problems: None of the children experienced language problems.

Child waiting room: There was a waiting room for children.

Appearance of waiting room: the children all liked the appearance of the room, especially because there were toys there, although some of the older children found it hot, cramped and boring.

Toys: There were toys in the room.

Television: There was a television, and most of the children watched soaps and cartoons.

Books: There were books and most of the children paged through them.

Place of testifying: All the children testified in the testifying room. Some of the children liked the testifying room and said it was "cool." Another said that it was "comfortable and safe from the accused."

Access to interpreter: the children were unsure about the interpreter because they could not see in the court.

Access to intermediary: All of the children, except one (1) had access to an intermediary.

Accused identification: The children did not have to identify the accused in court.

Water: The children in the testifying room all had access to water.

AD dolls in court: Five (5) children used the anatomical dolls in court. Again, there were divergent opinions. Some said the dolls were “nice,” “beautiful,” “well-dressed” while others said they were “scary.”

Support person: All the children were accompanied by a support person, who was usually a close family member.

Access to witness fees: All of the children got witness fees.

Organisation of witness fees: These were organised by a variety of people, including the court clerk, the court preparation officer, the intermediary and the prosecutor. The witness fees were used for transport and food.

Availability of food: Eight (8) children were given food. The food included cornflakes or wheatbix in the morning, and noodles and bread for lunch.

Time of witness fees: The witness fees were given after the children testified, except in one (1) case where the fees were given early in the morning.

Witness fees for accompanying person: All the accompanying persons received witness fees.

Information about court dates: All the participants received information about the court dates, which they got from the intermediary, the court preparation officer and the investigating officer. Only three (3) participants were given information about postponements.

Bail: Only two (2) participants were informed about bail, and it was discussed with only one (1) participant.

8.8 Mkobola

8.8.1 Adults

Personal information: Fifteen (15) adults were interviewed at Mkobola. There were two (2) males and thirteen (13) females, aged between 21 and 64. Only one person had a disability, namely partial blindness. Five (5) described themselves as straight in terms of sexual orientation while the rest chose not to answer the question. All the charges were rape.

Court easily found: All of the participants found the court quite easily, except for one.

Signage available: Although there was signage, the majority of the participants needed assistance to find the court, and were helped by the security or police.

Met at entrance and by whom: Six were met at the entrance by police or security.

Contact made by CPO before court: Contact was made by investigating officers or police.

Meet CPO: Five (5) of the participants did not meet the court preparation officer while ten (10) did.

Informed of available services: Six (6) were informed of the services available.

Had court preparation: Ten (10) participants received court preparation, but in some instances the preparation had been done by the investigating officers.

Time of court preparation: The majority of the participants received court preparation on the day of the trial but some received it before the trial.

Explanation of court procedure: Thirteen (13) participants had received information about court procedure, but some had obtained this information from the investigating officers and prosecutors.

Visit to courtroom: Nine (9) participants were taken to see the courtroom.

Introduction to court officials: Six participants were introduced to court officials, who included the magistrate, the prosecutor, the intermediary and the interpreter.

Debriefing received: Only five (5) participants received debriefing.

Where and when was debriefing received: Debriefing was provided by the court in only one instance. In all other cases, debriefing was offered by a social worker or the police. Debriefing took place before the trial, except in one case when it took place after the trial.

Court referral: Only two (2) participants received referrals for counselling.

Consultation with prosecutor: Five (5) participants did not consult with the prosecutor before they testified. For those who did consult, the consultations took place in the prosecutor's office, the court and the children's waiting room.

Presence of anybody else: In six (6) instances there was another person present during the consultation, and this included the investigating officer and other witnesses.

Language problems: Three (3) participants said that they experienced problems with language.

Adult waiting room: There is no adult waiting room. The participants all waited in the public area in the passage, except for one (1) witness who waited in the children's waiting room. One of the participants said that she did not feel safe because the accused was also sitting there.

Place of testifying: All the participants testified in the main courtroom.

Information about testifying outside courtroom: Only two (2) participants said that they had received information about being able to testify outside the courtroom.

Access to interpreter: All the participants had access to an interpreter.

Support person: Nine (9) participants had brought support persons to court with them, and these included family and friends.

Access to witness fees: Five (5) participants did not get witness fees. **Organisation of witness fees:** The witness fees of those who did receive them were organised by court personnel, prosecutors and even the investigating officer assisted.

Time of witness fees: Witness fees were all given after the witnesses testified.

Use of witness fees: Witness fees were used for transport and food.

Witness fees for accompanying person: Five (5) accompanying persons also received witness fees.

Information about court dates: Thirteen (13) participants had received information about court dates from the police. All of them received information about postponements and in most cases reasons were supplied.

Bail: Only two (2) participants received information about bail, and bail was discussed with none of them.

8.8.2 Children

Personal information: Only two (2) children were interviewed in Mkokobola. They were both female, aged 18 and 20, although they were both under 18 when they testified. The one (1) described herself as straight in terms of sexual orientation, while the other did not wish to answer the question. Both matters were charges of rape,

Met at entrance and by whom: The witnesses were not met at the entrance.

Contact made by CPO before court: Witnesses were informed about the court date by the investigating officer.

Meet CPO: Both witnesses met the court preparation officer.

Informed of available services: They were not informed of available services.

Had court preparation: They had both received court preparation, but the one (1) clarified it as being “just a bit.”

Time of court preparation: one (1) received it on the day of the trial and the other received it before and on the day of the trial.

Explanation of court procedure: Both girls received information about court procedure.

Visit to courtroom: One (1) was taken to see the court, and one (1) was not.

Introduction to court officials: They were not introduced to the court officials.

Debriefing received: None of the children had received debriefing.

Where and when was debriefing received: None of the children had received debriefing.

Court referral: Only one (1) child had received a referral.

Consultation with prosecutor: They did not consult with the prosecutor.

Presence of anybody else: They did not consult with the prosecutor.

Use of AD dolls: They did not consult with the prosecutor.

Language problems: They did not consult with the prosecutor.

Child waiting room: One (1) child used the waiting room while the other had to use the public waiting area.

Appearance of waiting room: The child said she did not like the room.

Toys: There were no toys.

Television: There was a television but she did not watch.

Books: There were no books.

Place of testifying: One (1) child testified in the testifying room, and one child (1) testified in the main courtroom. She described it as comfortable but she was scared.

Information about testifying outside courtroom: They did not receive this information.

Access to interpreter: Both had access to an interpreter.

Access to intermediary: The one (1) child who testified in the testifying room had access to an intermediary.

Accused identification: The one (1) child in the testifying room had to identify the accused and had to go into the main courtroom to do so.

Water: There was water to drink in the testifying room.

AD dolls in court: The dolls were not used.

Support person: Both children brought family members as support.

Access to witness fees: One (1) child got witness fees and the other did not. The witness fees were used for transport.

Organisation of witness fees: The child who got witness fees could not remember who had organised it.

Availability of food: They were not given food.

Time of witness fees: She had received it after she testified.

Information about court dates: Both the girls were given information about court dates by the investigating officer.

Bail: The children did not receive information about bail, nor was it discussed with them.

8.9 Barkley West

8.9.1 Adults

Personal information: Ten (10) adults were interviewed. The adults were all female and aged between 21 and 45. In terms of sexual orientation, two (2) described themselves as straight, one (1) as bisexual while the other seven (7) chose not to answer the question. All matters involved charges of rape.

Court easily found: Four (4) said that it had been difficult to find the court, while six (6) had found it easily.

Signage available: Most of the participants noticed the signage, although one (1) said that she was not sure as she had been too scared to even notice.

Met at entrance and by whom: Nine (9) of the participants were met at the entrance. They were met by different personnel, including prosecutor, security officer and police.

Contact made by CPO before court: Seven (7) participants were contacted by the court, but they did not know by whom as the court does not have a court preparation officer.

Meet CPO: There is no court preparation officer at the court.

Informed of available services: None of the adults were informed of available services.

Had court preparation: All the adults received court preparation, and this was given to them by the prosecutor.

Time of court preparation: Four (4) of the participants received it before the day of the trial and six (6) received it on the day of the trial.

Explanation of court procedure: All of the participants were informed about the court procedure.

Visit to courtroom: Except for two (2) participants, all the participants were taken to see the courtroom.

Introduction to court officials: Only three (3) participants were introduced to the magistrate and the prosecutor.

Debriefing received: Two (2) received debriefing, but not at court.

Where and when was debriefing received: One (1) received it at hospital and the other from a social worker. In both instances the debriefing took place before the trial.

Court referral: None of the participants were referred for counselling.

Consultation with prosecutor: All of the adults, except one, consulted with the prosecutor. The consultations took place in the prosecutor's office.

Presence of anybody else: Nobody else was present during the consultation, except in one instance the mother was present.

Language problems: None of the witnesses experienced language problems.

Adult waiting room: The court does not have an adult waiting room. One (1) of the participants said that she would have liked to wait in a separate place because she had to wait with the accused, and another said that she was scared because she had to sit near the accused.

Place of testifying: All of the adults testified in the main courtroom, except for one (1) as the accused pleaded guilty just before she had to testify.

Information about testifying outside courtroom: Five (5) were informed that they could testify outside the courtroom.

Access to interpreter: All of the adults had access to an interpreter.

Support person: Six (6) participants were accompanied by a support person.

Access to witness fees: Four (4) participants did not get witness fees.

Organisation of witness fees: The witness fees were organised by different people, including the clerk, the stenographer, the cashier and the prosecutor.

Time of witness fees: Witness fees were dispensed after the witness testified.

Use of witness fees: Witness fees were used for food and transport, and one (1) participant used the fees to buy electricity.

Witness fees for accompanying person: In the case of two (2) participants, witness fees were also given to the person accompanying them.

Information about court dates: The participants all received information about court dates, but mostly by subpoena. Three (3) did not receive any information about postponements, and only one (1) participant was given reasons for the postponement.

Bail: Five (5) participants received information about bail, and it was discussed with only four (4) of them.

8.9.2 Children

Personal information: Twelve (12) children took part in the survey. There were 10 females and 2 males, aged between 9 and 20. In terms of sexual orientation, three (3) children described themselves as straight, and the other nine (9) chose not to answer the question. The charges were as follows: two (2) sexual assault; one (1) attempted rape, and nine (9) of rape.

Met at entrance and by whom: Four (4) children were met at the entrance, two (2) by court officials and two (2) by the prosecutor.

Contact made by CPO before court: There is no court preparation officer at the court.

Meet CPO: There is no court preparation officer at the court.

Had court preparation: Nine (9) children had received court preparation, although one (1) said that it had only lasted about 5 minutes.

Time of court preparation: Four (4) children received the court preparation before the day of the trial while the remainder received court preparation on the day of the trial.

Visit to courtroom: Ten (10) of the children were taken to see either the courtroom or the testifying room.

Introduction to court officials: Three (3) participants were introduced to court officials, although they could not remember who they were.

Debriefing received: Five (5) children received debriefing.

Where and when was debriefing received: Only one child received debriefing at the court. The debriefing was done by police and social workers. Four (4) received it before the trial and one (1) after the trial.

Court referral: Three (3) children were referred for counselling.

Consultation with prosecutor: Eleven (11) participants consulted with the prosecutor before the trial. The consultations all took place in the prosecutor's office, except for one, which took place in court.

Presence of anybody else: In 5 instances there was another person present at the consultation, the one being a mother.

Use of AD dolls: Three children used anatomical dolls during the consultation.

Language problems: None of the children experienced language problems.

Child waiting room: There is no waiting room for children at Barkley West.

Appearance of waiting room: There is no waiting room for children.

Toys: There is no waiting room for children.

Television: There is no waiting room for children.

Place of testifying: Five (5) children testified in the main courtroom and seven (7) testified in the testifying room.

Information about testifying outside courtroom: Six (6) participants received information about testifying outside the courtroom.

Access to interpreter: All participants had access to an interpreter, although one (1) was not sure.

Access to intermediary: Those participants who testified in the testifying room had access to the services of an intermediary.

Accused identification: Only two (2) participants had to identify the accused and they had to do this in the main courtroom.

Water: Those who testified in the testifying room had access to water.

AD dolls in court: Only two (2) children made use of the anatomical dolls in court.

Support person: The children were all accompanied by a support person, except one (1) child. The support persons were all close family members.

Access to witness fees: Four (4) children did not receive witness fees.

Organisation of witness fees: Witness fees were organised by the cashier, clerk of the court and the prosecutor.

Availability of food: No food was provided.

Time of witness fees: All witness fees were paid after the witnesses testified

Information about court dates: Only one child had not been give information about court dates, and three (3) had not been informed about postponements.

Bail: Six (6) received information about bail.

8.10 Botshabelo

8.10.1 Adult

Personal information: Ten (10) adults were interviewed in the survey. All the adults were female, between the ages of 26 and 78. Three (3) identified themselves as having disabilities: one (1) had an eyesight disability due to age; one (1) suffered from epilepsy; and one (1) had a physical disability due to the injuries received in the attack. In terms of sexual orientation, one (1) witness described herself as straight, four (4) as lesbian, one (1) as bisexual, and four (4) chose not to answer the question. All charges were that of rape.

Court easily found: Four (4) participants said that they had found the court easily, although one said that she had been collected and taken to court.

Signage available: Five (5) of the participants had seen signage.

Met at entrance and by whom: Eight (8) had been met at the entrance, mostly by the security but once by a court orderly.

Contact made by CPO before court: Eight (8) of the participants had been contacted before the court date but these contacts had been made by police. The other two (2) received subpoenas.

Meet CPO: Five (5) participants had met the court preparation officer.

Informed of available services: Six (6) were informed about the services available, some by the prosecutor while others could not remember who had told them.

Had court preparation: Eight (8) had received court preparation, two (2) of them by the prosecutor.

Time of court preparation: Four (4) had received court preparation on the day of the trial and four (4) the day before the trial.

Explanation of court procedure: Eight (8) received explanations about court procedure, but some of these were given by the prosecutor.

Visit to courtroom: Five (5) of the participants were taken to see either the court room or the testifying room.

Introduction to court officials: Only three(3) participants were introduced to court officials but they were not sure who they were.

Debriefing received: Four (4) received debriefing.

Where and when was debriefing received: Two (2) of the participants received debriefing at court, one from a social worker and one from a psychologist organised at the hospital. For two (2) participants the debriefing took place before the trial, for one (1) on the day of the trial while the other received debriefing before, during and after the trial.

Court referral: Only one (1) participant was referred for counselling by the court while another was referred by the investigating officer.

Consultation with prosecutor: Eight (8) participants consulted with the prosecutor before the trial. The consultations took place in the prosecutor's office.

Presence of anybody else: In two (2) instances family members were present.

Language problems: there were no language problems experienced.

Adult waiting room: There is no adult waiting room. Five (5) participants waited on benches in the passage; four (4) waited in the prosecutor's office; and one (1) waited in the testifying room.

Place of testifying: All participants testified in the main courtroom.

Information about testifying outside courtroom: Only two (2) participants were informed about testifying outside of the courtroom. One (1) participant was informed that she had to testify in the court room.

Access to interpreter: All participants had access to an interpreter.

Support person: Only one (1) person did not bring an support person with. The rest of the participants brought a close family member with them, ranging from a husband to a parent.

Access to witness fees: Only one (1) of the ten (10) participants received witness fees.

Organisation of witness fees: The witness fees were organised by the prosecutor.

Time of witness fees: The witness fees were received after the witness testified.

Use of witness fees: The witness fees were used for transport and food.

Witness fees for accompanying person: In only one instance did the accompanying person get witness fees.

Information about court dates: All, except one (1), received information about the court dates, primarily from the police although once in court. In the majority of cases reasons were given for postponements.

Bail: No information was given to any of the participants about bail and it was not discussed with them at all.

8.10.2 Children

Personal information: Eight (8) children were interviewed. There were seven (7) females and one (1) male, aged between 6 and 22. Three (3) participants identified themselves as straight, three (3) as lesbian and two (2) chose not to answer the question. All charges were that of rape.

Met at entrance and by whom: Six (6) participants were met at the gate by the security officer.

Contact made by CPO before court: Contact before the trial was made by police or by subpoena, not by the court preparation officer.

Meet CPO: Four (4) participants said that they had met the court preparation officer and one (1) was not sure.

Had court preparation: Five (5) of the children had received court preparation, one (1) by the intermediary. The one (1) child said that she had not received any court preparation and her brother had to explain to her what was going to happen.

Time of court preparation: The time of the court preparation varied. It was either before the day of the trial or on the day of the trial.

Explanation of court procedure: Those who received court preparation were informed about court procedure.

Visit to courtroom: Those who received court preparation were taken to see the testifying room and the courtroom, although one (1) said that she had been shown the courtroom through the mirror in the testifying room.

Introduction to court officials: Five (5) children were introduced to court official, who included the intermediary, the interpreter and the prosecutor.

Debriefing received: Four (4) people had received debriefing, and one (1) had received "only a little bit with the prosecutor."

Where and when was debriefing received: Except for the one (1) child who had received a little debriefing from the prosecutor, two (2) had received it from social workers and two (2) from the hospital. All of the debriefing took place before the trial, except in one instance where the debriefing continued during and after the trial.

Court referral: Only two referrals were made. The one (1) child asked for a referral and was told that they would get back to her but they never did.

Consultation with prosecutor: Five (5) of the children consulted with the prosecutor before the trial. The consultations took place in the prosecutor's office, except for one (1) which took place in the testifying room.

Presence of anybody else: Nobody else was present during the consultations.

Use of AD dolls: Anatomical dolls were used in two instances.

Language problems: No language problems were experienced.

Child waiting room: There is no waiting room for children at the court. Four (4) of the children waited on benches in the passage; three (3) waited in the testifying room; and one (1) waited in an office. The one (1) child who waited in the testifying room said that she felt "alone and afraid and scared."

Appearance of waiting room: There is no waiting room for children at the court.

Toys: There is no waiting room for children at the court.

Television: There is no waiting room for children at the court.

Place of testifying: All of the children testified in the testifying room, except one (1) where the accused pleaded guilty in the course of the trial just before the child had to testify.

Access to interpreter: All participants had access to the services of an intermediary.

Access to intermediary: All the children who used the testifying room had access to an intermediary.

Accused identification: Only one (1) child had to identify the accused, which she did through the glass mirror between the court and the testifying room.

Water: There was water in the testifying room and tissues.

AD dolls in court: Although only two (2) children had made use of the anatomical dolls, the other children had seen them. Their opinions about the dolls varied from "I saw them and they relieved my stress because I laughed" to "they were creepy and unpleasant."

Support person: All of the children were accompanied by a support person.

Access to witness fees: Only four (4) children got witness fees, and the one said that she only got it because she phoned and organised it ahead of time with the cashier.

Organisation of witness fees: Where applicable, these were organised by the prosecutor or the cashier.

Availability of food: Two (2) children received food. One was given a sandwich from Shoprite, and the other received buttered bread and some snacks.

Time of witness fees: The witness fees were received after testifying.

Information about court dates: The witnesses all received information about court dates from the police. They were also informed of postponements, sometimes with reasons and sometimes without.

Information about postponements:

Bail: Only three (3) children were informed about bail, but mainly through the community. Bail was not discussed with any of them.

9 FINDINGS

9.1 The satisfaction of witnesses interviewed was directly proportional to the sensitivity and warmth that they received at the hands of court personnel. Even in the badly resourced courts, the witnesses were happy with the services because they had

been treated so well by staff members, who had gone out of their way to assist them. This is an important finding since it shows that the quality of trained and specialised staff should be given greater priority than the physical resources.

- 9.2** The research also highlighted the fact that services were dependent on the dedication of individual staff members. For instance, in some courts the court preparation officer took responsibility for assisting the witness with witness fees, and in these instances the witnesses all received their fees. In other courts, witnesses were assisted by the prosecutor, cashiers, the intermediary or anybody who was willing to assist. In these cases the witnesses did not receive proper assistance. It is, therefore, important that roles of court personnel be clarified and responsibilities be assigned for the purposes of monitoring.
- 9.3** 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 children particularly enjoyed watching television while they waited. Some of the children even said that they felt safe in the waiting rooms, whereas those who waited in the passages commented that they had been afraid of seeing the accused.
- 9.4** None of the courts had a waiting room especially assigned to adults, which meant that the adults had to sit in the passages or outside. A number of the witnesses complained that they were afraid sitting in the passages as they had to sit near the accused.
- 9.5** A number of the witnesses experienced difficulty in finding the sexual offences courts, and had to be assisted by the security officers stationed at the entrance.
- 9.6** From the interviews, it became clear that 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 the majority of cases, witnesses were informed of available services and were taken to see the court and/or the testifying room only where there were court preparation officers stationed at the court.
- 9.7** Only 76% of the witnesses interviewed received court preparation, and a few of the witnesses complained that the court preparation had been very brief. Most of the court preparation had taken place on the day of the trial. Since research has shown that court preparation has an important impact on the effectiveness of a witness, it is vital that all the witnesses receive court preparation. It would be preferable that the preparation take place before the day of the trial to reduce stress.
- 9.8** Only 56% of the adults and 45% of the children received debriefing, most of which was offered by NGOs. Since testifying in cases of sexual violence can be traumatic, it is essential that witnesses receive debriefing after they have testified.
- 9.9** Only 29% of adults and 23% of children received referrals for counselling. One participant said that she had approached the court preparation officer for a referral and had been told that they would get back to her, but they never did. 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.

- 9.10** Only 77% of adults and 80% of children reported having consulted with the prosecutor before they testified. Some witnesses said they saw the prosecutor for the first time when they were testifying in court. It is essential that every witness be accorded an opportunity to consult with the prosecutor before the witness testifies in court.
- 9.11** There were no information booklets available in Braille at any of the courts.
- 9.12** 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.
- 9.13** 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.

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

Table 11. FINDINGS

FACILITY	PERCENTAGE OF VICTIM SATISFACTION
SIGNAGE	44%
WHEELCHAIR ACCESSIBILITY	89%
SEPARATE ENTRANCE FOR VICTIM	0%
CHILD WAITING ROOM	56%
AIRCON IN CHILD WAITING ROOM	11%
AVAILABILITY OF FRIDGE	22%
LAYOUT PLAN	0%
PRIVATE TOILET CHILD	0%
BRILLE BOOKS	0%
TESTIFYING ROOM	96%
AIRCON TESTIFYING ROOM	0%
AVERAGE FACILITY	29%
ADULT	
ADULT WAITING ROOM	0%
FOUND COURT EASILY	69%
MET AT ENTRANCE	64%
MET CPO	56%
INFORMED OF AVAILABLE SERVICES	54%
COURT PREPARATION	76%
VISIT COURT	63%
DEBRIEFING	56%
COURT REFERRAL	29%
CONSULTATION	77%
ACCESS TO INTERPRETER	96%
ACCESS TO WITNESS FEES	68%
ACCESS TO ADULT WAITING ROOM	0%
ACCESS TO PRIVATE TOILET	0%

AVERAGE ADULT	51%
CHILDREN	
MET AT ENTRANCE	55%
MET CPO	82%
INFORMED OF AVAILABLE SERVICES	62%
COURT PREPARATION	86%
VISIT COURT	81%
DEBRIEFING	45%
COURT REFERRAL	23%
CONSULTATION	80%
ACCESS TO WITNESS FEES	88%
ACCESS TO TESTIFYING ROOM	88%
ACCESS TO INTERMEDIARY	78%
ACCESS TO CHILD WAITING ROOM	74%
ACCESS TO PRIVATE TOILET	0%
AVERAGE CHILD	65%
OVERALL AVERAGE	48%

10 RECOMMENDATIONS

- 10.1** Emphasis should be placed on the training and specialisation of court personnel who come into contact with witnesses of sexual offences. Training should also include etiquette training and the clarification of roles and responsibilities.
- 10.2** The roles and responsibilities of court personnel need to be clarified to ensure that the delivery of services can be monitored.
- 10.3** There must be waiting rooms specifically set aside for children in the court building, which contain toys to keep the children entertained. Where possible, televisions should be available for children to watch, as it helps them to relax.
- 10.4** There must be waiting rooms assigned to adult victims of sexual offences to protect them from having to come into contact with the accused.
- 10.5** Signage to the sexual offences courts should be clear to enable witnesses to access the courts easily.
- 10.6** Court preparation officers must be assigned to all courts to ensure that witnesses receive proper services.
- 10.7** 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.
- 10.8** Witnesses of sexual offences must receive debriefing after they have testified and the responsibility for ensuring this must be assigned to a court official.
- 10.9** 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.
- 10.10** All witnesses must be afforded an opportunity to consult with the prosecutor before they testify.
- 10.11** Information brochures must be made available in Braille at the courts.
- 10.12** 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.
- 10.13** 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.

ATTACHMENT A

QUESTIONNAIRE: VICTIM SATISFACTION RE SUPPORT SERVICES IN SEXUAL OFFENCES COURTS

1. PROFILE OF COURT

- 1.1 Province:
- 1.2 Name of the Court:
- 1.3 Courtroom number:
- 1.4 Regional Court or High Court:
- 1.5 Rural/ Urban/ Semi-Rural

2. PROFILE OF PARTICIPANT

- 2.1 Male/ Female:
- 2.2 Age:
- 2.3 Disability (if any):
- 2.4 LGBTI:
- 2.5 Charge:
- 2.6 Has the witness testified:
- 2.7 Witness/ Victim:

3. PHYSICAL ACCESS TO COURT

- 3.1 Did you find the court easily?
- 3.2 Were there signs that helped you find the courtroom?
- 3.3 Did anybody meet you at the entrance to the court building?
- 3.4 If yes, who was it?
- 3.5 If using a wheelchair, was the court accessible by wheelchair?
- 3.6 Is there a separate entrance in the court for witnesses?
- 3.7 How far is the applicable court from this entrance?
- 3.8 If there is only one entrance, how far is it from the court?
- 3.9 Are there any plans in place to ensure that the child does not come into contact with the accused?

4. COURT PREPARATION

- 4.1 Did the court preparation officer phone you/ speak to you/ contact you the day before court?
- 4.2 Did you meet the court preparation officer?
- 4.3 Were you informed about the services available to you?
- 4.4 Did they do court preparation with you?
- 4.5 When did they do court preparation with you?
 - 4.5.1 Before the trial?

- 4.5.2 On the day of the trial?
- 4.6 Did they explain what would happen in court?
- 4.7 Did they take you to see the courtroom/ testifying room?
- 4.8 Did they introduce you to anyone in the court?
- 4.9 If so, to whom?
- 4.10 Have you received any debriefing (counselling)?
- 4.11 Where did you get this debriefing?
- 4.12 Did anybody at the court organise a referral for you?
- 4.13 Did you get debriefing:
 - 4.13.1 Before the trial?
 - 4.13.2 During the trial?
 - 4.13.3 After the trial?

5. CONSULTATION ROOM

- 5.1 Did you talk to the prosecutor?
- 5.2 Where did you talk to the prosecutor?
 - 5.2.1 Private consultation room
 - 5.2.2 Prosecutor's office
 - 5.2.3 Passage
 - 5.2.4 Waiting room
 - 5.2.5 Court
 - 5.2.6 Other
- 5.3 Was anybody else in the room when you spoke to the prosecutor?
- 5.4 Did the prosecutor let you use dolls to explain what happened?
- 5.5 Did you have any language problems?

6. WAITING ROOM: CHILDREN

6.1 For Child

- 6.1.1 Was there a room where you waited?
- 6.1.2 What did the waiting room look like?
- 6.1.3 Did you like the waiting room?
- 6.1.4 Did the waiting room have toys to play with?
- 6.1.5 Was there a TV (information screen) in the waiting room?
- 6.1.6 Did you watch the TV?
- 6.1.7 What did you watch?
- 6.1.8 Where there any books (pamphlets/ brochures) to read in the waiting room?
- 6.1.9 Did you look at them?

6.2 For Interviewer

- 6.2.1 Is there a waiting room specifically for children?
- 6.2.2 What furniture is in the waiting room?
- 6.2.3 Is there an air conditioner in the room?

- 6.2.4 Is there a facility to prepare basic refreshments (fridge/ microwave)?
- 6.2.5 Is there a private toilet?
- 6.2.6 Is there a bed or couch where the child can sleep or rest?
- 6.2.7 Is there a layout plan of the basic facilities available in the waiting room?

7. WAITING ROOM: ADULTS

7.1 For Adult:

- 7.1.1 Was there a waiting room where you could wait?
- 7.1.2 What did the waiting room look like?
- 7.1.3 Was it comfortable?
- 7.1.4 Was there an information screen in the waiting room?
- 7.1.5 Did you watch it?
- 7.1.6 If so, was it useful?
- 7.1.7 Were there any books, pamphlets or brochures in the rooms?
- 7.1.8 Were the books in your language?
- 7.1.9 Did you read any of them?

7.2 For Interviewer:

- 7.2.1 Is there a private waiting room for adults?
- 7.2.2 What furniture is in the waiting room?
- 7.2.3 Is there an air conditioner in the room?
- 7.2.4 Is there a facility to prepare basic refreshments?
- 7.2.5 Is there a private toilet?
- 7.2.6 Were there any Braille books available?

8. WHERE DID YOU TESTIFY

- 8.1 Did you testify in the Main Courtroom or in the Testifying Room?
- 8.2 Did they explain that you can ask to testify outside courtroom?
- 8.3 Did you have an interpreter in court?

9. TESTIFYING ROOM

(If witness testified in testifying room)

9.1 For Participant

- 9.1.1 If child, was there an intermediary with you in the room?
- 9.1.2 If adult, did you have someone with you for support in the room?
- 9.1.3 Was there a TV screen (monitor) in the room?
- 9.1.4 Did you have to show (identify) who the accused was?
- 9.1.5 Did you use the TV screen to show who the accused was?
- 9.1.6 What did the room look like?
- 9.1.7 Was the chair comfortable?
- 9.1.8 Was there water for you to drink?

9.2 For Interviewer

9.2.1 Did the testifying room have an air conditioner?

9.2.2 What furniture was in the room?

10. ANATOMICAL DOLLS

10.1 Did the intermediary ask you to point things out on a doll when you were testifying?

10.2 If so, what did you think of the dolls?

11. SUPPORT PERSON

11.1 Did somebody come to court with you?

11.2 Did they wait in the waiting room with you?

12. WITNESS FEES

12.1 Did you receive your witness fees?

12.2 Who organized them for you?

12.3 When did you get them?

12.3.1 Early in the morning?

12.3.2 After you testified?

12.4 What did you use the money for?

12.5 If a child, did anybody give you anything to eat?

12.6 If so, what?

12.7 Did the person accompanying you also get witness fees?

13. PROVISION OF INFORMATION BY PROSECUTOR

13.1 Did anyone give you information about court dates?

13.2 Did anyone give you information about postponements and reasons for the postponements?

13.3 Did they inform you whether the accused applied for bail?

13.4 Did they discuss the bail with you?

ATTACHMENT B

TABLE 1: COURT FACILITIES

COURT	PRETORIA NORTH	GA-RANKUWA	KHAYELITSHA	ZWELITSHA	BARKLEY WEST	SIBASA	MADAD ENI	MKOBOLA	BOTSHABELLO
SIGNAGE	BASIC AND ADEQUATE; IN ENGLISH, AFRIKAANS & TETSWANE	NO SIGNAGE	SIGNAGE AT ENTRANCE ONLY TO COURTS. NO SIGNAGE AT INTERMEDIARY ROOM. SIGNAGE NOT CLEAR. HELP DESK AT RECEPTION	SIGNAGE NOT GOOD. SECURITY ESCORT OR PHONE FOR PEOPLE TO BE FETCHED	SIGNAGE NOT AVAILABLE. SIGNAGE FOR WHEELCHAIR FADED DO NOT BE READ	NO SIGNAGE. NAMES AND NUMBERS ON DOORS, SIGNAGE SHOWING PUBLIC WAITING ROOM ONLY	NO SIGNAGE TO SEXUAL OFFENCES COURT ITSELF	NO SIGNAGE EXCEPT NUMBERS ON DOORS	SIGNAGE AVAILABLE. QUITE GOOD
WHEELCHAIR ACCESSIBLE	WHEELCHAIR ACCESSIBLE; WHEELCHAIRS AVAILABLE; SECURITY ASSISTS	NO	YES FOR TESTIFYING ROOM AND INTERMEDIARY OFFICE BUT NOT FOR WAITING ROOM	WHEELCHAIR LIFT. 2 COURTS USED FOR SEXUAL OFFENCES AND 1 IS WHEELCHAIR ACCESSIBLE	YES BUT SIGN FOR WHEELCHAIR ACCESSIBILITY FADED AND CANNOT GET UP WHEELCHAIR RAMP WITHOUT ASSISTANCE	THE PROSECUTOR OFFICE AND ONE COURT WHEELCHAIR ACCESSIBLE / ALSO TOILET	YES	WHEELCHAIR RAMP TO GET INTO BUILDING AND POSSIBLE TO GET TO COURT	YES. RAMP AND ACCESS TO COURT
SEPARATE ENTRANCE FOR VICTIMS	ONLY MAIN ENTRANCE; 80 - 100M FROM ENTRANCE	NO	NO BUT THERE IS A POSSIBILITY OF MAKING ONE	NO. SOMETIMES THEY BRING THE CHILDREN THROUGH THE STAFF PARKING LOT BUT DOESN'T HAPPEN OFTEN	NO. THERE IS A COMPLETE SEPARATE ENTRANCE BUT LOCKED AND NEVER USED	MULTIPLE ENTRANCES TO COURT	THERE IS A SEPARATE ENTRANCE BUT NOT USED BECAUSE THE KEY IS LOST	NO BUT IS POSSIBLE. THERE IS ANOTHER LOCKED ENTRANCE	NO
WAITING ROOM FOR CHILDREN	YES	MAKESHIFT WAITING ROOM IN MOBILE UNIT OR CHILDREN WAIT IN INTERMEDIARY OFFICE	YES BUT SHARED WITH ADULTS	YES IN ACCESS CONTROLLED PASSAGE	NO. CHILDREN WAIT IN A SECTION OF THE PASSAGE	YES. HAVE A WENDY HOUSE WHERE THE CHILDREN WAIT	YES. VERY BAD CONDITION	YES. JUST FOR CHILDREN. THE NICEST OF ALL THE COURTS.	NO. CHILDREN WAIT IN PASSAGE OUTSIDE COURT
FURNITURE IN CHILD WAITING ROOM	6 CHAIRS, SMALL PLASTIC TABLE WITH FOUR SMALL CHAIRS, 2 BROKEN TELEVISION SETS AND BOXES OF	BUNK BED, COUCH, CHAIRS AND SMALL TABLE	COUCH, CHAIRS, TABLE, 2 X TV, CUPBOARD AND DOLL HOUSE AND TOYS	COUCH, LOTS OF CHAIRS, CRAMPED. TV. TOYS	N/A	WAITING ROOM SPLIT INTO OFFICE AND WAITING ROOM. CHAIRS, KIDDY CHAIRS AND BROKEN TV	BENCH, AND TV ON A PLASTIC TABLE AND ONE SMALL PLASTIC CHAIR	2 VERY COMFORTABLE COUCHES. A TV AND A BOX FULL OF TOYS. LITTLE TABLE AND CHAIRS.	N/A

COURT	PRETORIA NORTH	GA-RANKUWA	KHAYELITSHA	ZWELITSHA	BARKLEY WEST	SIBASA	MADAD ENI	MKOBOLA	BOTSHABELLO
	COLOURING BOOKS								
AIRCON	YES	BROKEN	NO	NO	NO	NO. FAN BUT DIDN'T WORK	NO.	AIRCON BROKEN. FAN	N/A
FRIDGE OR MICROWAVE	NO	YES	NO	NO. USE STAFF FRIDGE	NO	FRIDGE	NO	FRIDGE AND MICROWAVE	N/A
BED OR COUCH TO SLEEP	NO	YES	YES	COUCH	NO	NP	NP	YES, VERY COMFORTABLE	N/A
LAYOUT PLAN	NO	NO	NO	NO	YES BUT IN COURT PASSAGE	NO	NO	NO	NO
PRIVATE TOILET	NO. USE PUBLIC TOILETS. SOMETIMES LET CHILDREN USE STAFF TOILETS	MOBILE ONE WHERE ACCUSED WAITS. USED BY OTHER MEMBERS OF PUBLIC	NO. USE PUBLIC TOILET. DISGUSTING CONDITION, DOORS DON'T CLOSE PROPERLY. NO TOILET PAPER. NO TOILET SEATS	CHILDREN SOMETIMES ALLOWED TO USE STAFF TOILETS. ADULTS USE PUBLIC TOILETS	NO. USED PUBLIC TOILETS	NO. PUBLIC TOILETS PROBLEMATIC DUE TO WATER ISSUES	NO	NO. POTENTIALLY ONE THAT COULD BE USED BUT NOT IN WORKING ORDER. PUBLIC TOILETS IN ATROCIOUS CONDITION	NO
PRIVATE WAITING ROOM FOR ADULT VICTIMS	NO; WAIT ON BENCHES IN PASSAGE	NO, SHARE CHILD WAITING ROOM	NO. SHARE WITH CHILDREN OR WAIT OUTSIDE	NO. WAIT ON BENCHES OUTSIDE THE COURT ROOM	NO BUT ROOM THAT CAN BE USED	NO. LET ADULTS WAIT IN CHILD WAITING ROOMS IF TRAUMATISED	NO	NO	NO
FURNITURE IN ADULT WAITING ROOM	NO	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
AIRCON	NO	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
FRIDGE OR MICROWAVE	NO	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
PRIVATE TOILET FOR ADULTS	NO	N/A	NO. USE PUBLIC TOILETS	USE PUBLIC TOILETS	NO	NO	NO	NO	NO
BRILLE BOOKS	NO	NO	NO	NO	NO	NO	NO	NO	NO
TESTIFYING ROOM	YES	YES IN INTERMEDIARY OFFICE	YES. IN INTERMEDIARY OFFICE	SEPARATE ROOM ALSO USED AS THOROUGHFARE BETWEEN FRONT ENTRANCE OF BUILDING AND OFFICES BY STAFF	YES.	YES IN INTERMEDIARY'S OFFICE	YES. IN ROOM WITHOUT PROPER FURNITURE AND STORES PAPER	YES IN INTERMEDIARY'S OFFICE	YES. ATTACHED TO COURT WITH MIRROR
FURNITURE IN TESTIFY	A TABLE, 2 CHAIRS AND A	OFFICE FURNITURE AND	OFFICE FURNITURE AND	TABLE AND 2 CHAIRS	TABLE, 2 CHAIRS NO,	OFFICE FURNITURE. VERY	4 CHAIRS AND	OFFICE FURNITURE, EXTRA	TABLE, WOODEN BENCH, 2

COURT	PRETORIA NORTH	GA-RANKUWA	KHAYELITSHA	ZWELITSHA	BARKLEY WEST	SIBASA	MADAD ENI	MKOBOLA	BOTSHABELO
NG ROOM	BOX OF BOOKS	CHAIRS WITH SOME PICTURES	CHAIRS WITH SOME PICTURES AND TABLE		TESTIFYING MACHINE AND HEATER	CRAMPED. EXTRA CHAIRS.. SUN SHINES VERY BRIGHTLY SO THAT COURT CAN'T SEE CHILD. STUCK NEWSPAPER ON WINDOW	TESTIFYING MACHINE AND RUBBISH IN CORNER	TABLE, 3 CHAIRS AND FILING CABINET	CHAIRS AND MACHINE
AIRCON	YES	BROKEN	NO	NO	NO	NO		NO	NO