

COURT SUPPORT TOOLKIT.

Everything you need to know.

The court process can be frightening.

The building is unfamiliar, the processes strange, and the people (lawyers, judges) even more so. Confronting trauma is fear-inducing enough, but doing so in a foreign environment with strangers who will determine whether or not you receive justice is one of the main reasons why survivors do not complete the legal process.



We wish that the pathway through the criminal justice system was a smooth one for survivors, they deserve it. But that is not the reality. What we can do is ensure that through all of the unfamiliar and scary parts of the process, survivors are supported at every step by Rape Crisis. Right from when a survivor makes the choice to report and pursue justice, Rape Crisis is available to stand by you and hold you up as you face the formal processes.

In terms of the legal processes,

in South Africa most sexual offences cases are dealt with at sexual offences courts (SOCs). These courts provide specialised services that are sensitive to the needs of rape survivors and witnesses. All sexual offences courts need to adhere to national regulations, meaning that every SOC around the country - no matter where it is located - must meet a minimum standard. This standard includes having the required infrastructure, specialised survivor-focused services, and personnel that ensure that all survivors are prepared and supported on their journey to obtain justice.

Survivors who are well-supported are able to provide strong testimony, and we know that this can only happen if we focus on reducing secondary trauma. For this reason, our Rape Survivor's Justice Campaign fought long and hard to ensure that court support was included as a required service at sexual offences courts. Now, any survivor entering an SOC should have access to these services, and therefore be supported through every step of the court process - from beginning to end.

So, what is court support?

Court support has a lot to offer to a rape survivor seeking justice. It is conducted in a private room with sensitivity to your emotional state and the uncertainty you might be feeling about the process ahead. The court supporter addresses that uncertainty by laying out the court process step-by-step, including what will be expected of you, as well as official personnel. The court supporter will not abandon you after this consultation, they will stay by your side and continue to be a source of strength and comfort as you face the challenges of the processes.



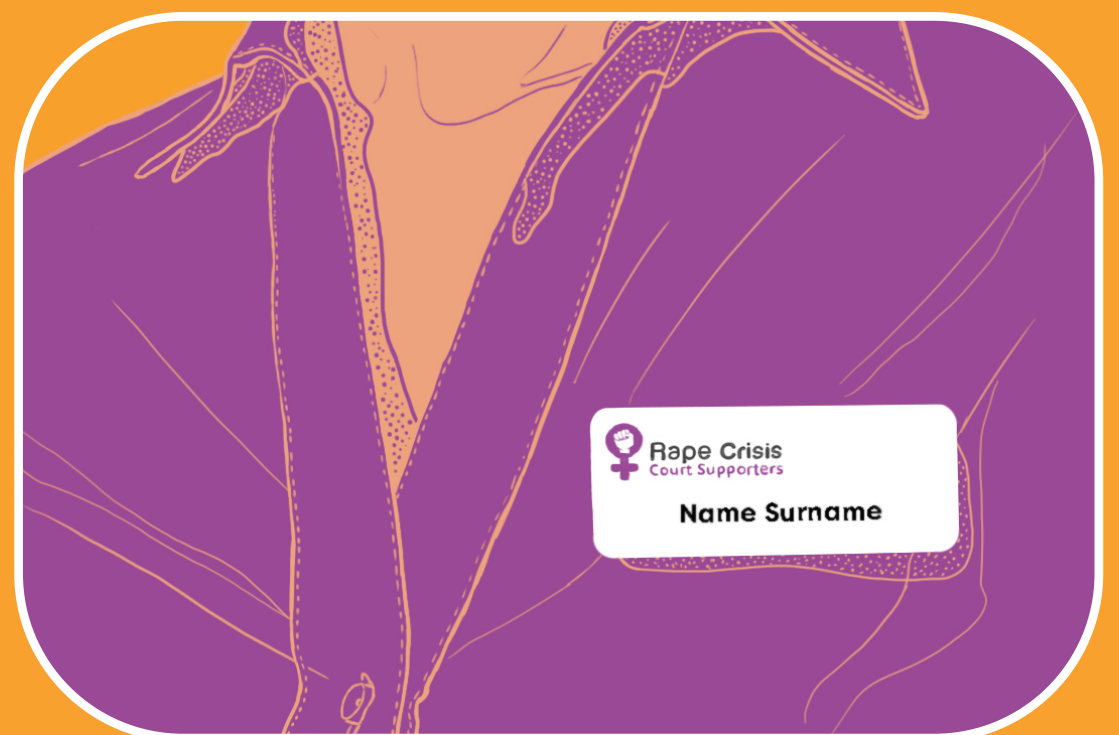
A closer look at the court process and how we will support you at each step:

1. Before you arrive,

you should receive a message from the investigating officer of your case that you have to be at the court on a certain date. This can be for either a consultation or a trial. At the consultation, you will speak to the prosecutor (the lawyer representing you) about your case. The prosecutor will ask you questions and use your answers to prepare for the trial. At the trial, you will share your story with the magistrate (similar to a judge).

2. Upon arrival,

head to the sexual offences court waiting room where you can safely wait until a court supporter, who will be wearing a Rape Crisis badge, comes to meet you. [See below](#)



3. You & the court supporter

Once you've met the court supporter, they will invite you to a separate and safe space to have a conversation and talk about how you're feeling. This will also give you a chance to learn the court process, and your role at each step. The court supporter will also give you important information about the various role players at the court, and their responsibilities.

Although court supporters are there to help and guide you through the court process, they are not allowed - by law - to discuss the specifics of your case, tell you what to say during testimony, or access the docket or any confidential documents. You will speak to the prosecutor (lawyer) about your case, but the court supporter will make sure that you feel confident to do that.



4. Sharing your story

If you feel uncomfortable testifying in the courtroom, you can ask the prosecutor to apply for you to testify in a separate room. You can ask for the court supporter or an intermediary to be with you.

If you testify in the courtroom, you have the right to have the court supporter accompany you and stay by your side throughout the proceedings. Again, we cannot tell you what to say during your testimony but we will be there to comfort and support you.

5. After your consultation or the trial,

you can meet with the court supporter to reflect on your experience and discuss a way forward for coping. If you want someone to speak to once you've left the court, we will refer you to a counselling service. At this point, the court supporter can also assist you in obtaining witness fees.

Some important questions:

When can I access court support services?

Court support is available to you both before and after you have your consultation with the prosecutor or testify in court.

Will there be someone to accompany me around the court?

If a court supporter is available, they will accompany you around the court. If not, you can ask the court preparation officer to do this.

What is the difference between court support and court preparation?

Court supporters are there to provide you with emotional support whereas court preparation officers will give you information about what will happen in the courtroom.

Is there a safe restroom for me to use?

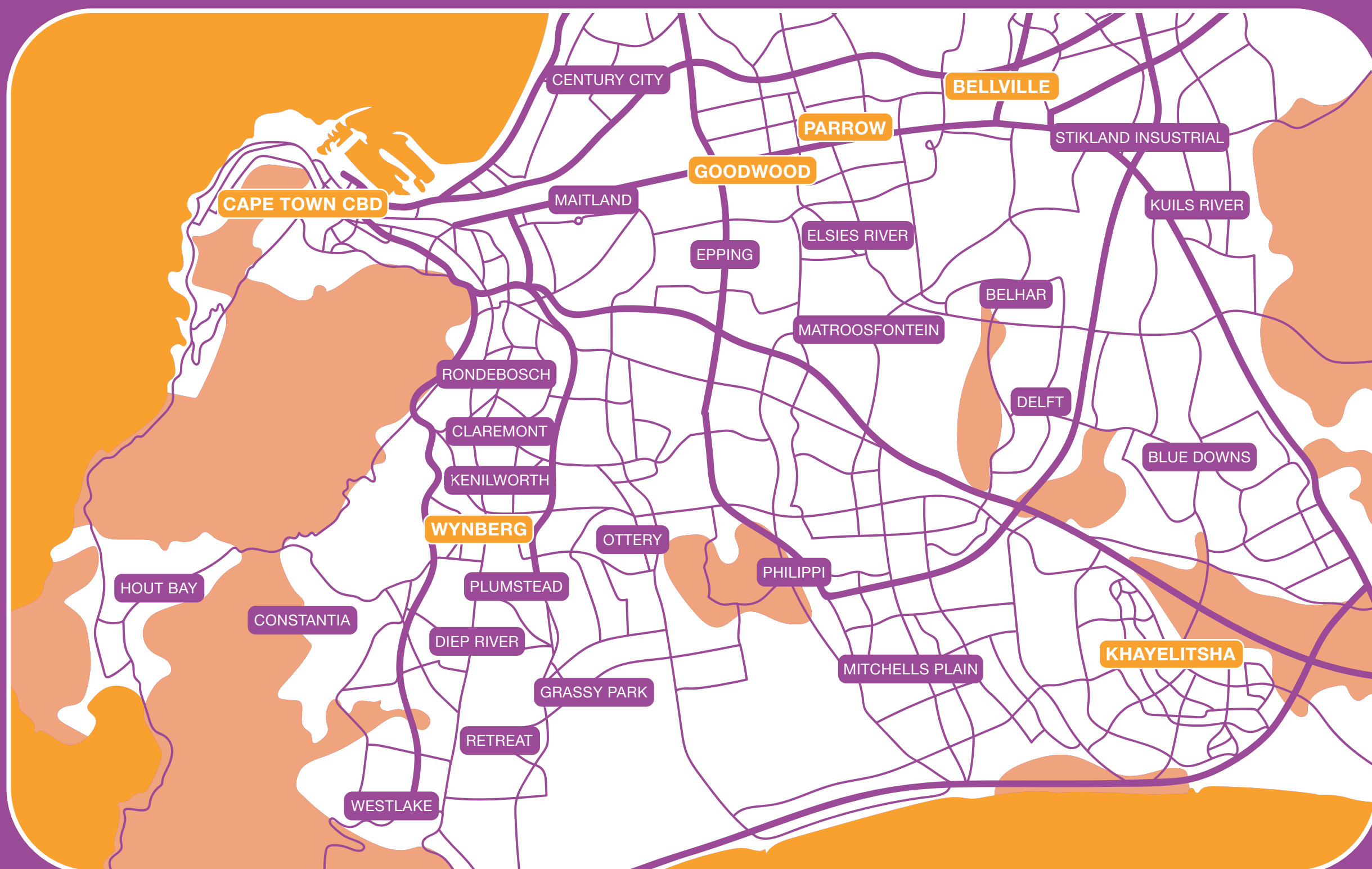
Yes. A sexual offences court should have a restroom that you can use safely, without coming into contact with the accused. If you would like, a court supporter or court preparation officer can accompany you to and from the facility.

Will I be using the same waiting room as the accused?

No, you will not.

Rape Crisis Court Supporters can be found at the following courts:

Wynberg, Cape Town, Bellville/Goodwood, Parow & Khayelitsha



**IF YOU CAN'T
SPEAK TO
ANYONE,
SPEAK TO US.**

Contact our 24 hour helplines on:

English: 021 447 9762

isiXhosa: 021 361 9085

Afrikaans: 021 633 9229

WhatsApp line: 083 222 5164

