

CRIME AND CRIMINAL JUSTICE SURVEY



Survey Findings Report

Final Report April 2009

RESEARCH CONDUCTED BY



ON BEHALF OF THE NATIONAL PROSECUTING AUTHORITY

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Acronyms and Abbreviations

CCJS	Crime and Criminal Justice Survey
SCVC	Service Charter for Victims of Crime in South Africa
NPA	National Prosecution Authority
BOP	Bophuthatswana Division
CPD	Cape Provincial Division
ECD	Eastern Cape Division
FSD	Free State Division
NCD	Northern Cape Division
NPD	Natal Province Division
TPD	Transvaal Provincial Division
TRA	Transkei Division
WLD	Witwatersrand Local Division
SAPS	South African Police Service
DCS	Department of Correctional Services
AFU	Asset Forfeiture Unit
DSO	Directorate of Special Operations
NPS	National Prosecuting Service
WPU	Witness Protection Unit
SOCA	Sexual Offences and Community Affairs Unit
SCCU	Specialised Commercial Crime Unit
PCLU	Priority Crimes Litigation Unit
SCVC	Service Charter for Victims of Crime in South Africa

EXECUTIVE SUMMARY

BACKGROUND

The Crime and Criminal Justice Survey (CCJS) emanated from the NPA's need for feedback on service delivery from its stakeholders – individuals, communities, industries and institutions, the State, and other countries. Such feedback is needed by the NPA for informing its strategy and determining if its intended strategic outcomes have been achieved. The first national CCJS was conducted in October and November 2007 and was aimed at determining individual victims', complainants' and state witnesses' awareness of and satisfaction with the services provided by the NPA and its key partners in the criminal justice system (CJS). The CCJS was repeated in October and November 2008. The current report covers the second survey and provides some comparisons with the findings of the 2007 survey.

The specific objectives of the CCJS were to determine:

- the prevalence and type of victimisation experienced by the NPA's core customers;
- the number of times complainants and witnesses attend court, the average length of time spent in court, as well as the average number of postponements before they testify;
- the nature and level of intimidation experienced by complainants and state witnesses;
- the levels of awareness and knowledge amongst complainants and witnesses about the NPA and its business units;
- core customers' perceptions regarding the CJS's compliance with the Minimum Standards on Services for Victims of Crime (and the Victims Charter); and
- the levels of satisfaction amongst complainants and witnesses pertaining to court experiences.

A national survey was conducted in a sample of district-, regional- and high courts in the nine court divisions in South Africa.

SCOPE, METHODOLOGY AND CHALLENGES

A national survey was conducted in a sample of district-, regional- and high courts in the nine court divisions in South Africa, i.e. Bophuthatswana, the Cape Provincial Division, the Eastern Cape Division, the Free State Division, the Northern Cape Division, the Northern Province Division, the Transvaal Provincial Division, the Transkei Division and the Witwatersrand Local Division.

A representative sample of courts was selected. Respondents were selected randomly at the courts in the sample and were interviewed according to a semi-structured interview schedule.

Owing to delays in finalising the contract, interviews started only in the second week of October, a month later than was originally planned.

While a fieldwork plan for data collection was developed, unpredictable events such as case postponements made it difficult to adhere to the plan. Besides factors relating to the court process, other factors such as a taxi strike in the Port Elizabeth-Uitenhage area delayed the survey. Three courts had to be replaced. Two of these were situated in the Empangeni cluster, where the chief prosecutor did not respond to the research team's requests for court information. The third court (Polokwane cluster) was replaced because the prosecutor position was vacant as a result of a transfer at the time of the fieldwork.

The small number of cases on the roles of small district- and regional courts in rural areas and in some of the high courts limited the number of witnesses available for interviews.

In the 2008 survey only one victim, complainant or witness per case was interviewed while multiple respondents per case were allowed in the 2007 survey. The 2008 methodology increased the time required to complete the survey. The combination of challenges mentioned above prevented the attainment of the planned sample size of 1 400 by the cut-off date of 12 December 2008.

PROFILE OF SURVEY PARTICIPANTS

A total of 1 314 people were interviewed in the 2008 survey. Of these, 683 (52%) were victims of crime and 629 (48%) were witnesses for the prosecution. More than half of the cases for which the respondents came to court resulted from violent crimes such as assault, rape, murder, attempted murder and robberies.

The majority 1 292 (98%) of survey respondents were South African citizens. The few (n= 22) that were not South Africans came from African countries such as Zimbabwe, Mozambique and Nigeria. Just short of half (48%) were women and 52% were men. The majority were African (73%, n = 953) and only 10% (n = 131) were White. More than half (55%, n = 718) were 34 and younger. More than half of the respondents (57%, n = 745) did not have Grade 12, 25% (n = 323) had passed matric, while another 18% (n = 237) had qualifications higher than Grade 12. More than half (55%) of the respondents were employed – 33% (n = 427) in the formal sector, 13% (n = 168) in the informal sector, and 9% (n = 121) in self-employment.

EXPERIENCES BEFORE TESTIFYING IN COURT

The cases in which the respondents testified could have had a history ranging from a few days to more than four years. Fifty-one per cent (n = 663) of the respondents reported that the cases in which

they had been involved were brought to court within six months from the time at which the crime had been committed.

Almost 27% (n = 353) of respondents had their first case hearing on the day they were interviewed, while 50% (n = 659) indicated that up to a year had passed since their first court hearing. Overall, 65% of respondents indicated that their cases had been postponed before. Of these, 65% (n = 554) had been postponed for up to three times and 4% (n = 30) had already been postponed seven times or more. The survey also showed that in 39% (n = 331) of the cases that had been postponed, the case had been postponed for longer than one month at a time.

In 76% (n = 650) of cases that had been postponed, respondents received information on the reasons for the postponement. The reasons for case postponements most frequently cited by respondents were that more time was needed to complete the investigation or that the accused needed more time to obtain legal representation. However, several other reasons were given by respondents that could be indicative of low levels of service delivery, such as the absence of the accused, attorneys or witnesses at the hearing, court officials who were not available, and missing dockets.

The survey showed that respondents had to make significant sacrifices in order to attend court. It was found that on the day on which they were interviewed:

- 89% (n = 1 169) of respondents had spent an average of R 43.50 on travelling to and from the court;
- 29% (n = 380) had travelled 50 kilometres or more to come to court;
- 32% (n = 414) had to take leave from work;
- 31% (n = 408) had to sacrifice a day's pay; and
- 30% (n = 400) had to travel one hour or more to come to court.

On average all respondents spent at least 3,5 hours at the court during their first visit and it seemed that the time they spent at the court had increased with every hearing.

EXPERIENCES AT THE COURT

Court buildings and facilities

Results from the survey showed that most court buildings had security points, facilities for clean drinking water, toilet facilities and clear directions to court rooms. However, many court buildings lacked essential facilities such as a food shop or vending machine, places for mothers to nurse their babies, and waiting areas for witnesses where they could sit separately from the accused. Shops

selling refreshments, parking areas, public toilets and breastfeeding facilities need to be established at some of the courts and existing facilities need to be upgraded in other courts.

Information, services and treatment by court officials

The survey results show that victims and witnesses are generally uninformed about their rights: only 17% (n = 222) of respondents were aware of the Victims' Charter and just more than half had received some information on their rights in the past. On the whole, 55% (n = 722) of respondents said that someone had explained or given them information on their rights. The majority of them (96%, n = 690) had received their information from CJS officials; e.g. 53% said the prosecutor provided them with information on their rights, while 26% said the investigating (SAPS) officer had done so.

Respondents' feedback on the information, assistance and services offered by CJS officials shows that the majority of them were satisfied with the way in which they were treated by court officials. Ninety per cent (n = 1 177) of the respondents were satisfied or very satisfied with the way in which they were treated by the prosecutor.

However, they did not always receive the information and services that they were entitled to. Nearly half (46%, n = 596) of the respondents had not received information on what will happen in court and (49%, n = 638) had not received information of witness fees. Twenty-seven per cent (n = 343) of the respondents said they had not received information on how long and where to wait before giving evidence and another 26% (n = 340) were not satisfied with the information they had received in this regard.

Overall, 71.7% (n = 942) of the respondents reported that the prosecutor assigned to the case had consulted them before they were called to testify, while 76.0% (n = 999) were allowed to re-read their statements or listen to it again, before they had to testify.

Although only a tenth of respondents were not satisfied with the treatment or the service of court officials, only a few of these dissatisfied respondents had reported their dissatisfaction.

Four per cent (n = 47) of respondents experienced intimidating behaviour by a court official. The court officials named were the advocate or attorney for the defence, the magistrate or judge, the interpreter and in only a few instances the prosecutor.

Seventeen per cent (n = 220) of respondents expressed their fear that people other than court officials would do something to harm them if they continued to testify. As victims or witnesses of the prosecution, 20.8% (n = 273) of respondents indicated that they did not need any protection or

protective measures. Of those who believed they could do with protection, only 21.5% (n = 223) indicated they were informed by court officials about such programmes. Furthermore, of the respondents who indicated someone had tried to stop their cases or stop them from testifying, only 27.1% (n = 23) said that court officials offered them information about witness protection.

Twenty-four per cent of respondents said they did not need closed-circuit television to testify. Of those who felt otherwise, only 9.3% (n = 8) said they were informed by court officials about such a possibility.

EXPERIENCES AFTER APPEARING IN COURT

Most respondents (69%, n = 904) thought that the magistrate had listened to their testimony and would evaluate the case in a fair way to reach a verdict; 23% (n = 302) of respondents said they did not know whether a fair judgement would be made; and 9% (n = 103) were of the opinion that the magistrate would not make a fair judgement. Seventy-two per cent of respondents (n = 940) indicated that they were confident that the prosecutor had taken their interests into account, while 12% (n = 156) had no confidence in the prosecutor.

Eighty per cent of respondents (n = 1 046) were positive about their court experience and indicated their willingness to testify again. Of the respondents who did not want to testify again, 41% (n = 110) said that testifying was a traumatic and difficult experience that they did not want to repeat and another 35% (n = 94) said they would not testify again because of the time they had wasted as a result of the unnecessary delays in the process.

In total, 64% (n = 844) of respondents were confident that the process followed by the courts had ensured that justice was done, while 35% (n = 459) did not feel that justice had been done. Of the respondents who did not feel justice was done, 33% (n = 152) said it was because the accused was not punished properly (i.e. in a way that represented a fitting response to the seriousness of the crime(s) committed); 28% (n = 126) ascribed their view that justice had not been done to the low levels of service delivery which, among other things, had resulted in various case postponements; and 22% (n = 100) believed that in the CJS criminals had more rights than innocent people had.

KNOWLEDGE ABOUT THE NPA

A total of 38% (n = 494) respondents indicated they were aware of the existence of the NPA as an organisation. Significant relationships were found between awareness of the NPA and gender, race, and educational qualifications. More men than women had heard about the NPA, more White than

Black¹ respondents, and more of the people with post-matric qualifications than those with lower qualifications.

Respondents were also asked about their awareness of the different business units of the NPA. Most respondents (77%, n = 1 013) were aware of the existence of the Directorate of Special Operations, also known as the “Scorpions”. The Witness Protection Unit was known to 27% (n = 348) of the respondents and the Asset Forfeiture Unit to 21% (n = 281). Less than 20 % of the respondents had heard of any of the other units.

COMPARISONS BETWEEN 2007 AND 2008

The repetition of the 2007 survey in 2008 started a process of longitudinal analysis that could serve as part of a monitoring system for service delivery in the CJS. The comparisons presented in this report are based on questions that were repeated in both surveys and that were not affected by the change in sampling methodology; i.e. the fact that in 2007 multiple respondents could be selected from one case while in 2008 respondents were limited to one per case.

The results of the two surveys showed that some improvements were made between 2007 and 2008 in terms of the information received by victims and witnesses about their rights. However, this area still needs improvement as in 2008 45% of the respondents did not receive information on their rights. Similarly, although there was a significant increase in the number of respondents who had been made aware of the Service Charter for Victims of Crime, the percentage of respondents who had received this service remained relatively low.

Intimidation during the trial period remains a problem for some of the victims and witnesses and they do not always receive sufficient protection in the court environment. It also seems as if the situation regarding intimidation and protection from it had deteriorated between 2007 and 2008. Fewer respondents were given an opportunity to sit separately from the accused and/or the other party and there was a drop in the percentage of witnesses who were informed about witness protection programmes and other protective measures, such as opportunities to testify by way of close-circuit television.

Of those respondents who had contact with court officials, the majority were generally satisfied with the treatment they had received. In 2007 13% of respondents and in 2008 11% of respondents said they were not satisfied with the treatment or the service provided to them by some court officials. In both surveys, respondents related most of their dissatisfaction to a lack of information.

¹ The term “Black respondents” refers to African, Indian and Coloured respondents.

Although information on all aspects of the court case and services available in the CJS remains important, areas that still need special attention are information on what will happen in court, information on witness fees and information on medical-, psychological-, or community-based victim-support services.

CONCLUSIONS AND RECOMMENDATIONS

The 2008 CCJS was the second of its kind and it follows on the first survey that was conducted in 2007. Overall, the findings of the two surveys were very consistent and changes were observed only in a few areas.

Court facilities

Most courts had security points, facilities for clean water, toilet facilities and clear signage to court rooms and other places of public interest. However, some of the facilities were dilapidated and in many courts there were no witness rooms or separate waiting areas for witnesses. The upgrading of existing facilities and the creation of more space for witness rooms need urgent attention.

Information

Information is one of the basic rights of victims and witnesses and proper information is necessary for the smooth functioning of the courts. The findings of the survey showed that in certain respects most of the respondents received information and those who had received information were generally satisfied with what they had received. This includes information on where and when the trial would be held, how long and where they would have to wait before giving evidence, how the case had progressed and the availability of interpreting services in court.

The areas that were not well covered and that need more concerted attention from the NPA are: information explaining what will happen in the court; information on medical-, psychological-, or community-based victim-support services (where these services are necessary and available); information on witness fees; information on measures that provide protection against threats to victims' and witnesses' safety; information on their rights as witnesses in a court case; and information on the Service Charter for Victims of Crime.

Protection of witnesses

Both surveys showed that this area of the functioning of the CJS needs improvement. In fact, it seemed that the situation had worsened between 2007 and 2008. Almost a fifth of witnesses experienced intimidation or feared intimidation, with nearly half of these reporting that they had not

received protection against threats to their safety. Fewer than half of the witnesses who felt they needed it had received information about witness protection programmes.

Witnesses' willingness to testify again

Complainants' and witnesses' willingness to testify again is one of the most important reflections of their total experiences in court and of their confidence in the CJS. In 2008 more respondents than in 2007 indicated that they were prepared to testify again. However, a fifth still felt the experience was too difficult and said that they would not be prepared to testify again.

Interrelatedness of CJS partners

Many of the functions of the CJS are shared between the different partners. The actual experience of testifying is influenced not only by the actions of prosecutors and magistrates but also by the behaviour of officials of the Department of Justice (such as interpreters and defence attorneys) and even by the availability and condition of facilities such as toilets and waiting areas at the court (Department of Public Works). The interrelatedness of the work of the various role players means that any strategy that is aimed at improving the work of the CJS should be a collaborative effort of all the role players.

Public perceptions of the NPA as an organisation

Although the 2008 survey showed that witnesses' awareness of the NPA had significantly increased, fewer respondents were aware of the units of the NPA, with the exception of the Scorpions. Because those who had heard of the NPA were mostly informed by the media, their increased awareness could be the result of the Scorpions' long struggle for survival and the NPA's commentary on the matter on television and in the newspapers.

The court survey should remain an integral part of the monitoring of the NPA Strategy 2020. The surveys conducted in 2007 and 2008 already show some changes in things such as service delivery, customer satisfaction and awareness of the NPA. However, for a proper analysis of trends more surveys need to be carried out over a longer period of time. Although the survey among victims and state witnesses provides important information on the functioning of the CJS, the information should be augmented with the views of other role players such as the prosecutors, attorneys, advocates and court officials not employed by the NPA.

In this report the areas in which customer satisfaction was glaringly low are highlighted and the conclusions and recommendations centre mainly on these areas. However, the NPA needs to decide what levels of customer satisfaction it is striving to reach. The results of the two surveys provide

sufficient baseline information that can be used to link strategic objectives to more quantifiable indicators and targets.

1 INTRODUCTION

1.1 Background

The NPA has identified five customer groups that it wishes to serve: individuals, communities, industries and institutions, the State, and other countries². In each of these groups services should be provided by the NPA to one or more of the following: the vulnerable, victims of crime, or witnesses for the prosecution. The NPA needs feedback on service delivery from these stakeholders to inform its strategy and to determine if its intended strategic outcomes have been achieved. In 2007 the NPA appointed a research consortium consisting of the Community Agency for Social Enquiry (C A S E), EE Research Focus and the Centre for the Study of Violence and Reconciliation (CSVr) to conduct research that would determine the extent to which it was achieving its strategic objectives. This appointment was for a period of five years.

The first national Crime and Criminal Justice Survey (CCJS) was conducted in October and November 2007 and was aimed at determining individual victims', complainants' and state witnesses' awareness of and satisfaction with the services provided by the NPA and its key partners in the criminal justice system (CJS). In the initial research proposal accepted by the NPA it was proposed that the survey of victims and state witnesses should be repeated each year for the duration of the contract between the consortium and the NPA in order that changes over time could be tracked and reported on. The current report covers the second survey, which was conducted in October and November 2008.

1.2 Goal and objectives of the survey

The main aim of the survey was to assess the perceptions of the NPA's core customers (victims, complainants and state witnesses) of the services rendered by the NPA.

The specific objectives of the survey were to determine:

- the prevalence and type of victimisation experienced by the NPA's core customers;
- the number of times complainants and witnesses attend court, the average length of time spent in court, as well as the average number of postponements before they testify;
- the nature and level of intimidation experienced by complainants and state witnesses;
- the levels of awareness and knowledge amongst complainants and witnesses about the NPA and its business units;

² 2007. National Prosecuting Authority (NPA). *Executive Summary Strategy 2020*. Midrand: Stakeholder Conference.

- core customers' perceptions regarding the CJS's compliance with the Minimum Standards on Services for Victims of Crime (and the Victims Charter); and
- the levels of satisfaction amongst complainants and witnesses pertaining to court experiences.

1.3 Scope of the survey

A national survey was conducted in a sample of district-, regional- and high courts in the nine court divisions in South Africa, i.e. Bophuthatswana, the Cape Provincial Division, the Eastern Cape Division, the Free State Division, the Northern Cape Division, the Northern Province Division, the Transvaal Provincial Division, the Transkei Division and the Witwatersrand Local Division.

1.4 Methodology

A representative sample of courts was selected. Respondents were selected randomly at the courts in the sample and were interviewed according to a semi-structured interview schedule. The methodology used in this survey is described in detail in the Technical Survey Report.

1.5 Challenges experienced during the survey

Owing to delays in finalising the contract, interviews started only in the second week of October, a month later than was originally planned.

While a fieldwork plan for data collection was developed, unpredictable events such as case postponements made it difficult to adhere to the plan. Besides factors relating to the court process, other factors such as a taxi strike in the Port Elizabeth-Uitenhage area delayed the survey. Three courts had to be replaced. Two of these were situated in the Empangeni cluster, where the chief prosecutor did not respond to the research team's requests for court information. The third court (Polokwane cluster) was replaced because the prosecutor position was vacant as a result of a transfer at the time of the fieldwork.

The small number of cases on the roles of small district- and regional courts in rural areas and in some of the high courts limited the number of witnesses available for interviews.

In the 2008 survey only one victim, complainant or witness per case was interviewed while multiple respondents per case were allowed in the 2007 survey. The 2008 methodology increased the time required to complete the survey. The combination of challenges mentioned above prevented the attainment of the planned sample size of 1 400 – only 1 314 questionnaires were completed by the cut-off date of 12 December 2008.

1.6 Presentation of the research findings

The remaining content of this report is presented in seven chapters. Chapter 2 describes the demographic profile of the victims, complainants and state witnesses who participated in the survey. Chapter 3 covers the experiences of respondents before they testified in court for the first time, as well as the history of the case, sacrifices made by respondents to come to court, and the information and support that they received from CJS officials. Chapter 4 deals with respondents' experiences at the court – upon their arrival and later in the court room. Their satisfaction with the facilities and services provided are described in this chapter and intimidation and victimisation are also discussed. Chapter 5 focuses on respondents' experiences after they had appeared in court and their confidence in the CJS system. In Chapter 6 respondents' awareness of the NPA and its official business units is discussed. In Chapter 7 a number of measurable indicators in the 2007 and 2008 surveys are compared. Recommendations are presented in Chapter 8.

2 PROFILE OF SURVEY PARTICIPANTS

2.1 Introduction

This chapter provides an overview of the profile of the victims, complainants and state witnesses who were interviewed. The nationality, population group, gender, language, age and highest educational qualifications of respondents are given, as well as the types of crime that led to the court cases in which the respondents testified. Respondents' employment status is also provided.

A total of 1 314 people were interviewed. Of these, 52.0% (n=683) were victims of crime and 48.0% (n=629) were witnesses for the prosecution. Table 2-1 shows the list of alleged crimes committed in the criminal cases in which survey respondents had to testify. More than half were violent crimes: 24.7% of the crimes were related to assault (common assault and assault with the intent to inflict grievous bodily harm); 10.6% to rape; 7.1% to murder or attempted murder; and 6.6% to common assault. A further 11.6% were robberies.

Table 2-1 Alleged crimes that led to the court cases in which respondents testified

Crime	n	%
Assault with the intent to inflict grievous bodily harm	324	24.7
Rape	139	10.6
Murder	93	7.1
Common assault, e.g. domestic violence	87	6.6
Other robbery	83	6.3
House robbery	70	5.3
Burglary at residential premises	56	4.3
Shoplifting	49	3.7
All theft not mentioned elsewhere, e.g. possession of abalone	47	3.6
Commercial crime	43	3.3
Traffic offences, e.g. road rage, reckless driving, hit and run	40	3.0
Malicious damage to property	38	2.9
Attempted murder	36	2.7
Crimen injuria	30	2.3
Business robbery	27	2.1
Theft out of or from motor vehicle	24	1.8
Theft of motor vehicle and motorcycle	20	1.5
Burglary at business premises	18	1.4
Trespassing	18	1.4
Driving under the influence of alcohol or drugs	17	1.3
Car hijacking	13	1.0
Drug-related crime, e.g. drug dealing	10	0.8
Robbery of cash in transit	9	0.7
Corruption	7	0.5
Stock theft, e.g. cattle	5	0.4
Illegal possession of firearms and ammunition	5	0.4

Crime	n	%
Bank robbery	2	0.2
Arson	2	0.2
Witnessing escape from prison	1	0.1
Child abuse, neglect / illegal abortion	1	0.1
Total	1 314	100.0

2.2 Nationality

The majority (98.3%, n = 1 292) of survey respondents were South African citizens. Only 1.7% (n = 22) of respondents were from other African countries, such as Zimbabwe, Mozambique and Nigeria.

2.3 Gender, population group and language

The gender, race and language of survey respondents are reflected in Table 2-2. Of the respondents, 47.9% were women and 52.1% men. The majority were African (72.5%) and only 10.0% were White. Xhosa (21.2%) or Afrikaans (20.1%) or Zulu (18.3%) were the languages most often given as home language. Less than 10% of the respondents reported that English was their home language.

Table 2-2 Population group, gender and language profile

Gender	n	%
Female	630	47.9
Male	684	52.1
Population group		
African	953	72.5
Coloured	208	15.8
Indian/Asian	19	1.4
White	131	10.0
Unknown	3	0.2
Home language		
Afrikaans	264	20.1
English	111	8.4
IsiNdebele	21	1.6
IsiXhosa	279	21.2
IsiZulu	240	18.3
Sepedi	97	7.4
Sesotho	91	6.9
Setswana	115	8.8
SiSwati	16	1.2
Tshivenda	25	1.9
Xitsonga	48	3.7
Other	7	0.5
Total	1 314	100.0

2.4 Age

Table 2-3 shows the age distribution of respondents. More than half (54.6%) were 34 and younger, 38.1% were between 34 and 55, and 7.2% were 55 and older.

Table 2-3 Age

Age category	n	%
24 years and younger	255	19.4
25 – 29 years	264	20.1
30 – 34 years	199	15.1
35 – 39 years	206	15.7
40 – 44 years	132	10.0
45 – 49 years	92	7.0
50 – 54 years	70	5.3
55 – 59 years	36	2.7
60 years and older	59	4.5
Unknown	1	0.1
Total	1 314	100.0

2.5 Highest educational qualifications

The educational profile (highest educational qualification) of respondents is reflected in Table 2-4. The table indicates that the highest qualification of 24.6% of respondents was Grade 12 (matric), while another 18.0% had qualifications higher than Grade 12. In total, 57.4% of victims and state witnesses who participated in the survey did not have Grade 12.

Table 2-4 Highest educational qualification

Educational qualification	n	%
No schooling	43	3.3
Primary school education	191	14.5
Secondary school education without Grade 12 (matric)	520	39.6
Grade 12 (matric)	323	24.6
Higher than Grade 12 (matric)	237	18.0
Total	1 314	100.0

2.6 Employment status

More than half (54.5%) of the respondents were employed – 32.5% in the formal sector, 12.8% in the informal sector, and 9.2% self-employed (Table 2-5). At least 42% of respondents did not have a personal income as they were unemployed, still studying, or housewives.

Table 2-5 Current employment status

Employment status	n	%
Unemployed	429	32.6
Employed in formal sector	427	32.5
Employed in informal sector	168	12.8
Scholar/learner	94	7.2
Self-employed in formal sector (pay tax)	70	5.3
Self-employed in informal sector (do not pay tax)	51	3.9
Pensioner	46	3.5
Housewife	29	2.2
Total	1 314	100.0

2.7 Summary and conclusions

A total of 1 314 people were interviewed, of whom 52.0% were victims of crime and 48.0% witnesses for the prosecution. The majority of respondents testified in cases involving violent crimes.

The majority of respondents were African South Africans and 52.1% were men and 47.9% women. A total of 54.6% were 34 and younger, 38.1% were between 34 and 55, and 7.2% were 55 and older. More than half (57.4%) of the respondents had a highest educational qualification of less than Grade 12. Only 8.4% reported that English was their home language. In terms of employment, more than half the respondents were employed – 32.5% in the formal sector, 12.8% in the informal sector, and 9.2% self-employed. At least 42% of respondents did not have a personal income.

3 EXPERIENCES BEFORE TESTIFYING IN COURT

3.1 Introduction

This chapter focuses on the experiences of victims, complainants and state witnesses after the crime had been committed but before they testified in court and the service delivery of SAPS and NPA officials during this period. The discussion looks into the postponement of cases and then explores the sacrifices made by respondents to testify in court. The provision of information and support by officials is then explored.

The discussion underlines the fact that every case has a unique case history. For example, some of the cases in which respondents were testifying had already been postponed several times, while other cases were being brought before the court for the first time on the day of the interview.

3.2 Postponement of cases

Table 3-1 shows the time that passed between the crime incident and the first occasion the case was brought to court. In total, 18.3% of the respondents reported that the cases in which they had testified were brought to court for the first time within a month after the crime was committed. Another 18.5% reported that their cases were brought to court between two and three months after the crime, and 13.7% between four and six months after the crime incident. However, 12.5% of the respondents said that the case in which they were testifying was brought to court for the first time only a year or more after the crime had been committed.

Table 3-1 Time that passed between the crime and first appearance in court

Time period	n	%
One month or less	240	18.3
2 – 3 months	243	18.5
4 – 6 months	180	13.7
7 – 9 months	110	8.4
10 months – 1 year	171	13.0
13 months – 2 years	92	7.0
25 months – 3 years	49	3.7
More than 3 years	24	1.8
Can't remember	183	13.9
Don't know	22	1.7
Total	1 314	100.0

The time period between the first hearing of the case and the day of the interview is reflected in Table 3-2. Almost 27% of cases were first heard on the day the interview was conducted. A total of 18.9%

respondents said that less than one month had passed since the first hearing, while 21.4% indicated that between two and six months had passed since their cases were heard for the first time.

Table 3-2 Time that passed since the case was heard for the first time and “today” (the day of the interview)

Time period	n	%
Less than one month	249	18.9
2 – 6 months	281	21.4
7 months – 1 year	129	9.8
13 months – 2 years	35	2.7
25 months – 3 years	13	1.0
37 months – 4 years	7	0.5
More than 4 years	10	0.8
Today is first court appearance	353	26.9
Can't remember	169	12.9
Don't know	68	5.2
Total	1 314	100.0

All in all, 65.0% (n= 854) of respondents' cases had been postponed. Table 3-3 shows that most of these respondents (64.9%) reported that the cases in which they were testifying had been postponed up to three times.

Table 3-3 Number of times cases had been postponed³

Number of times	n	%
Up to 3 times	554	64.9
4 – 6 times	134	15.7
7 times and more	30	3.5
Can't remember	136	15.9
Total	854	100.0

Respondents who indicated that their cases had been postponed also provided information on the longest period of postponement they could recall (Table 3-4), as well as the reason for the postponement (Table 3-5).

Most respondents indicated that the longest period of postponement was for a period ranging from three weeks to one month (27.2%) or for a period ranging from five weeks to three months (24.2%). Only 4.6% of cases had been postponed for longer than six months.

³ Note that Table 4-3 reflects the postponement history of cases up to the time the survey was carried out. Many cases were not completed at that stage and could have been postponed again.

Table 3-4 Longest period of postponement of cases

Time period	n	%
One week or less	40	4.7
Two weeks	54	6.4
3 weeks – 1 month	230	27.2
5 weeks – 3 months	205	24.2
13 weeks – 6 months	87	10.3
More than 6 months	39	4.6
Can't remember	154	18.2
Don't know	38	4.5
Total	847	100.0

Of the respondents whose cases had been postponed, 76.1% (n=650) said they had been given (a) reason(s) for the postponement. According to Table 3-5, most of the cases had been postponed as a result of the need for additional time to complete the investigation (43.0%), the need of the accused to obtain legal representation (29.0%), and the absence of the accused on the day the case was brought to court (18.6%). Less than two per cent of respondents' cases had been postponed because of missing dockets.

Table 3-5 Reasons for postponement of cases

Reason⁴	n	%
More time was needed to complete the investigation	367	43.0
Accused did not arrive	159	18.6
Accused needed time to obtain legal representation	248	29.0
Attorney for the defence did not arrive	89	10.4
Witnesses for the defence did not arrive	54	6.3
State witnesses did not arrive	42	4.9
Missing docket	12	1.4
Court officials were not available	35	4.1
Don't know	110	12.9

Finally, respondents had to comment on the length of time they had to spend at court (Table 3-6) to give evidence. The results shows that the time spent by respondents at the court increased as their cases progressed. On average, three-and-a-half hours were spent at the court during the first visit; three hours and 42 minutes during the second; and nearly four hours for the third. During the fourth and the fifth visits four hours or more were spent per visit.

⁴ More than one reason could be given by respondents.

The time that it took respondents to travel to the court should also be considered. For example, 30.4% of respondents indicated that it took them one hour or more to get to court (see Figure 3-1). Presumably, it would have taken them another hour or more to return home. In these instances, two hours' or more travelling time could be added to the time that victims and state witnesses sacrificed to testify in court.

Table 3-6 Average length of time that respondents spent at court per visit

First visit	Second visit	Third visit	Fourth visit	Fifth visit
Hours: minutes	Hours: minutes	Hours: minutes	Hours: minutes	Hours: minutes
03:30	03:42	03:54	04:00	04:18

3.3 Sacrifices made to testify in court

Victims, complainants, and state witnesses were questioned about the sacrifices (financial and personal) that they had had to make to testify in court. For example, respondents had to make certain arrangements regarding their family- and work commitments before they could come to testify in court.

Respondents indicated that they had to make various sacrifices, such as to take leave from work (31.6%), give up a day's salary (31.1%), and travel more than 50 kilometres to court (20.7%) (Table 3-7). Of the respondents who were employed in the formal or informal sector, 61.1% said they had to take a day's leave (paid or unpaid) while 53.3% said that they had to sacrifice a day's pay.

Table 3-7 Sacrifices made by respondents to testify in court

Type of sacrifice	n	%
Take leave from work	414	31.6
Sacrifice a day's pay	408	31.1
Travel more than 50 kilometres to court	269	20.7
Make special arrangements to take care of your children	146	11.2
Travel more than 100 kilometres to court	111	8.5
Miss school/university	93	7.1
Arrange overnight accommodation that had to be paid for	13	1.0

Respondents also sacrificed personal time to testify in court. Although most of the respondents (69.6%) indicated that they had to travel less than one hour to come to court on the day they were interviewed, 25.8% lived further away from court and had to travel between one and two hours from home to court and then from court to home (Figure 3-1).

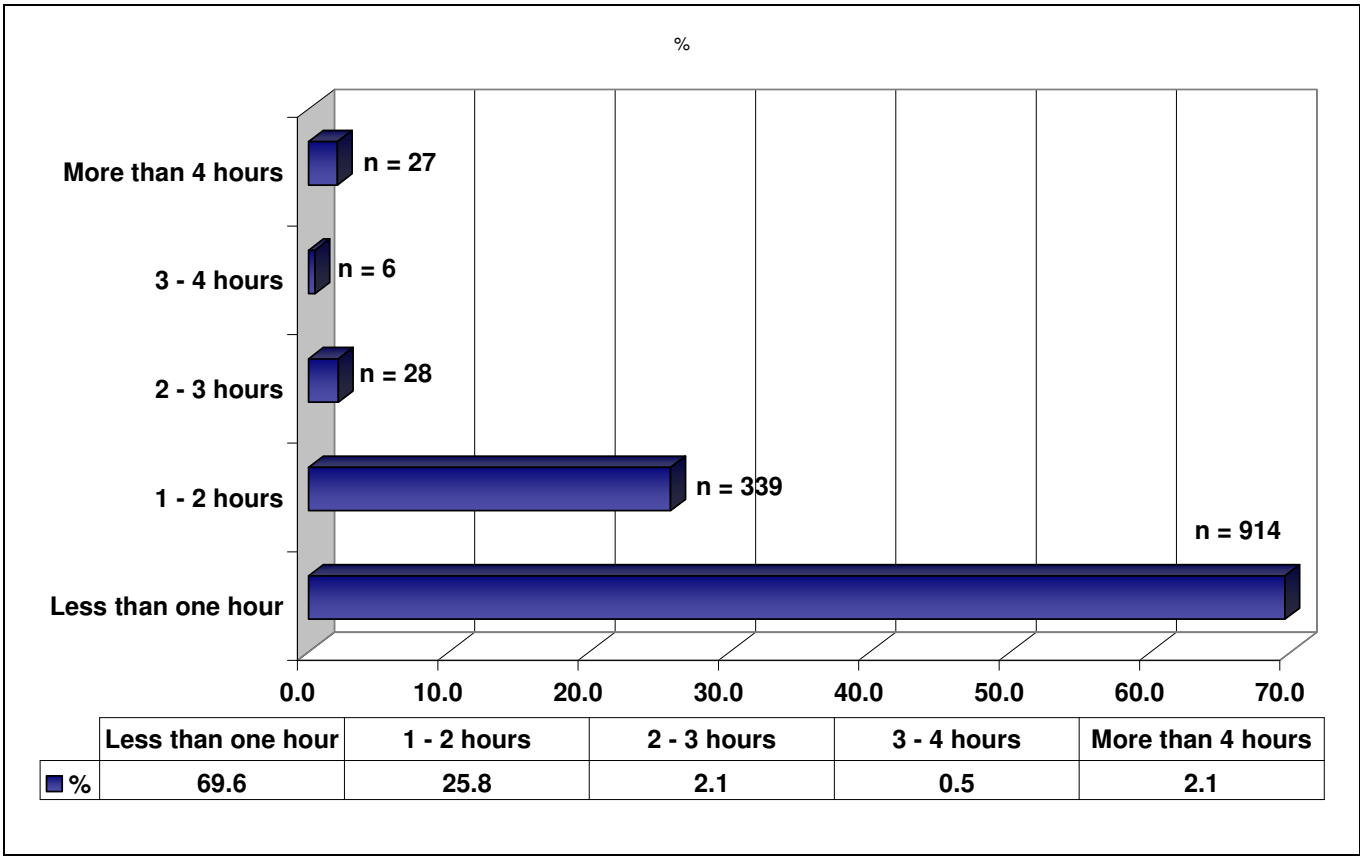


Figure 3-1 The time that it took respondents to travel to court and to return home

Furthermore, most respondents had to spend money on transport and parking fees to come to court and to return home. Only 11.0% did not spend any money on travelling. Some of these respondents said they had walked to court. Nevertheless, the remaining respondents (89.0%) indicated that they had paid travelling fees. On average, R43.50 was spent on travelling to and from the court. The highest amount indicated by a respondent for travelling was R1 000.00.

Figure 3-2 provides a picture of the money spent by respondents on travelling. Most respondents (73.4%) reported they had spent R50.00 or less, 9.7% had spent between R51.00 and R100.00, and 4.3% had spent between R101.00 and R200.00. Only 1.7% of respondents had spent R200.00 or more.

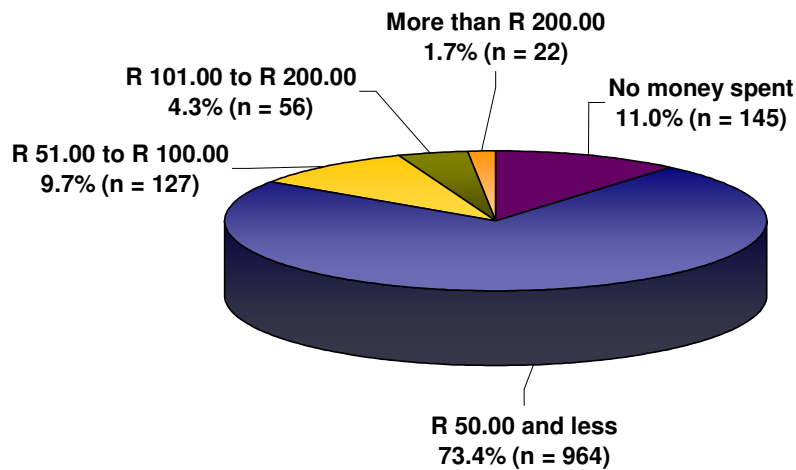


Figure 3-2 Money spent by respondents to travel to court and to return home

Finally, owing to limited public transport and the small number of people owning cars, it could happen that witnesses and accused from the same case had to use the same transport to travel to court. This situation could encourage intimidation and increased fear in victims and witnesses. However, only 5.1% (n = 67) of victims and witnesses indicated that they had had to use the same transport as the accused to travel to court.

3.3.1 Service delivery by CJS officials

Questions were put to respondents regarding the support that they had received from police/investigating officers in the SAPS as well as NPA officials since the crime had been committed.

Before the first court hearing

In the time period before a case is brought to court the information received by complainants and witnesses plays an important role in keeping them updated on the investigation. At this stage the SAPS, specifically the investigating officer, is primarily involved with the case. A total of 67.7% (n = 890) of respondents said the investigating officer had communicated with them about the progress that had been made on their cases. Of these, 40.2% indicated that the officer made contact with them once, 28.8% twice, 12.1% three times, and 14.0% more than three times (Figure 3-3).

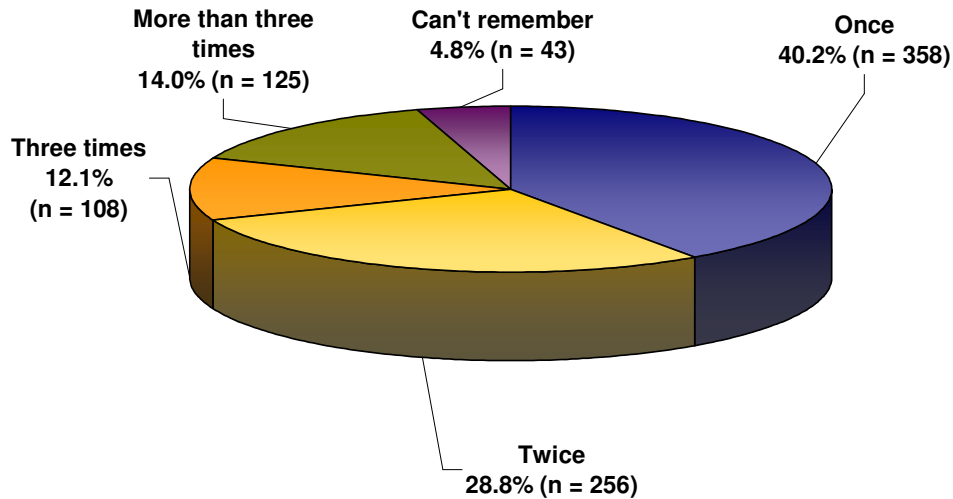


Figure 3-3 Number of times respondents had been contacted with case information by the investigating officer

Before they can testify, victims, complainants, and witnesses require information on when and where the hearing will take place, as well as directions on how to get there.

The majority of victims and state witnesses (85.5%, n = 1 123) said that they were subpoenaed to be in court the *first time* that they had to come to court but only 41.9% (n = 551) had received directions to the court with their summons. However, of the respondents indicated that the area in which the court was situated had been familiar to them and that directions were unnecessary.

To testify on a particular day, witnesses need information beforehand in order to attend the hearing. Respondents were questioned on the time interval between their being informed about the date of their first appearance in court and that court appearance. Figure 3-4 shows that approximately a third of respondents indicated having a very short period of time to make arrangements to attend court: 4.6% were informed one day before the hearing; 3.7% two days before; and 26.3% from three to seven days before the hearing. Furthermore, as many as a third of those who indicated that they were employed in the formal sector received their summons a week or less before they had to testify. On the other hand, more than half of the respondents were informed eight days or more before they had to appear in court.

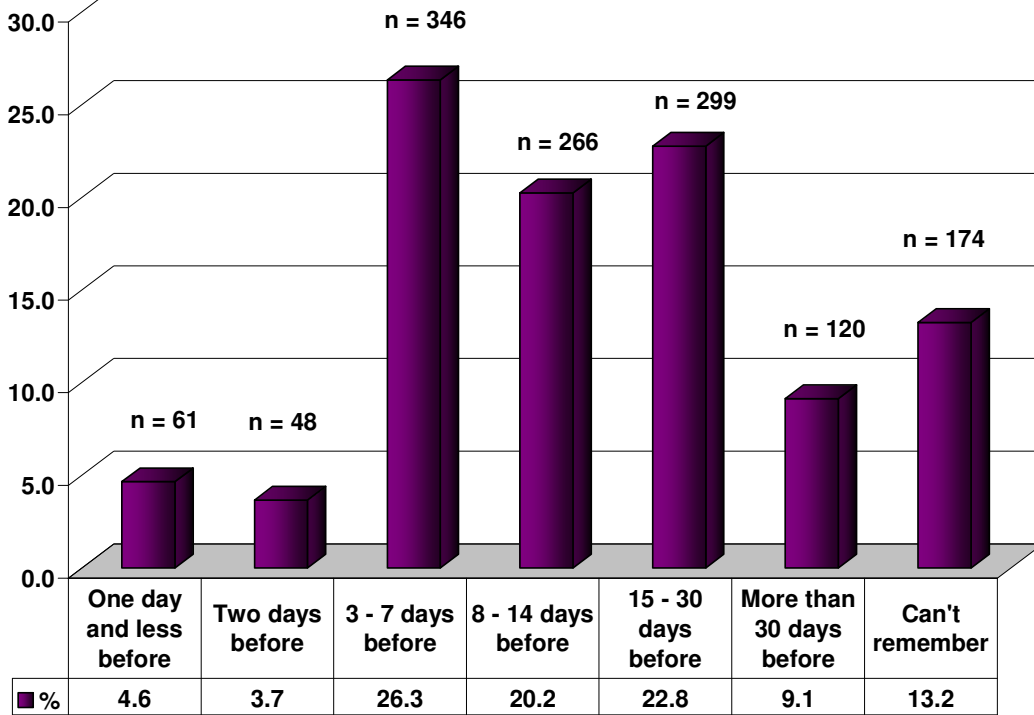


Figure 3-4 How long before respondents came to court for the first time* they were informed about that first court appearance

*The case they were in court for on the day of the interview

At the hearing

Of the respondents whose cases were postponed, 76.1% (n = 650) said that they had received information from someone on the reason for the postponement. Reasons for postponing cases were mainly given by court officials such as the prosecutor (47.0%, n = 307) or the magistrate (24.2%, n = 158).

3.4 Summary and conclusions

Before the first hearing

In the time period before a case is brought to court for the first time, complainants and witnesses need information on progress that has been made with the investigation. Once the investigation has been completed and arrests made, they need to know where and when the court hearing will take place.

The survey revealed that only some of the respondents had received this information. First, only 68% of complainants and witnesses were updated on progress made during the investigation phase. Second, while the majority (86%) indicated that they had been subpoenaed to be in court for the first hearing, only 42% had received directions to the court with their summons. Third, only 52% of

complainants and witnesses received their summons eight days or more before they had to appear in court, which allowed them some time for making arrangements at work and/or home to attend the hearing. More than a third had less than a week to make arrangements to attend court.

Case histories

Case history information that was obtained from the victims and state witnesses who participated in the survey provides some background information on their interaction with the CJS and the service that they received from SAPS and NPA officials.

Survey results showed that the cases in which the respondents had testified could have had a history ranging from a few days to more than four years. Half of the respondents reported that the cases in which they had been involved were brought to court within six months from the time at which the crime had been committed. Almost 27% of respondents had their first case hearing on the day they were interviewed, while 50.2% indicated that up to a year had passed since their first court hearing.

The postponements made during the course of each court case form part of its history. However, the frequency of postponements, the periods of time for which cases are postponed, the reasons for postponement, and whether information regarding postponements is communicated to victims and state witnesses could also be considered part of service delivery given by the CJS and its officials. Overall, 65% of respondents indicated that their cases had been postponed before. Of these 65% had been postponed for up to three times and 4% had already been postponed seven times or more.

The time period for which a case is postponed could be influenced by several factors. In terms of the NPA, the lack of resources at a particular court could result in cases being postponed for longer periods of time. The survey showed that in 39% of respondents' cases, the case had been postponed for longer than one month at a time.

In 76% of cases that had been postponed, respondents received information on the reasons for the postponement. The reasons for case postponements most frequently cited by respondents were that more time was needed to complete the investigation (43%) or that the accused needed more time to obtain legal representation (29%). However, several other reasons were given by respondents that could be indicative of low levels of service delivery, such as the absence of the accused, attorneys or witnesses at the hearing, court officials who were not available, and missing dockets.

In summary the survey results show that the majority of victims and state witnesses had officially been summonsed to appear in court. If their cases were postponed most of them were told by court officials why it had been postponed. However, more victims and state witnesses need to be informed about what is happening during the investigation phase. For example, they need to know when arrests are

made and where the accused are kept in custody. Also, all victims and witnesses should be informed about their court appearances well before these take place.

Sacrifices made by victims and witnesses to attend court

The survey showed that respondents had to make significant sacrifices in order to attend court. It was found that on the day on which they were interviewed:

- 89% of respondents had spent an average of R 43.50 on travelling to and from the court;
- 29% had travelled 50 kilometres or more to come to court;
- 32% had to take leave from work;
- 31% had to sacrifice a day's pay;
- 30% had to travel at least one hour to come to court; and
- on average all respondents spent at least 3,5 hours at the court during their first visit, while it seemed that the time they spent at the court had increased with every hearing.

Without questioning it, most victims and witnesses make these sacrifices in the belief that their participation contributes to a just society. In order to maintain and strengthen this belief, the smooth flow of the process should be enhanced. It is important to ensure that witnesses indeed testify on the days when they are summonsed to court and that cases are not postponed as a result of poor performance by CJS officials.

4 EXPERIENCES AT THE COURT

4.1 Introduction

This chapter addresses under three main headings the experiences of respondents at the courts where they testified. These topics are:

- 1) the court premises;
- 2) the services and treatment that victims and witnesses received during their visit to the court;
and
- 3) intimidation and victimisation.

4.2 Court premises

Questions were asked about the existence of facilities in court buildings. Respondents also had to rate the facilities and indicate which facilities needed improvement and how they could be improved.

Overall, food shops, places for mothers to feed their babies, elevators (where applicable) and separate waiting areas for victims and witnesses were not always available in the courts that were visited. On the other hand, security points, clean drinking water, explicit directions to court rooms, public toilets and signs to indicate facilities such as cafeterias, toilets and waiting areas were usually available.

Respondents' ratings of these facilities are shown in Table 4-1. According to the table, the majority were very satisfied with the security checkpoints at the court entrances (86.9%) and said that the facilities were in a good condition. Also, most respondents were very satisfied with the facilities for clean drinking water (74.5%) and the signage inside the court that directs the public to court rooms (71.1%). In contrast, some respondents were of the opinion that the toilets (25.9%), waiting areas for victims and witnesses (23.9%) and parking bays at the courts (23.4%) needed some, or much, improvement.

Table 4-1 Rating of facilities that were available in the court building

Facility	Facility not available		Need a lot of improvement		Need some improvement		Good condition – do not need improvement		Don't know		Total	
	n	%	n	%	n	%	n	%	n	%	n	%
Security check at court entrance	1	0.1	51	3.9	111	8.5	1 140	86.9	9	0.7	1 312	100.0
Signs to facilities such as cafeteria/toilets	74	5.6	87	6.6	177	13.5	893	68.2	79	6.0	1 310	100.0
Witness rooms	220	16.8	127	9.7	186	14.2	562	43.0	212	16.2	1 307	100.0
Clean drinking water	34	2.6	58	4.4	89	6.8	974	74.5	153	11.7	1 308	100.0
Public toilets	12	0.9	143	10.9	195	14.9	878	67.2	79	6.0	1 307	100.0
Information desk	127	9.8	69	5.3	150	11.6	721	55.6	230	17.7	1 297	100.0
Signs to direct you to the court where you need to be	73	5.6	93	7.1	181	13.8	932	71.1	32	2.4	1 311	100.0
Shop/cafe/terea selling food/drinks	500	38.2	70	5.4	102	7.8	415	31.7	221	16.9	1 308	100.0
Facilities for mothers to feed their babies	483	37.0	45	3.5	28	2.1	162	12.4	586	44.9	1 304	100.0
Elevator (only in case of double-storey buildings)	436	33.6	22	1.7	55	4.2	542	41.8	241	18.6	1 296	100.0
Parking bays	143	11.0	159	12.2	146	11.2	661	50.7	195	15.0	1 304	100.0

The inter-group comparisons revealed that Black respondents were overall more satisfied with the court facilities than White respondents. Significant differences were found in their satisfaction with signs to facilities such as the cafeteria and toilets, the availability of clean drinking water, the condition of the public toilets and the shops. Similarly, people with matric or lower qualifications were more satisfied with certain facilities than people with post matric qualification. Statistically significant differences were found in terms of their satisfaction with clean drinking water and public toilets. (See Annexure A 1 to A 4)

In an open-ended question respondents also had to make suggestions regarding the main improvements to court facilities they would like to see. Almost 60% (n = 782) of them made suggestions. Figure 4-1 displays the facilities mentioned. If a facility like a cafeteria or a witness room was mentioned it could also mean that the facility did not exist and needed to be established in the court building. Improvements to refreshment facilities – e.g. cafeterias, vending machines (23.9%), parking areas (15.7%), public toilets (14.5%) and breastfeeding facilities (12.0%) – were suggested by the highest percentages of respondents.

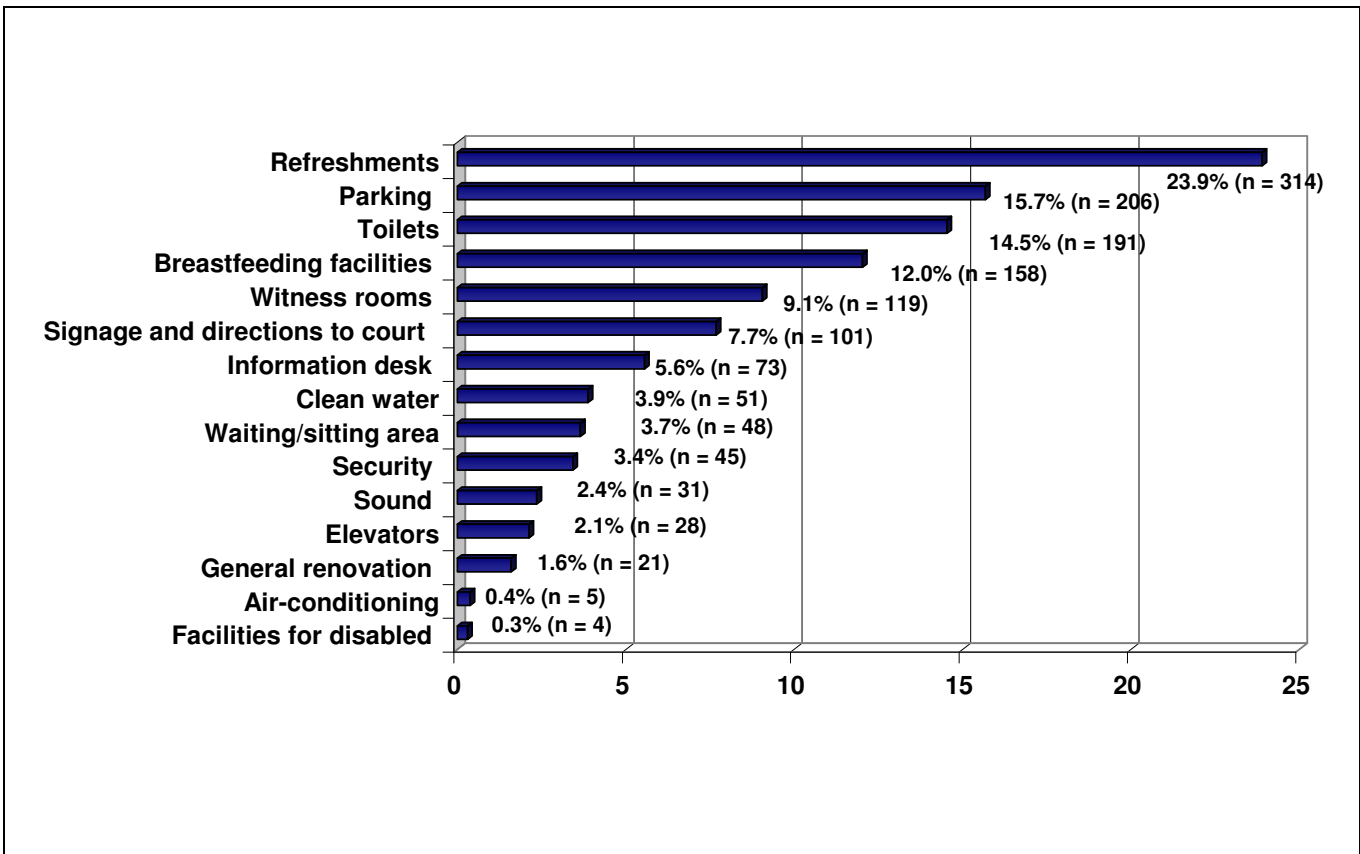


Figure 4-1 Court facilities that respondents indicated could be established or that needed improvement

4.3 In the court room

The Service Charter for Victims of Crime (Victims' Charter) sets out the seven basic rights of victims of crime. Factors relating to the following rights were addressed in the survey:

- the right to be treated with fairness and with respect for dignity and privacy;
- the right to offer information;
- the right to receive information;
- the right to protection; and
- the right to assistance.

The next sections focus on the information and treatment that respondents are entitled to, according to the Victims' Charter. Service delivery by court officials – such as the prosecutor, magistrate and interpreter – as experienced by victims and witnesses is also addressed. Respondents' levels of satisfaction with the services that they had received are discussed before the incidence of intimidation and victimisation, also by court officials, is looked at.

4.3.1 Service delivery by criminal justice system officials

Fundamental to service delivery in the CJS are the rights of victims of crime as contained in the Victims' Charter. A more detailed document, the Minimum Standards on Services for Victims of Crime, was developed from the Victims' Charter to explain the rights of victims. The Minimum Standards document informs victims of their rights so that they can ensure that they receive appropriate assistance and services from CJS officials.

However, respondents needed to know their rights before they could hold CJS officials accountable for the services that they should but did not receive. Questions were put to respondents to determine their awareness of the Victims' Charter and their rights as victims or witnesses.

Only 15.1% (n = 103) of victims/complainants and 18.9% (n = 119) of witnesses (17% of the total respondent group) said they had heard of the Victims' Charter.

More men than women had heard of the Charter and people with post matric qualifications were more likely to have heard of the Charter (See Annexure A 5)

However, on the whole, 54.9% (n = 722) of respondents said that someone had explained or given them information on their rights. The majority of them (95.6%, n = 690) had received their information from CJS officials; e.g. 53.2% said the prosecutor provided them with information on their rights, while 26.2% said the investigating (SAPS) officer had done so (Figure 4-2).

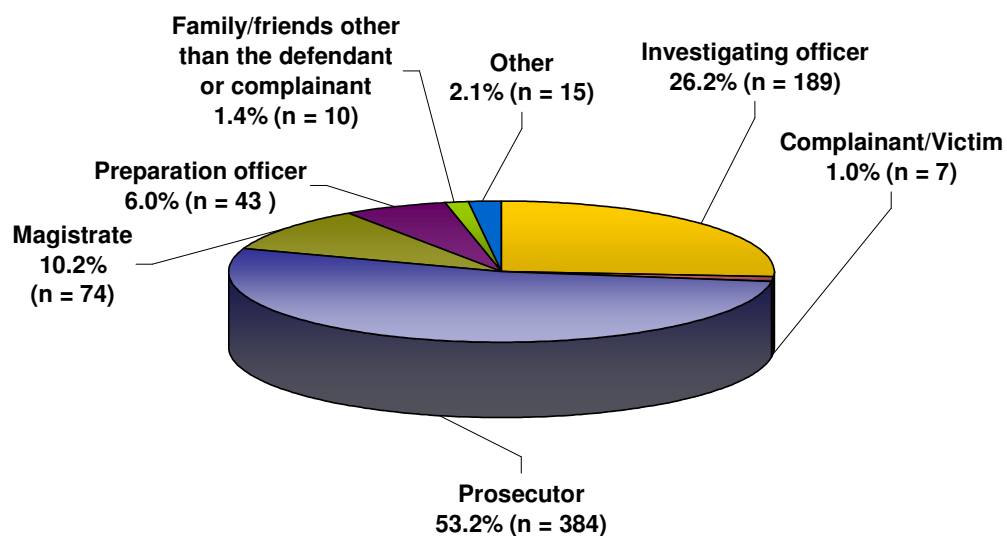


Figure 4-2 People who explained or gave information to respondents on their rights

To determine service delivery, questions were asked about the services that respondents had received while at court. First, respondents had to indicate if they had needed information on court premises or court facilities and who had provided this information to them.

A total of 31.4% (n = 413) said that they had looked for this type of information on the day of their court visit. Of these, 46.0% said they had spoken to staff at the information desk to obtain information and 41.6% to the security guards on the premises (Figure 4-3).

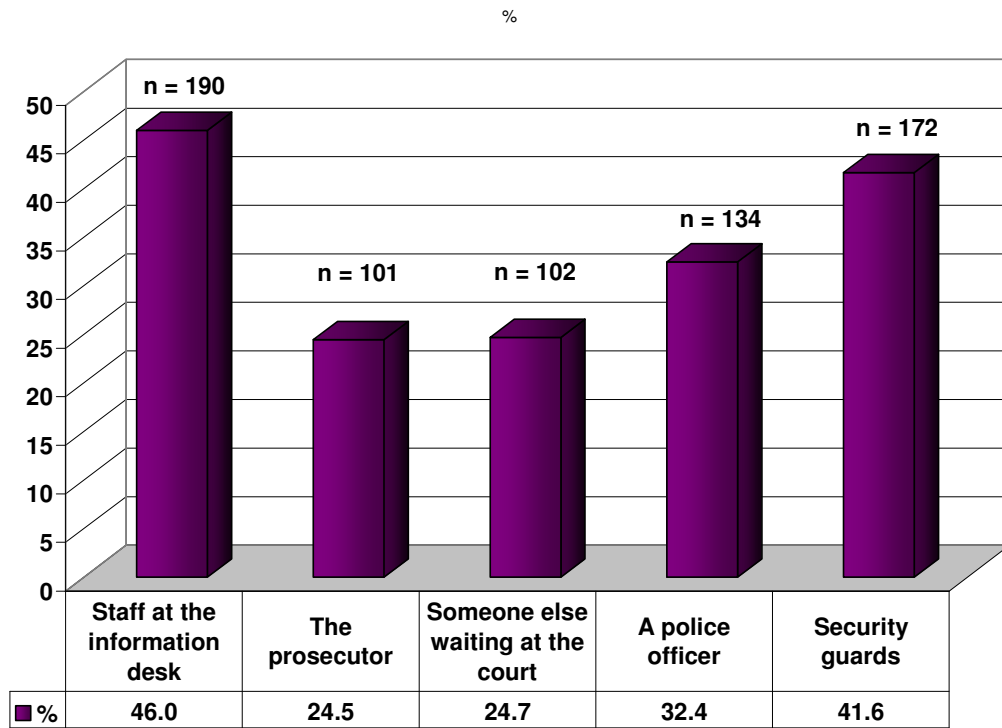


Figure 4-3 People who were approached for information on court premises or facilities by respondents at the court*

*More than one person could be mentioned

Second, respondents had to specify if someone had explained the court process to them. Overall, 59.4% (n = 781) said the court process had been explained to them. The prosecutor (58.8% of respondents) was the court official and the investigating officer (22.2%) the SAPS official who explained the court process to most of these respondents (Figure 4-4).

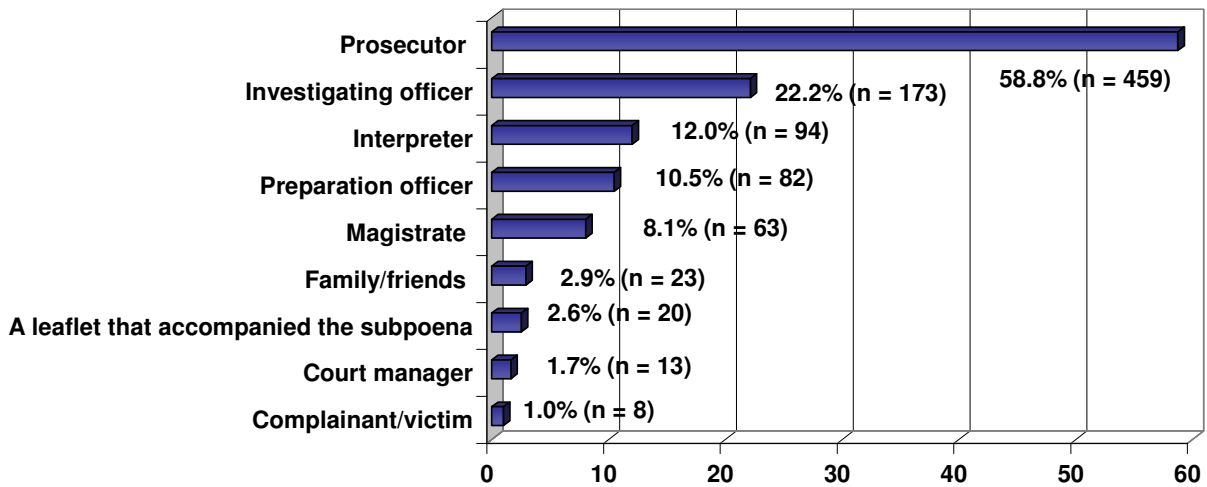


Figure 4-4 People who explained the court process to respondents *

*More than one option could be selected.

Third, respondents had to indicate how they were treated by officials. Four victim rights were related to the questions put to respondents:

- the right to protection;
- the right to receive assistance and information;
- the right to testify in a language of their choice; and
- the right to claim, under certain conditions, a witness fee.

To protect witnesses some courts had separate witness rooms that witnesses could use instead of waiting in the corridors with the other parties. However, earlier (Table 4-1) it was indicated that 16.8% of respondents stated that separate witness rooms did not exist in the courts where they testified. Witness protection is also offered in particular cases or, under certain circumstances, witnesses may testify by way of a closed-circuit television system or behind glass so that they are not in the presence of the accused.

Against this background, respondents were asked if court officials had asked them if they wanted to sit separately from the other parties the first time that they had attended court. Only 11.8% (n = 154) of

respondents indicated that they were separated in some way from the other parties. It seems, therefore, that irrespective of the type of crime that was committed, the majority of victims and witnesses had to wait in the same waiting areas as the accused (if the accused was not in custody) and/or witnesses for the defence.

As victims or witnesses of the prosecution, 20.8% (n = 273) of respondents indicated that they did not need any protection or protective measures. Of those who believed they could do with protection, only 21.5% (n = 223) indicated they were informed by court officials about such programmes. Furthermore, of the respondents who indicated someone had tried to stop their cases or stop them from testifying (Section 4.4), only 27.1% (n = 23) said that court officials offered them information about witness protection.

Twenty-four per cent of respondents said they did not need closed-circuit television to testify. Of those who felt otherwise, only 9.3% (n = 8) said they were informed by court officials about such a possibility.

The Gender Directorate of the Department of Justice and Constitutional Development⁵ specifies that the prosecutor assigned to a case will, where necessary, consult with a witness before that person is called to testify. Overall, 71.7% (n = 942) of the respondents reported that the prosecutor assigned to the case had consulted them before they were called to testify, while 76.0% (n = 999) were allowed to re-read their statements or listen to it again, before they had to testify. People with post school qualifications were more frequently consulted by the prosecutors than people with matric or less and they were also more often allowed to re-read their statements (see Annexure A 7 and A 8).

English was not the mother tongue of 91.6% (n = 1 203) of victims and witnesses. Respondents who were not English speaking were entitled to the services of an interpreter if such services⁶ were required. Of the respondents who indicated a language other than English as their primary language, 95.4% (n = 1 147) said they were allowed to give evidence in their language of choice. A few respondents had complained that they were not allowed to testify in Afrikaans.

Fifty-six per cent of respondents (n = 736) stated they were informed by a court official that under certain conditions they were entitled to be paid a witness fee⁷. Of those who were informed, 69.3% (n = 510) received a witness fee. However, in total only 45.1% (n = 593) of respondents had received

⁵ Gender Directorate 2004. *Minimum Standards on Services for Victims of Crime*. Department of Justice and Constitutional Development.

⁶ 2004. *Service Charter of Victims of Crime in South Africa*. Department of Justice and Constitutional Development.

⁷ A witness in any proceedings is entitled to be paid in accordance with the tariff of allowances prescribed by the Minister of Justice and published by notice in the Gazette in terms of section 42 of the Supreme Court Act, 1959 (Act 59 of 1959). Not all witnesses are entitled to witness fees.

a witness fee on the day they were interviewed. Of those who had received the witness fee, 83.1% (n = 493) said the fee was sufficient to cover all their travel expenses.

4.3.2 Levels of satisfaction

This section deals with respondents' ratings of the services and treatment they had received from court officials during their visits to court. Furthermore, respondents had to indicate if the treatment that they had received had complied with the standards set out in the Minimum Standards document. Dissatisfied complainants and witnesses were also asked if and with whom they had raised the matter of their dissatisfaction.

First, respondents had to indicate their satisfaction with the *treatment* that they had received from court officials at the trial. Table 4-2 shows that as many as 41.3% (n = 536) did not have contact with staff at the information desk and 17.4% (n = 226) with an interpreter at the trial. The lack of contact with information desk staff could partly be due to the unavailability of information desks at some courts. The lack of contact with interpreters could point to court officials who were fluent in the mother tongue of victims/state witnesses e.g. Zulu or Afrikaans, which made the services of an interpreter unnecessary.

Significant differences were found between the percentage of Black and White respondents who said that they had no contact with the investigating officer. While 9.7% (n = 114) of the Black respondents had no contact, 17.6% (n = 23) of the Whites reported that they had no contact with the investigating officer (Annexure A 9). A relatively larger percentage (39.1%, n = 50) of Whites had no contact with an interpreter while only 15.1% (n = 176) of Blacks had no contact (Annexure A 10).

Nevertheless, the majority of respondents who had had contact with court officials were satisfied or very satisfied with the treatment they had received. For example, 67.4% (n = 881) were satisfied with the way they had been treated by the prosecutor and 22.6% (n = 296) were very satisfied. Only 10% of respondents (n = 131) were unsatisfied with the treatment they had received from the investigating (SAPS) officer, 7.3% (n = 95) from the magistrate, and 7.0% (n = 92) from the prosecutor.

Black respondents were more satisfied than Whites with the treatment they had received from prosecutors and security staff and in the evaluation of the services of security staff respondents with lower educational qualifications were more satisfied than those with post matric qualifications (Annexure A12 and A13).

Table 4-2 Levels of satisfaction of respondents on how they were treated by court officials

Court official	No contact		Unsatisfied		Satisfied		Very satisfied		Total	
	n	%	n	%	n	%	n	%	n	%
Prosecutor	38	2.9	92	7.0	881	67.4	296	22.6	1 307	100.0
Magistrate	93	7.1	95	7.3	838	64.3	277	21.3	1 303	100.0
Investigating officer	137	10.5	131	10.0	787	60.3	250	19.2	1 305	100.0
Interpreter	226	17.4	30	2.3	771	59.4	272	20.9	1 299	100.0
Security staff	139	10.6	56	4.3	867	66.3	245	18.7	1 307	100.0
Staff at the information desk	536	41.3	71	5.5	531	40.9	161	12.4	1 299	100.0

Second, respondents evaluated the *services* that they had received as witnesses for the prosecution.

Table 4-3 shows that relatively large percentages of respondents said that they hadn't received the services listed in the table:

- 47.8% said they hadn't received information explaining their rights as witnesses and complainants;
- 45.4% said that they had not received information explaining what will happen in court; and
- 48.6% said they had not received information on witness fees.

Large percentages of respondents indicated they had not received services such as medical-, psychological-, and victim-support services (63.7%) and protection services, e.g. witness protection programmes (43.5%). These services were, however, not needed by all victims and witnesses.

The inter-group comparisons regarding these variables can be seen in Annexure A 14 to A 17. More victims than witnesses and more people with matric and less did not receive information on how long and where they would have to wait before giving evidence.

Table 4-3 reflects that the majority of respondents were satisfied or very satisfied with the information that they had received on where and when the trial would be held (89.7%) and the interpreting services in the court (78.6%). On the other hand, only 47.5% were satisfied or very satisfied with the information that they had received on how long and where they had to wait before they testified. In fact, a quarter (25.9%) of respondents were not satisfied with the information that they had received on how long and where they had to wait before they testified. Inter-group comparisons can be seen in Annexure A 18 to A 20.

Table 4-3 Respondents' satisfaction with the services they had received since being called as witness

Service	Not satisfied		Satisfied		Very satisfied		Did not receive the service		Total	
	n	%	n	%	n	%	n	%	n	%
Information explaining your rights as a witness or complainant	25	1.9	303	23.1	358	27.2	628	47.8	1 314	100.0
Information on where and when the trial will be held	85	6.5	622	47.3	557	42.4	44	3.8	1 308	100.0
Information explaining what will happen in the court	28	2.1	339	25.8	351	26.7	596	45.4	1 314	100.0
Information on how long and where you will have to wait before giving evidence	340	25.9	370	28.2	254	19.3	343	26.6	1 307	100.0
Information on medical-, psychological-, or community-based victim-support services	153	11.6	171	13.0	153	11.6	832	63.7	1 309	100.0
Information on how the case has progressed	195	14.8	478	36.4	384	29.2	243	19.6	1 300	100.0
Interpreting services in court	44	3.3	471	35.8	562	42.8	214	18.0	1 291	100.0
Information on witness fees	66	5.0	292	22.2	318	24.2	638	48.6	1 314	100.0
Protection against threats to your safety	142	10.8	296	22.5	305	23.2	554	43.5	1 297	100.0

Third, respondents had to indicate if court officials had complied with the Minimum Standards on Services for Victims of Crime. Table 4-4 provides an overview of respondents' views on court officials' compliance with the minimum standards. Overall, the majority of victims and witnesses were of the opinion that things that they did not understand were always explained to them in their language (83.9%) and that they were always treated with respect for their dignity and privacy (74.2%). However, a lack of prompt and courteous service and information troubled some respondents, as only 63.6% indicated that they had always received prompt service, while only 66.8% were always provided with all the information that they needed. Only 63.5% of respondents were satisfied that their contributions to the prosecution process were always heard and taken into account; some respondents (8.0%) felt that their contributions were not heard or taken into account; while another 20.2% felt their contributions were only *sometimes* heard or taken into account, which could point to a lack of trust in the CJS.

The inter-group comparisons revealed statistically significant differences between Black and White respondents on two of the aspects that were tested namely respondents' perceptions regarding prompt and courteous service and the provision of all information needed. In both instances Black respondents were more positive about the service that they received than their White counterparts (see Annexure A 20 and A 21).

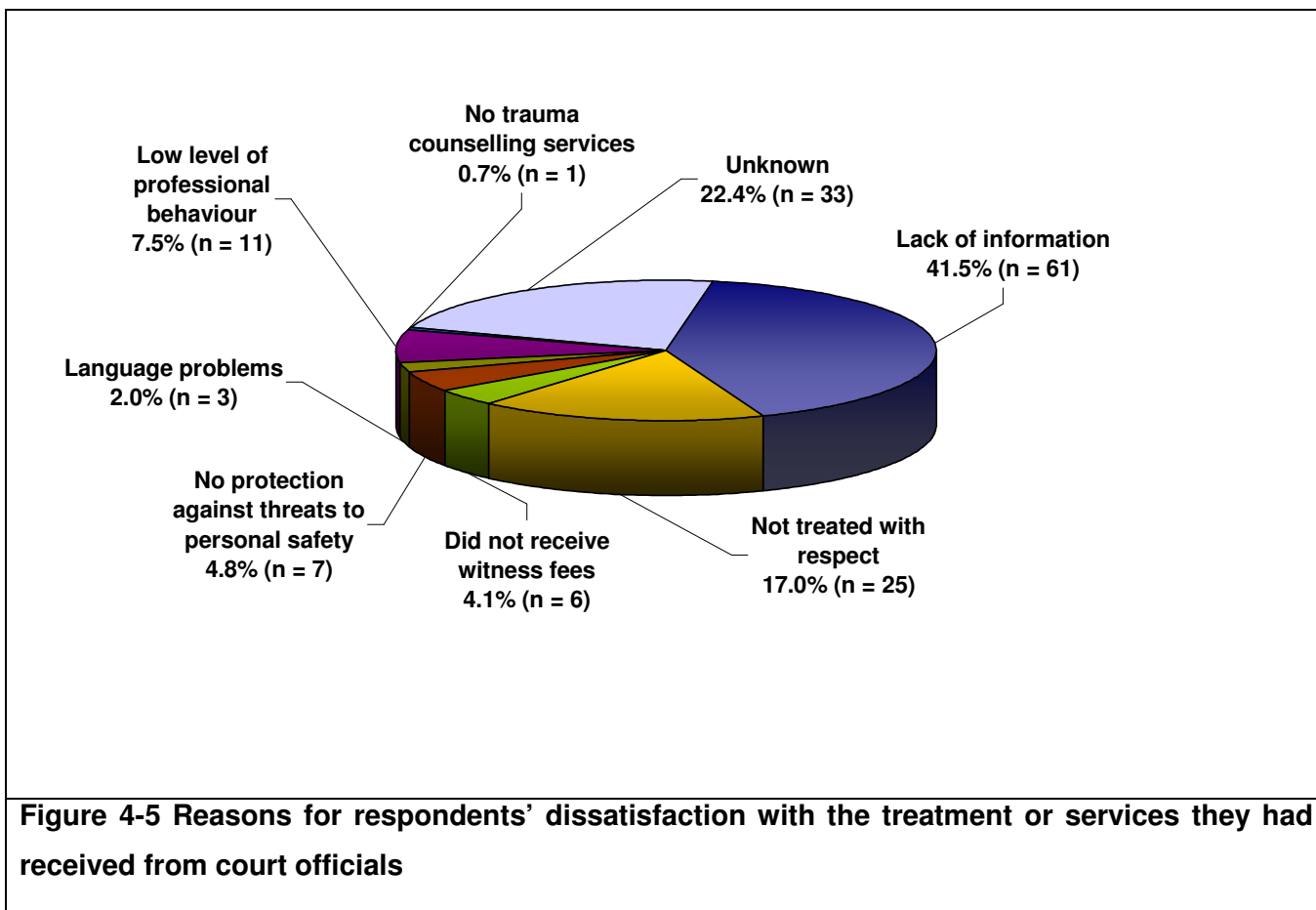
Table 4-4 Respondents' views on court officials'⁸ compliance with the minimum standards on services for victims of crime

Service	No, not at all		Yes, sometimes		Yes, all the time		Don't know/ Cannot remember		Total	
	n	%	n	%	n	%	n	%	n	%
You were treated with respect for your dignity and privacy	43	3.3	281	21.6	966	74.2	12	0.9	1 302	100.0
You received prompt and courteous service	106	8.1	324	24.9	828	63.6	44	3.4	1 302	100.0
Your contributions to the prosecution process were heard and taken into account	104	8.0	263	20.2	827	63.5	109	8.4	1 303	100.0
Things that you did not understand were explained to you in your own language	48	3.7	147	11.3	1 091	83.9	14	1.1	1 300	100.0
You were provided with all the information you needed	117	9.0	267	20.5	869	66.8	48	3.7	1 301	100.0

⁸ To respondents court officials included all members of the CJS with whom they had contact since the crime was committed, not only officials employed by the NPA.

Finally, respondents were asked if they ever felt dissatisfied with the treatment or service provided to them by officials of the court and if they had reported their dissatisfaction. All in all, 11.2% (n = 147) of victims and witnesses said that they were not satisfied with something they had received at the court. Of these respondents, 41.5% (4.6% of all respondents, n = 61) complained about the fact that they were not kept informed about aspects of their cases such as progress made with the investigation, the time that it would take to testify, case postponements and witness fees (Figure 4-5). Seventeen per cent (1.9% of all respondents, n = 25) complained about the lack of respect with which officials such as the interpreter and the lawyer for the defence had treated them.

However, only 15.6% (n = 23) of dissatisfied respondents had reported their dissatisfaction to someone at the court. All of those who had complained said they were not satisfied with the outcome of their complaints.



4.4 Intimidation and victimisation

The Victims Charter stipulates that victims have the right to be free from intimidation, harassment, bribery, corruption and abuse. But this right is accompanied by a responsibility that anyone who has experienced such behaviour must report it to the police or a senior state prosecutor.

Questions were put to respondents to determine whether they had been exposed to intimidation by court officials or other people during the trial and if they had reported such threats to the authorities.

First, questions were asked to determine if respondents had been intimidated by court officials during their appearance(s) in court. In total only 3.6% (n = 47) of victims and witnesses were of the opinion that they had been intimidated by a court official at some stage during the trial. The prosecutor, magistrate, advocate or lawyer for the defence and the interpreter were the court officials mentioned regarding intimidation.

Second, similar questions on intimidation were asked to determine if victims and witnesses were intimidated by people other than court officials. Respondents also had to indicate if they had reported the threats to someone and what the outcome of the complaint was.

A total of 16.7% (n = 220) of respondents said they were afraid that someone would do something to harm them for testifying in the case, while 11.3% (n = 149) said that someone had *already* tried to stop the case or tried to stop them from testifying in the case. More victims than other witnesses for the prosecution said that someone had tried to stop the case or to stop them from testifying (Annexure A23).

Unfortunately, only 24.2% of those who had received threats to stop their cases – 2.7% of total respondents (n = 36) – had reported the matter to someone. Almost half (n = 15) of those who had raised complaints indicated they had received help from a court official such as a magistrate on the matter. The other half (n = 16) said that they had not yet received any feedback on their complaint.

4.5 Summary and conclusions

Chapter 4 dealt with the experiences of victims and witnesses at the court. Their responses are discussed in terms of: 1) the facilities available at court buildings; 2) how they were treated by court officials; and 3) their exposure to intimidation.

Facilities

Results from the survey showed that most court buildings had security points, facilities for clean drinking water, toilet facilities and clear directions to court rooms. Unfortunately, many court buildings lacked essential facilities such as a food shop or vending machine, places for mothers to nurse their babies, and waiting areas for witnesses where they can sit separately from the accused. Shops selling refreshments, parking areas, public toilets and breastfeeding facilities need to be established at some of the courts and existing facilities need to be upgraded in other courts.

Service delivery and client satisfaction

Victims and witnesses cannot demand their rights if they do not know their rights. Neither can they hold CJS officials accountable for providing them appropriate information and assistance if they do not know that they are entitled to certain services. Survey results show that victims and witnesses are generally uninformed about their rights. Although the Victims' Charter and the document on the Minimum Standards on Services for Victims of Crime give details on the rights of victims of crime, only 17% of respondents were aware of the Victims' Charter and just more than half had received some information on their rights in the past.

Respondents' feedback on the information, assistance and services offered by CJS officials shows the majority of them were satisfied with the way in which they were treated by court officials. However, they did not always receive the information and services that they were entitled to. In general, victims and witnesses need more information on their rights, witness fees, witness protection programmes, the court process, and how long and where they have to wait before testifying. Services such as the court hearing occurring on time, the protection of victims and witnesses and the paying of witness fees need to be improved.

Although only a tenth of respondents were not satisfied with the treatment or the service of court officials, just a few of them had reported their dissatisfaction, which could point to respondents' unawareness of their rights to demand proper service and assistance.

Intimidation

Although the process of testifying in court is often experienced as stressful and intimidating, less than 5% of respondents experienced intimidating behaviour by a court official. However, almost 17% of respondents expressed their fear that people other than court officials would do something to harm them if they continued to testify. Only a few of those who had experienced intimidation from other people to stop their cases reported the matter, which again could relate to respondents' lack of knowledge about their rights and the responsibilities of CJS officials in this regard.

5 EXPERIENCES AFTER APPEARING IN COURT

5.1 Introduction

This chapter deals with the experiences of respondents after they had given evidence and focuses on the confidence shown by respondents in the CJS.

5.2 Confidence in the criminal justice system

Questions were put to respondents to determine the confidence they had in the magistrate and prosecutor, as well as to determine their confidence in the CJS. Respondents also had to indicate if they would be willing to testify in court again.

Most respondents (68.8%, n = 904) thought that the magistrate had listened to their testimony and would evaluate the case in a fair way to reach a verdict. However, 23.0% (n = 302) of respondents said they did not know whether a fair judgement would be made, while 8.7% (n = 103) were of the opinion that the magistrate would not make a fair judgement. Respondents with higher educational qualifications (more than matric) were more confident that the case would be evaluated in a fair way than respondents with matric or less (Annexure B1).

Also, 71.5% (n = 940) of respondents indicated that they were confident that the prosecutor had taken their interests into account, although 11.9% (n = 156) had no confidence in the prosecutor.

To determine the impact respondents' court experience(s) had on them, they were asked if they would be willing to testify again in the future. Most respondents (79.6%, n = 1 046) were positive about their court experience and indicated their willingness to testify again.

Of the respondents who did not want to testify again, 41.4% said that testifying was a traumatic and difficult experience that they did not want to repeat (Figure 5-2). Some were of the opinion that they had been intimidated during cross-examination and had to answer difficult questions put to them by the prosecutor, as well as the attorney for the defence.

Another 35.3% said they would not testify again because of the time they had wasted as a result of the unnecessary delays in the process caused by lost documents and the number of case postponements, among other things. Those that were employed were afraid of losing their jobs because of the time spent at the court, while unemployed respondents said that unnecessary case postponements had wasted too much of the time that they could have spent on job hunting. Inconvenience caused by being informed at the last minute to testify also made some respondents hesitant to testify again.

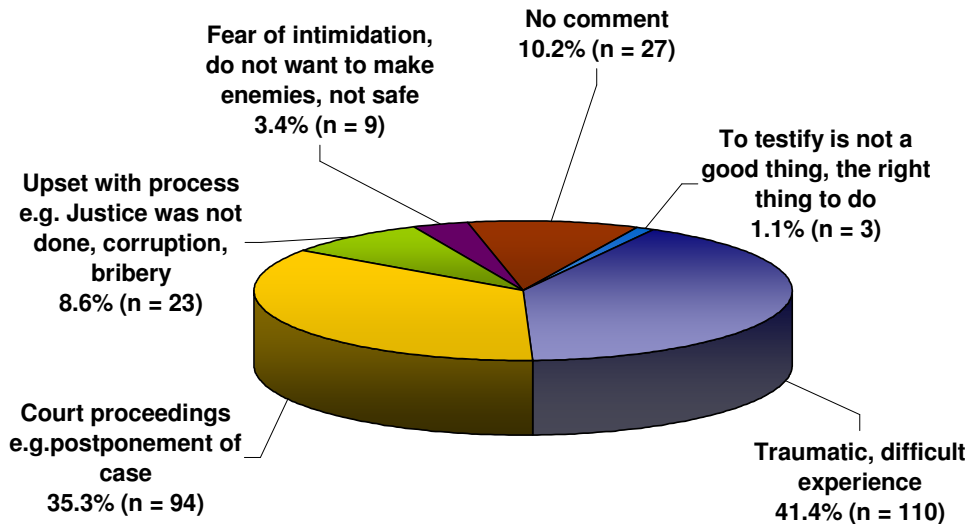


Figure 5-1 Reasons given by respondents for not wishing to testify again in court

Finally, respondents had to indicate if they felt that the way courts had dealt with criminals or criminal cases had ensured that justice was done. In total 64.2% (n = 844) of respondents were confident that the process followed by the courts had ensured that justice was done, while 34.9% (n = 459) did not agree.

Of the respondents who said they felt that justice was done, the majority (88.5%, n = 747) expressed their confidence in the CJS as a system that had ensured that those who did wrong were punished and that the “wrong doers” received punishment according to the seriousness of the crime(s) committed (Figure 5-4). Other reasons for respondents’ positive views of the justice system were the way in which the prosecution process was managed (e.g. court proceedings) and the role that they felt courts had played in protecting the public from criminals.

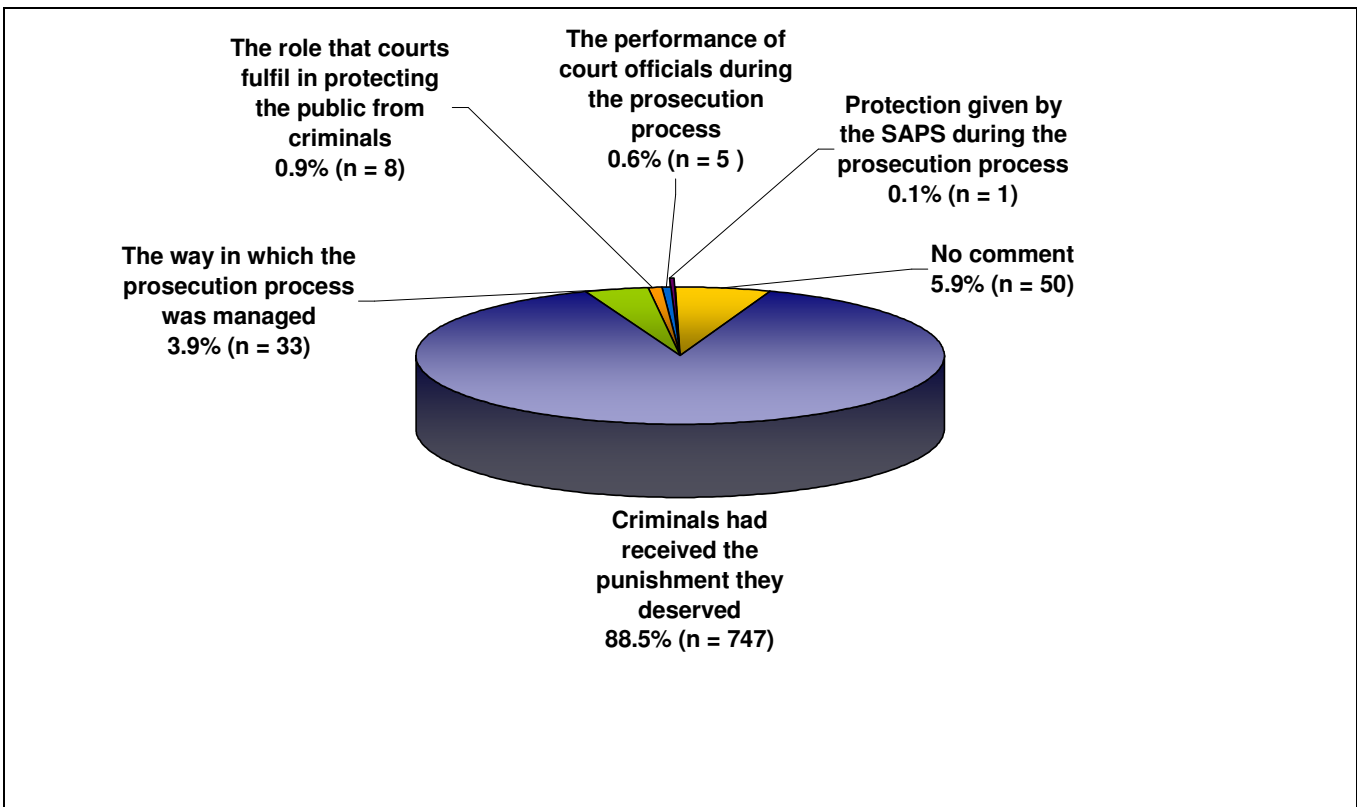


Figure 5-2 Reasons why respondents felt the way courts dealt with criminals had ensured that justice was done

Of the respondents who did not feel justice was done, 33.1% said it was because the accused was not punished properly, i.e. according to the seriousness of the crime(s) committed (Figure 5-5). Another 27.5% of respondents were of the opinion that justice was not done because of the low levels of service delivery which, among other things, resulted in various case postponements. Cases were unnecessarily delayed because of insufficient investigative work, role players (e.g. the accused, witnesses) not turning up at court, the time taken to obtain legal aid, and missing dockets.

A further 21.8% of respondents criticised the CJS as being a system that did not deliver justice because, in their belief, criminals had more rights than innocent people. Almost 13% said justice was not done because criminals had received too short sentences for the crimes they had committed. This, they said, had an impact on their safety as victims and witnesses of crime: “today the criminal is sentenced; tomorrow he is out, walking the streets with us”.

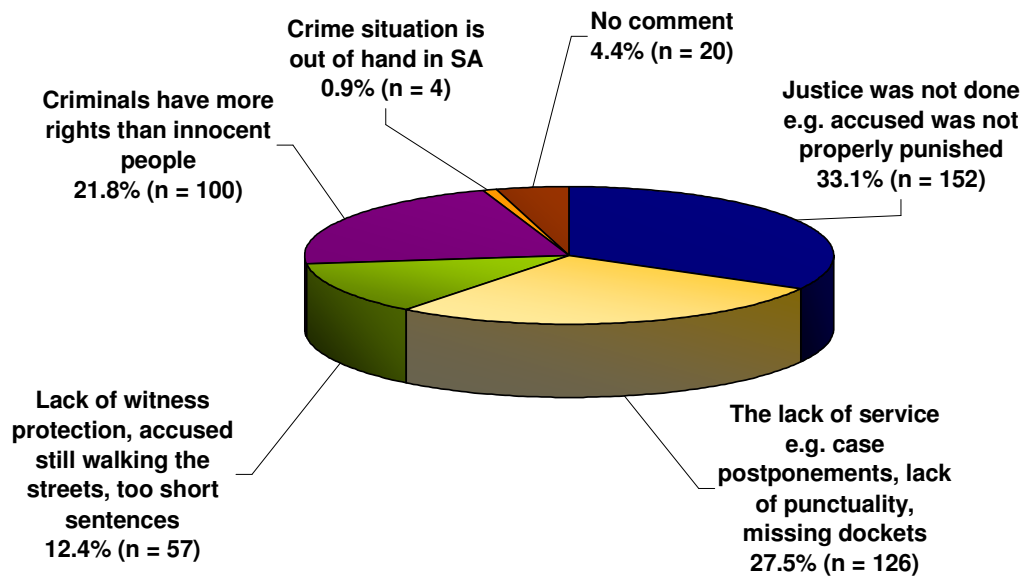


Figure 5-3 Reasons why respondents did not feel confident that justice had been done

5.3 Summary and conclusions

Chapter 5 addressed the experiences of victims and witnesses after they had testified in court and their perceptions of whether justice was done or not.

The questions on which the responses given in Chapter 5 are based all relate to the confidence that clients of the court (victims and witnesses) show in the CJS and some of its key officials. Survey results show that almost two-thirds of victims and witnesses were confident that justice was done because of their experiences with the way courts had dealt with criminals and the prosecution process. Furthermore, more or less 70% of respondents confirmed their confidence in the fair judgement of the court, based on the performance of the magistrate and prosecutor during the prosecution process in court. Eighty per cent of respondents were prepared to testify again in the future.

On the other hand, a third of respondents were not confident about the justice system. Their lack of confidence was largely based on the perceptions that criminals were not properly punished and that criminals had more rights than innocent people. Low levels of service delivery – which were responsible for, among other things, case postponements, a lack of punctuality at courts and case dockets that went missing – also contributed to their lack of confidence.

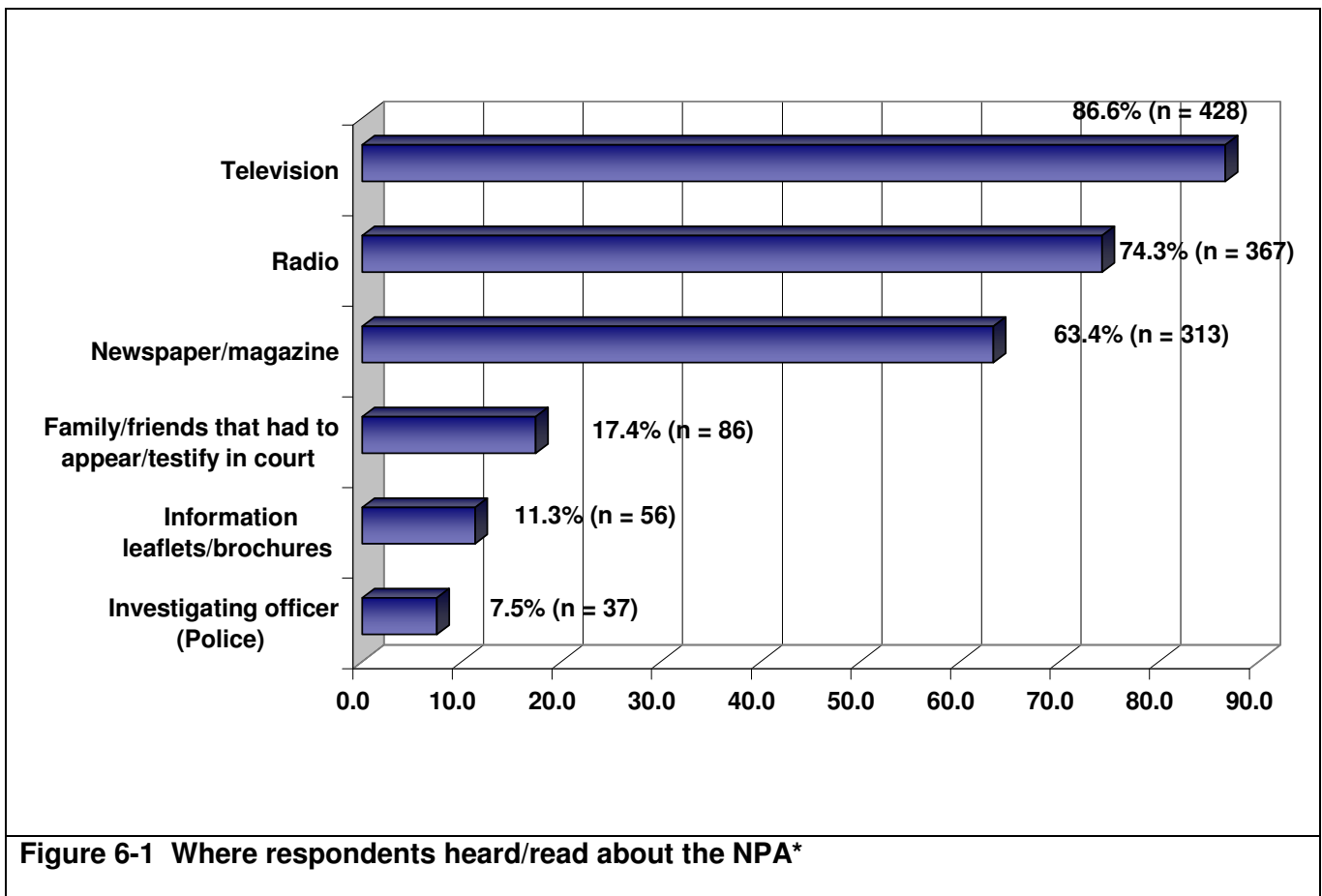
6 KNOWLEDGE ABOUT THE NPA

6.1 Introduction

This chapter deals with respondents' knowledge of the National Prosecution Authority (NPA). Questions were put to victims, complainants and state witnesses to determine their knowledge about the NPA – awareness of the NPA's existence and the existence of its units and awareness of the NPA's role in the CJS.

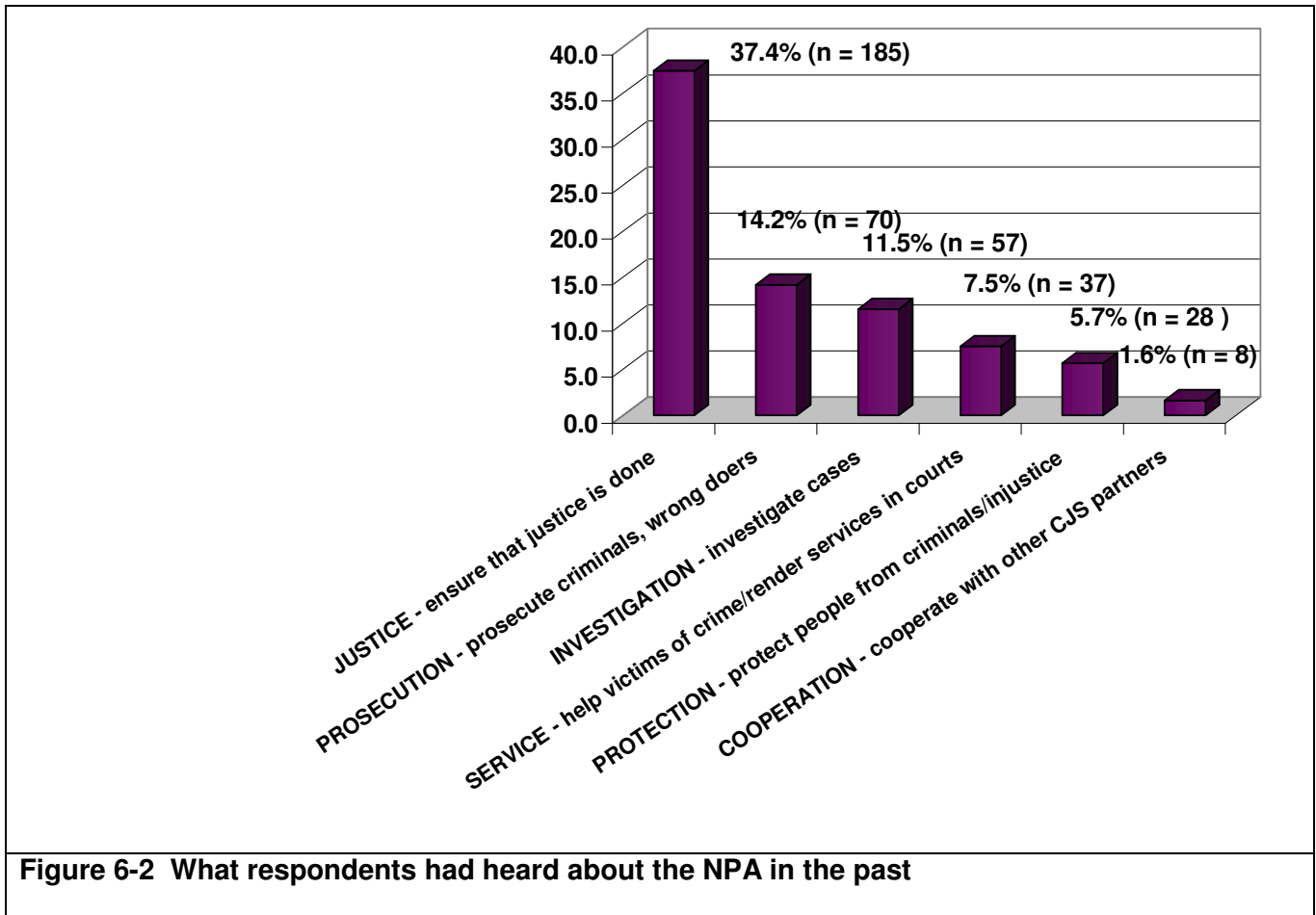
6.2 The National Prosecution Authority (NPA)

A total of 37.6% (n = 494) respondents indicated they were aware of the existence of the NPA as an organisation. Results from Chi-Square tests showed significant relationships between awareness of the NPA and gender, race and educational qualifications. More men had heard about the NPA than women, more of the White than Black respondents and more of the people with post matric qualifications than those with lower qualifications had heard about the organisation (Annexure C1).



*More than one option could be given

Respondents were asked to describe what they had heard about the NPA. Responses were grouped according to the key concepts referred to by respondents – e.g. prosecution, protection, cooperation, justice, service, investigation. Of the respondents who were aware of the NPA, 37.4% pointed to the NPA’s role in assuring that justice is done; i.e. that criminals are brought to justice and that justice is ensured for victims of crime (Figure 6.2). Almost 15% of respondents referred to the prosecuting role of the NPA; i.e. to ensure that all criminals or “wrong doers” are arrested and brought to court. Another 11.5% referred to the investigative function of the NPA as part of the CJS.

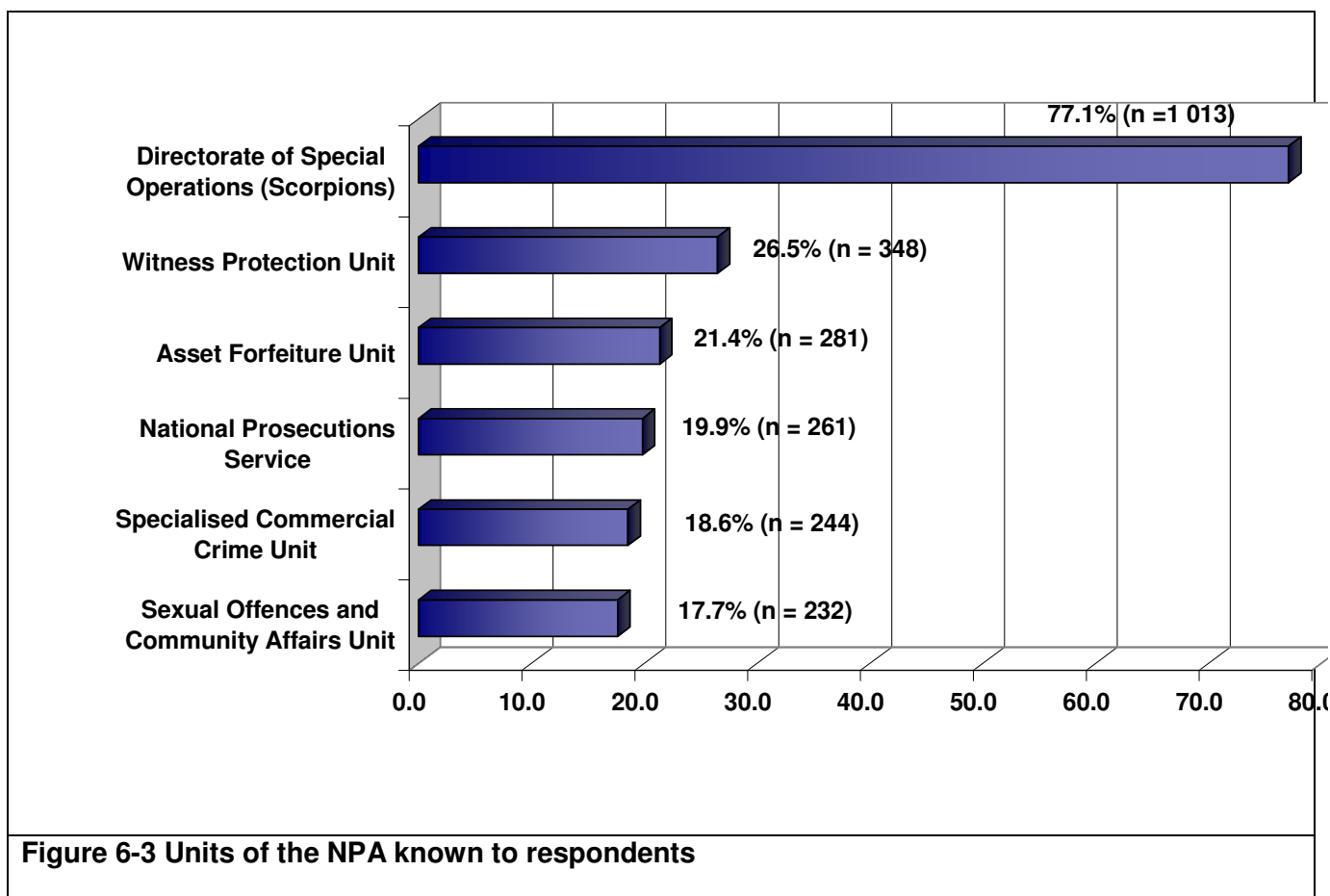


Finally, respondents were asked about their knowledge of the operational units of the NPA. The NPA comprises six core business units. These are:

- National Prosecution Service (NPS);
- Directorate of Special Operations (DSO);
- Asset Forfeiture Unit (AFU);
- Sexual Offences and Community Affairs Unit (SOCA);

- Specialised Commercial Crime Unit (SCCU); and
- Witness Protection Unit (WPU).

According to Figure 6-3, most respondents (77.1%) were aware of the existence of the Directorate of Special Operations, also known as the “Scorpions”. About a fifth of respondents were aware of most of the other NPA units, such as the Witness Protection Unit (26.5%), the Asset Forfeiture Unit (21.4%), the National Prosecutions Service (19.9%), and the Specialised Commercial Crime Unit (18.6%).



Inter-group comparisons showed that men were more aware of the existence of the various units in the NPA than women, Whites were more aware of them than Black respondents and respondents with post matric qualifications were more aware of them than those with matric or less (Annexure C2 to C7).

6.3 Summary and conclusions

Chapter 6 dealt with respondents’ awareness of the NPA and its units as well as the function of the NPA. While only 40% of victims and witnesses were aware of the existence of the prosecution authority called the NPA and approximately 20% had heard about five of its six core business units,

the majority had heard about the sixth unit, the Directorate of Special Operations (Scorpions). Their awareness was mainly the result of their watching television, listening to the radio and reading newspapers and magazines. In their explanations of the function of the NPA as part of the CJS respondents emphasised the NPA's role in ensuring that justice is done and that criminals are brought to justice.

7 COMPARISON OF 2007 AND 2008 SURVEY DATA

7.1 Introduction

In the next section results from the 2007 CCJS and the 2008 CCJS are compared. In preparation for the 2008 survey, a few changes were made to the questionnaire used in 2007. Also, in the 2008 survey only one respondent (victim or witness) per case was interviewed while in the 2007 survey the sampling methodology allowed for the selection of more than one respondent per case. As a result of these changes, only questions that appeared in the questionnaires used in both surveys and questions on which the methodological change did not impact were considered in the year-on-year comparison.

For the purpose of comparison between the two surveys, the number of variables was reduced. For example, in respondents' evaluation of the treatment they had received from court officials, the "satisfied" and "very satisfied" options were combined. Chi-square tests were performed to determine if the differences observed between the 2007 and 2008 were statistically significant. The outcome is discussed under the headings "Service delivery", "Customer satisfaction", and "Awareness of the NPA".

7.2 Service delivery

For respondents to exercise their rights as victims and witnesses in a court case, they must know the minimum standards that they can expect from CJS officials and the services they are entitled to. CJS officials play an important role in making them aware of the importance of justice in society and why they need to come to court to testify. Officials also need to abide by the principles of *Batho Pele*⁹ or "people first".

Results from the two surveys reflect a lack of knowledge among respondents of their rights as victims and witnesses, as well as a lack of awareness about the SCVC. In 2007 only 46.2% of the respondents received information on their rights as witnesses. In 2008 this percentage increased to 55.0%. Although this is a significant increase, the NPA may want to set a higher target in this regard.

Similarly, although there was a significant increase in the number of respondents who had been made aware of the SCVC, the percentage of respondents who had received this service remained relatively low (Table 7-1).

⁹ Government's plan to ensure that the SA public gets good service from public servants such as court officials.

Table 7-1 Respondents' awareness of their rights as witnesses in a court case

Service	2007		2008		Sig
	n	%	n	%	
Someone had explained or had given respondents information regarding their rights as witnesses in a court case	629	46.2	722	55.0	.000*
Respondents had been made aware of the Service Charter for Victims of Crime (SCVC)	183	13.4	222	16.9	.011*

* The Chi-square statistic is significant at the 0.05 level.

The protection of witnesses against threats and intimidation is an important responsibility of CJS officials. Table 7-2 shows that witnesses did not receive sufficient protection from the accused and other parties in their cases in 2007 and that the situation had deteriorated further in 2008. For example, in 2007 only 13.6% of respondents said court officials had separated them from the other parties before the hearing. This figure dropped to 9.1% in 2008. Similarly, there was a drop in the percentage of witnesses that were informed about witness protection programmes and other protective measures, such as opportunities to testify by way of close-circuit television to protect them against victimisation and intimidation.

These findings reflect on more than the service delivery of the court officials. Court officials are constrained in their service delivery by the physical facilities available in the court buildings.

Table 7-2 Service delivery by court officials

Service	2007		2008		Sig
	n	%	n	%	
Court official separated witnesses from the other parties in the court case	186	13.6	119	9.1	.001*
Court official informed witnesses (who felt they needed witness protection) about witness protection programmes	217	15.9	233	17.0	.000*
Court official suggested that witnesses (who felt that they needed special protection) testify by way of close-circuit television or behind glass	140	10.2	69	5.3	.000*
Prosecutor consulted with witnesses before they were called to testify	940	68.9	942	71.9	
Witnesses were allowed to re-read their statements	1 037	76.0	999	76.3	

* The Chi-square statistic is significant at the 0.05 level.

Table 7-3 shows that respondents to the 2008 survey were more definite in their views regarding court officials' compliance with the minimum standards of service. While more respondents in 2008 than in 2007 felt that court officials had all the time complied with the NPA's minimum standards in the provision of services, more respondents also felt that court officials had not complied at all with the minimum standards regarding prompt and courteous service and the provision of information. Also, in 2008 more respondents than in 2007 felt that their contributions to the prosecution process were not heard and taken into account.

Table 7-3 Respondents' views on court officials' compliance with minimum standards of service

Service		No, not at all		Yes, sometimes		Yes, all the time		Total		Sig
		2007	2008	2007	2008	2007	2008	2007	2008	
You were treated with respect for your dignity and privacy	n	45	43	339	281	959	966	1 343	1 290	
	%	3.4	3.3	25.2	21.8	71.4	74.9	100.0	100.0	
You received prompt and courteous service	n	59	106	426	324	801	828	1 286	1 258	.000*
	%	4.6	8.4	33.1	25.8	62.3	65.8	100.0	100.0	
Your contributions to the prosecution process were heard and taken into account	n	48	104	319	263	860	827	1 227	1 194	.000*
	%	3.9	8.7	26.0	22.0	70.1	69.3	100.0	100.0	
Things that you did not understand were explained to you in your own language	n	45	48	187	147	1 105	1 091	1 337	1 286	
	%	3.4	3.7	14.0	11.4	82.6	84.8	100.0	100.0	
You were provided with all the information you needed	n	88	117	378	267	842	869	1 308	1 253	.000*
	%	6.7	9.3	28.9	21.3	64.4	69.4	100.0	100.0	

* The Chi-square statistic is significant at the 0.05 level.

7.3 Satisfaction with services

In both surveys respondents had to indicate if they had had contact with court officials such as an interpreter. If respondents had had such contact they were asked to evaluate the services and assistance they had received from these officials.

Table 7-4 shows that while more respondents in 2008 than in 2007 had had contact with the magistrate and investigating officer, fewer had had contact with the interpreter. The reduction in contact with interpreters could be an indication that fewer witnesses gave evidence in a language other than English or that more magistrates and prosecutors were proficient in the languages of the witnesses.

Table 7-4 If respondents had contact or not with court officials at the trial

Court official		Contact		No contact		Total		Sig
		2007	2008	2007	2008	2007	2008	
Prosecutor	n	1 331	1 269	32	38	1 363	1 307	
	%	97.7	97.1	2.3	2.9	100	100	
Magistrate	n	1 305	1 210	57	93	1 362	1 303	.001*
	%	95.8	92.9	4.2	7.1	100	100	
Investigating officer	n	1 153	1 168	208	137	1 361	1 305	.000*
	%	84.7	89.5	15.3	10.5	100	100	
Interpreter	n	1 213	1 073	139	226	1 352	1 299	.000*
	%	89.7	82.6	10.3	17.4	100	100	

* The Chi-square statistic is significant at the 0.05 level.

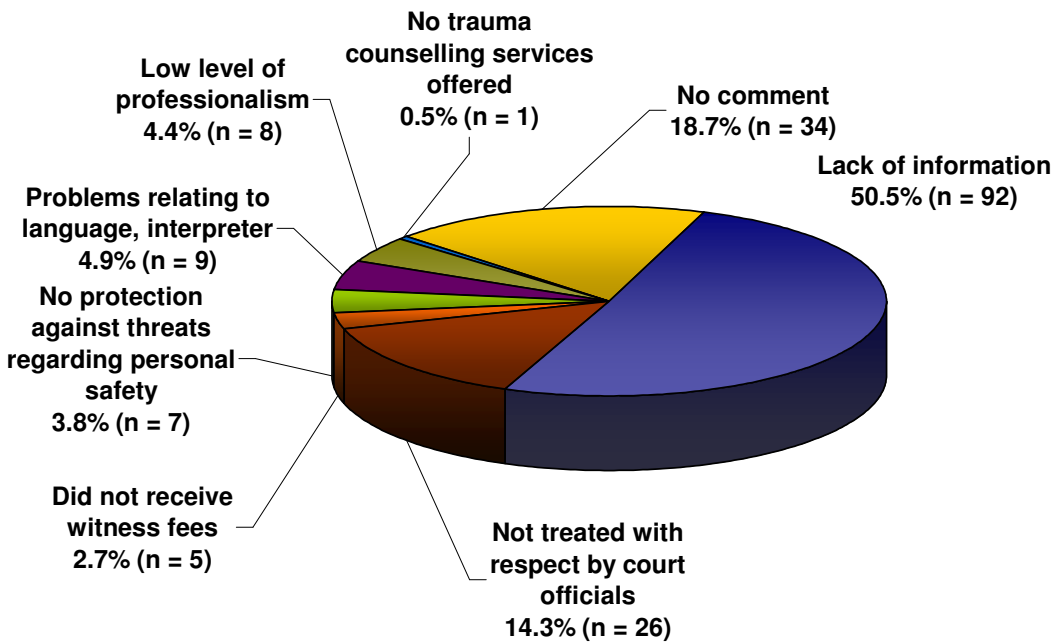
Of those respondents who had had contact with court officials, the majority in both surveys were satisfied or very satisfied with the treatment they had received from prosecutors, magistrates, investigating officers and interpreters (Table 7-5). However, the level of satisfaction with the services of prosecutors and magistrates dropped between 2007 and 2008.

Table 7-5 Respondents' satisfaction with the treatment they had received from court officials

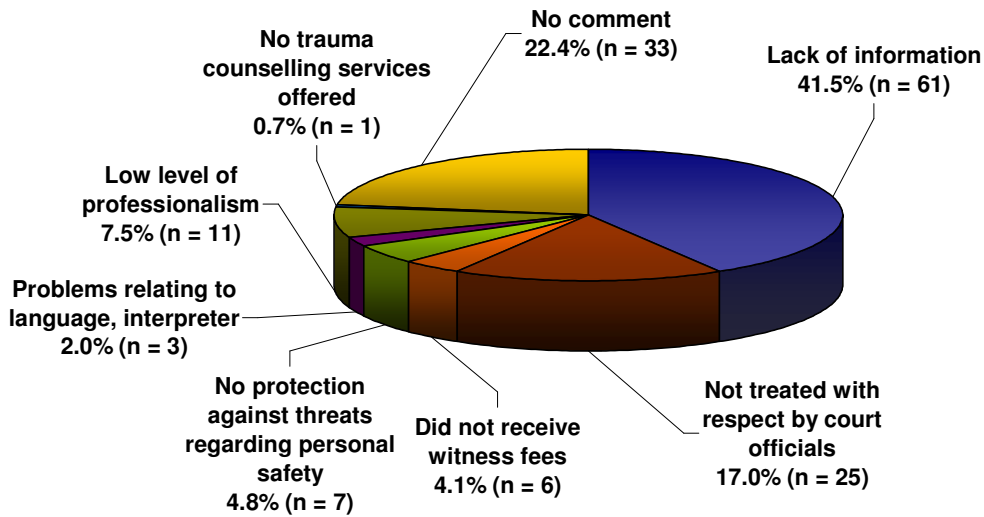
Court official		Not satisfied		Satisfied/very satisfied		Total		Sig
		2007	2008	2007	2008	2007	2008	
Prosecutor	n	62	92	1 269	1 177	1 331	1 269	.005*
	%	4.7	7.2	95.3	92.8	100.0	100.0	
Magistrate	n	69	95	1 236	1 115	1 305	1 210	.009*
	%	5.3	7.9	94.7	92.1	100.0	100.0	
Investigating officer	n	111	131	1 042	1 037	1 153	1 168	
	%	9.6	11.2	90.4	88.8	100.0	100.0	
Interpreter	n	45	30	1 168	1 043	1 213	1 073	
	%	3.7	2.8	96.3	97.2	100.0	100.0	

* The Chi-square statistic is significant at the 0.05 level.

In addition to the opportunity to rate their satisfaction with the services that they received from specific court officials, respondents were also asked a general question on whether they had ever felt dissatisfied with the treatment or the service provided by officials of the court. They were also given the opportunity to explain the reason for their dissatisfaction. In 2007 13.4% of respondents and in 2008 11.2% of respondents said they were not satisfied with the treatment or the service provided to them by court officials. In both surveys, respondents related most of their dissatisfaction to a lack of information (Figure 7-4). However, only a small percentage of respondents had reported their dissatisfaction to someone at court (13.5% in 2007 and 15.6% in 2008). This finding could be linked to respondents' lack of knowledge regarding the CJS (they did not know who to approach to obtain the information or service that they needed) and their rights as victims/witnesses (they did not realise that they had the right to demand information or a particular service).



2007



2008

Figure 7-1 Reasons for respondents' dissatisfaction with the treatment they had received from court officials

Table 7-6 shows the percentage of respondents in both surveys who had received certain services such as interpreting, while Table 7-7 displays the evaluation of those services by the respondents who had received them.

While the majority of respondents in both years had received information on where and when the trial would be held, how their cases had progressed as well as on interpreting services, just more than half had received information explaining what would happen in court. This situation did not change between 2007 and 2008.

In both years fewer than half of the respondents had received information on medical-, psychological-, or community-based victim-support services. This percentage declined significantly from 42.8% in 2007 to 36.4% in 2008. As with certain other services at the court, this situation may reflect not only on the court officials' conveyance of the information to the victims or witnesses but also on the absence of such services in some communities.

Another point on which respondents had not received information was the right to claim witness fees. In both years fewer than half of the respondents had received information in this regard.

Table 7-6 If respondents had received certain services since they had been called as witnesses for the prosecution

Service		Received the service		Did not receive the service		Total		Sig
		2007	2008	2007	2008	2007	2008	
Information on where and when the trial would be held	n	1 322	1 264	39	44	1 361	1 308	
	%	97.1	96.6	2.9	3.4	100.0	100.0	
Information explaining what would happen in the court	n	479	718	887	596	1 366	1 314	
	%	55.4	55.1	44.6	44.9	100.0	100.0	
Information on how long and where you would have to wait before giving evidence	n	1 031	964	328	343	1 359	1 307	
	%	75.9	73.8	24.0	26.2	100.0	100.0	
Information on medical-, psychological-, or community-based victim-support services	n	585	477	781	832	1 366	1 309	.001*
	%	42.8	36.4	57.2	63.6	100.0	100.0	
Information on how the case had progressed	n	1 116	1 057	242	243	1 358	1 300	
	%	82.2	81.3	17.8	18.7	100.0	100.0	
Interpreting services in court	n	1 202	1 077	154	214	1 356	1 291	.000*
	%	88.6	83.4	11.4	16.6	100.0	100.0	
Information on witness fees	n	604	560	762	754	1 366	1 314	
	%	44.2	42.6	55.8	57.4	100.0	100.0	
Protection against threats to your safety	n	783	743	574	554	1 357	1 297	
	%	57.7	57.3	42.3	42.7	100.0	100.0	

* The Chi-square statistic is significant at the 0.05 level.

Of the respondents who had received services most were satisfied or very satisfied. However, the following areas of service delivery need to be addressed as a higher percentage of respondents in 2008 than in 2007 were not satisfied: information on where and when the trial would be held; information on medical-, psychological-, or community-based victim-support services; and information on witness fees, and protection of witnesses against threats to their safety. On the other hand, fewer respondents had complained about a lack of information regarding the court process, which could be an indication that the court preparation services are improving.

Table 7-7 Respondents' satisfaction with the services they had received since they had been called as witnesses for the prosecution

Service		Not satisfied		Satisfied/Very satisfied		Total		Sig
		2007	2008	2007	2008	2007	2008	
		n	%	n	%	n	%	
Information explaining your rights as a witness or complainant	n	7	25	332	661	339	686	
	%	2.7	3.6	97.3	96.4	100.0	100.0	
Information on where and when the trial would be held	n	48	85	1 274	1 179	1 322	1 264	.000*
	%	3.6	6.7	96.4	93.3	100.0	100.0	
Information explaining what would happen in the court	n	5	28	474	690	479	718	.004*
	%	7.4	3.9	92.6	96.1	100.0	100.0	
Information on how long and where you would have to wait before giving evidence	n	348	340	683	624	1 031	964	
	%	33.8	35.3	66.2	64.7	100.0	100.0	
Information on medical-, psychological-, or community-based victim-support services	n	98	153	487	324	585	477	.000*
	%	16.8	32.1	83.2	67.9	100.0	100.0	
Information on how the case had progressed	n	203	195	913	862	1 116	1 057	
	%	18.2	18.4	81.8	81.6	100.0	100.0	
Interpreting services in court	n	49	44	1 153	1 033	1 202	1 077	
	%	4.1	4.1	95.9	95.9	100.0	100.0	
Information on witness fees	n	109	165	834	781	943	946	.000*
	%	11.6	17.4	88.4	82.6	100.0	100.0	
Protection against threats to your safety	n	97	142	686	601	783	743	.000*
	%	12.4	19.1	87.6	80.9	100.0	100.0	

* The Chi-square statistic is significant at the 0.05 level.

In both surveys, a number of questions were put to respondents to determine their confidence in the CJS. The results of two questions could be compared (Table 7-8). While in 2008 fewer respondents than in 2007 had been confident in the magistrate's or judge's ability to evaluate their cases in a fair way, more said in 2008 than in 2007 that they were prepared to testify again in a court case.

Table 7-8 Respondents' confidence in the CJS

Indication of confidence	Yes				Sig
	2007		2008		
	n	%	n	%	
Magistrate would evaluate my case in a fair way	1 028	75.5	904	69.1	.000*
I would be willing to testify again in a court case	935	68.6	1 046	79.7	.000*

* The Chi-square statistic is significant at the 0.05 level.

7.4 Awareness of the NPA

Awareness of the NPA increased between 2007 and 2008. However, fewer of the 2008 respondents had heard about the business units of the NPA. The exception is the Directorate of Special Operations. In both surveys almost 80% of victims and witnesses indicated they had heard of the Scorpions.

Table 7-9 Respondents' awareness of the NPA and its units

Institution/Unit	Yes				Sig
	2007		2008		
	n	%	n	%	
NPA	373	27.5	494	37.9	.000*
Directorate of Special Operations (Scorpions)	1 034	76.0	1 013	78.6	
Witness Protection Unit	455	33.7	348	27.5	.001*
Asset Forfeiture Unit	445	32.8	281	22.2	.000*
National Prosecutions Service	420	31.1	261	20.8	.000*
Specialised Commercial Crime Unit	300	23.6	244	19.4	.010*
Sexual Offences and Community Affairs Unit	421	31.1	232	18.5	.000*

* The Chi-square statistic is significant at the 0.05 level.

7.5 Summary and conclusions

The NPA has identified as one of their responsibilities the obligation to inform victims and witnesses of their rights. The results of the two surveys showed that this is an area where some improvements were made between 2007 and 2008. However, the results show that room for improvement still exists as in 2008 45% of the respondents did not receive information on their rights. Similarly, although there was a significant increase in the number of respondents who had been made aware of the SCVC, the percentage of respondents who had received this service remained relatively low.

Both surveys showed that a relatively large percentage of victims of crime and other witnesses for the prosecution experienced intimidation during the trial period and that they did not always receive sufficient protection in the court environment. It also seems as if the situation had deteriorated in 2008. Fewer respondents were given an opportunity to sit separately from the accused and/or the other party and there was a drop in the percentage of witnesses who were informed about witness protection programmes and other protective measures, such as opportunities to testify by way of close-circuit television.

In 2008 respondents were more definite in their views regarding court officials' compliance with the minimum standards of service. However, there was no clear indication of an improvement or deterioration in terms of compliance.

Of those respondents who had contact with court officials, the majority were generally satisfied with the treatment they had received, and 13.4% of respondents in 2007 and 11.2% in 2008 said they were not satisfied with the treatment or the service provided to them by some court officials. In both surveys, respondents related most of their dissatisfaction to a lack of information. While the majority of respondents in both years had received information on where and when the trial would be held, how their cases had progressed as well as information on interpreting services; just more than half received information explaining what would happen in court. This seems to be the area that still needs focused attention from the NPA. Another area that needs attention is information on medical-, psychological-, or community-based victim-support services (where ever this is available and needed).

In both years more than half of the respondents reported that they had not received information on witness fees. Levels of satisfaction with information on this issue also decreased between 2007 and 2008.

Awareness of the NPA had increased between 2007 and 2008, but in 2008 fewer respondents had heard about the units of the NPA, with the exception of the Directorate of Special Operations. This could be due to the high levels of (often negative) media exposure that the NPA and the Directorate of Special Operations had in 2008.

8 CONCLUSIONS AND RECOMMENDATIONS

The 2008 CCJS was the second of its kind and it follows on the first survey that was conducted in 2007. Overall, the findings of the two surveys were very consistent and changes were observed in a few areas only. Therefore, the conclusions and recommendations presented in this report do not differ substantially from those presented in the 2007 report.

8.1 Key findings of the survey

Court facilities

Public perceptions of the prosecution services may be greatly influenced by the physical surroundings in which the services are rendered. Most courts had security points, facilities for clean water, toilet facilities and clear signage to court rooms and other places of public interest. However, some of the facilities were dilapidated and in many courts there were no witness rooms or separate waiting areas for witnesses. The upgrading of existing facilities and the creation of more space for witness rooms need urgent attention. It is important for the NPA to ensure a customer-friendly environment – especially if the sacrifices that their main customers have to make to testify are considered. This may, however, prove to be difficult as the responsibility for the court buildings lies with the departments of justice and public works. At best the NPA could exert pressure on its partners to ensure that court buildings are suitable and properly maintained. The importance of all the CJS partners working together should once again be highlighted as imperative.

Witnesses' need for information

The fact that information is one of the basic rights of victims and witnesses and that proper information is necessary for the smooth functioning of the courts was incorporated in the design of the questionnaire. Several questions were asked to establish whether respondents in fact had received the information that they had needed and whether they were satisfied with what they had received. The findings are that in certain respects most of the respondents received information and that those who had received information were generally satisfied with it. This includes information on:

- where and when the trial would be held;
- how long and where respondents would have to wait before giving evidence;
- how the case had progressed; and
- the availability of interpreting services in court.

The areas that were not well covered and that need more concerted attention from the NPA are:

- information explaining what would happen in the court;

- information on medical-, psychological-, or community-based victim-support services (where these services are necessary and available);
- information on witness fees;
- information on measures that provide protection against threats to victims' and witnesses' safety;
- information on respondents' rights as witnesses in a court case; and
- information on the SCVC.

Although some improvement has been observed between 2007 and 2008 regarding the last two items listed above, improvement on these items is still needed.

The issue of information needs to be taken seriously as most of the respondents who reported that they were dissatisfied with some aspect of the services that they received at court ascribed their dissatisfaction to a lack of information.

Protection of witnesses

In Chapter 2 it was reported that more than half of the respondents were at court to testify in cases related to violent crimes. It stands to reason that the nature of the crime may contribute to the stress and fear experienced by victims and witnesses. Notwithstanding this, the protection against intimidation is a crucial aspect of the services that should be rendered to victims of crime. Both surveys showed that this area of the functioning of the CJS needs improvement. In fact, it seemed that the situation regarding protection against intimidation had worsened between 2007 and 2008. Almost a fifth of witnesses experienced intimidation or feared intimidation and nearly half of these reported that they had not received protection against threats to their safety. Fewer than half of the witnesses who felt they needed it had received information about witness protection programmes.

Intimidation is also linked to a lack of witness rooms where witnesses can sit separately from the other parties in their cases. Owing to, among other things, a lack of space, many courts did not have witness rooms. Fewer than 15% of witnesses had the opportunity to sit separately.

Witnesses' willingness to testify again

Complainants' and witnesses' willingness to testify again is probably one of the most important reflections of their total experiences in court and of their confidence in the CJS. In 2008 a significantly higher percentage of witnesses than in 2007 indicated that they were prepared to testify again. However, a fifth still felt the experience was too difficult to repeat.

The monetary, time-related and emotional sacrifices that witnesses had to make in order to be at the court could have impacted on their willingness to testify. The prolonged duration of the trials could

aggravate the stress experienced by witnesses and discourage further participation in the criminal justice process. Uncertainty and a lack of preparation for the experience of testifying could also contribute to making this a stressful experience.

Testifying in court will probably always remain a stressful event for most victims and witnesses. However, sufficient preparation before they give evidence and effective case management could alleviate the stress and the frustration that respondents reported having experienced.

In the development of court preparation services and written material to assist in this regard the NPA should take the educational levels and language preferences of their core customers into consideration. The profile of the respondent group as described in the second chapter of this report is a clear reflection of the customers of the NPA.

The partners in the CJS should plan and work together to avoid unnecessary postponements, long waiting periods at the court and witnesses complaining about not receiving the witness fees that they are entitled to.

Interrelatedness of CJS partners

Many of the functions of the CJS are shared between the different partners. The actual experience of testifying is influenced not only by the actions of prosecutors and magistrates but also by the behaviour of officials of the Department of Justice – such as interpreters and defence attorneys – and even by the availability and condition of facilities such as toilets and waiting areas at the court (Department of Public Works). The interrelatedness of the work of the various role players means that any strategy that is aimed at improving the work of the CJS should be a collaborative effort of all the role players.

The NPA could benefit from closer collaboration between the partners of the CJS as such collaboration would improve effectiveness and service delivery – as “the courts” (a commonly used term) constitute the most visible entity to the public in terms of prosecution. Citizens are generally not aware of the separate functions and responsibilities of the “main parts” of the CJS.

Public perceptions of the NPA as an organisation

The interrelatedness of the partners in the CJS made it very difficult, if not impossible, to isolate and to separately evaluate the work of the NPA. For example, effective case management requires an integrated effort from role players such as the SAPS (investigation); the NPA (prosecution); judiciary (sentencing); the Department of Justice (management of courts) and the Department of Correctional Services (delivering of the accused at the court). Even answers to questions that pertained specifically to the behaviour of prosecutors could have been influenced by respondents' experiences with other members of the CJS team.

The interrelated functions of the partners in the CJS probably contributed to the fact that only a small percentage of witnesses were aware of the NPA as an organisation. Although the 2008 survey showed that witnesses' awareness of the NPA had significantly increased, fewer respondents were aware of the units of the NPA, with the exception of the Scorpions. Because those who had heard of the NPA were mostly informed by the media, their increased awareness could have been the result of the Scorpion's long struggle for survival and the NPA's commentary on the matter on television and in the newspapers.

In order to better serve South African society it might be beneficial for the NPA to create more public awareness of its distinct role and function in the CJS, of its services to the public, and of its importance to the existence of a free and democratic society.

8.2 The usefulness of the court survey in monitoring the NPA Strategy 2020

In the NPA Strategy 2020 it is clearly stated that the NPA views victims of crime and state witnesses as their key customers and that the strategy is aimed, among other things, at improving the services delivered to these customers. Therefore, the monitoring of these customers' perceptions and experiences of the CJS should remain an integral part of the monitoring of the strategy itself. The surveys conducted in 2007 and 2008 already showed some changes to things such as service delivery, customer satisfaction and awareness of the NPA. However, for a proper analysis of trends more surveys need to be conducted over a longer period of time.

Although the survey among victims and state witnesses provides important information on the functioning of the CJS, the information should be augmented with the views of other role players such as the prosecutors, attorneys, advocates and court officials who are not employed by the NPA.

8.3 The research methodology

The sample size of 1 400 respondents and the sampling methodology were determined during the tendering process in 2006. The consistency found between the 2007 and 2008 surveys suggests that the sample size is large enough (if the dataset is analysed only on a national level and not regionally) and that the sampling methodology is sound.

Overall, the methodology that was followed in the data-collection process proved to be successful over the two years and could be used in subsequent surveys. However, the method is time consuming because of, among other things, the unpredictability of the progression of individual cases, the questionnaire that, of necessity, has to be completed in two sessions (before and after the respondent testifies) and the number of replacements that have to be made because respondents often cannot be traced to finish the second part of the interview. Also, in the 2008 survey field workers were allowed to

interview only one respondent per case in order that a more accurate view of case management could be obtained. This further adds to the time required to complete the survey. It is therefore imperative that adequate time is allowed for the completion of future surveys.

8.4 Development of indicators

In the first chapter of this report it was stated that the CCJS was commissioned by the NPA because of its need for feedback on service delivery from its main customers, to inform its strategy, and to determine if its intended strategic outcomes had been achieved. However, the NPA has not yet set quantifiable targets against which performance can be measured and the CCJS was conducted in the absence of such targets. Therefore, in this report we highlighted areas in which customer satisfaction was glaringly low and our conclusions and recommendations centre mainly on these areas. It is possible that certain of the levels of service delivery or customer satisfaction are not satisfactory for the NPA itself and that the organisation would like to aim to improve in these areas as well. For example, in our analysis we would generally consider an 80% satisfaction rate as high whereas the NPA may strive towards a 95% satisfaction rate. The results of the two surveys provide sufficient baseline information that can be used to link strategic objectives to more quantifiable indicators and targets.

ANNEXURE A
Chapter 4: Facilities at the court: inter-group comparisons
Percentage distribution and Chi-square test results of variables showing relationships significant at the 0.05 level

	Question	Responses	Type of respondent			Gender			Population group			Highest education		
			Victim (%)	Witness (%)	Sig	Male (%)	Female (%)	Sig	Black (%)	White (%)	Sig	Matric and less (%)	More than matric	Sig
A1	Rate signs to facilities such as cafeteria/ toilets	Need a lot of improvement							6.9	12.7				
		Need some improvement							14.3	22.9	.002*			
		Good condition – need no improvement							78.8	64.4				
A2	Rate clean drinking water	Need a lot of improvement							4.8	9.4		4.8	7.0	
		Need some improvement							7.2	17.6	.000*	7.1	12.4	.017
		Good condition – need no improvement							88.0	72.9		88.1	80.5	
A3	Rate public toilets	Need a lot of improvement							10.6	22.9		10.9	16.0	
		Need some improvement							16.1	15.6	.001*	15.0	20.8	.005*
		Good condition – need no improvement							73.3	61.5		74.1	63.2	
A4	Rate shop/ cafeteria selling food/drinks	Need a lot of improvement							11.0	19.7				
		Need some improvement							16.7	23.0	.042*			
		Good condition – need no improvement							72.2	57.4				

	Question	Responses	Type of respondent			Gender			Population group			Highest education		
			Victim (%)	Witness (%)	Sig	Male (%)	Female (%)	Sig	Black (%)	White (%)	Sig	Matric and less (%)	More than matric	Sig
A5	Have you ever heard of the Service Charter for Victims?	Yes				19.4	14.3	.013*				25.0	15.1	
		No				80.6	85.7					75.0	84.9	
A6	Has anybody explained to you your rights as a witness	Yes												
		No												
A7	Did the prosecutor consult with you before you were called to testify	Yes										70.0	80.3	.001*
		No										30.0	19.7	
A8	Were you allowed to re-read your statement?	Yes										74.6	84.0	.002*
		No										25.4	16.0	
A9	Rate treatment of investigating officer	No contact							9.7	17.6	.006*			
A10	Rate treatment of interpreter	No contact							15.1	39.1	.000*			
A11	Rate treatment of staff at information desk	No contact										42.6	35.4	.044*
A12	Rate satisfaction with prosecutor	Unsatisfied							6.7	12.5	.045*			
		Satisfied							70.2	63.3				
		Very satisfied							23.1	24.2				

	Question	Responses	Type of respondent			Gender			Population group			Highest education		
			Victim (%)	Witness (%)	Sig	Male (%)	Female (%)	Sig	Black (%)	White (%)	Sig	Matric and less (%)	More than matric	Sig
A13	Rate satisfaction with security staff	Unsatisfied							4.3	9.7	.026*	4.2	7.6	
		Satisfied						74.5	73.5	73.2		78.7		
		Very satisfied						21.3	16.8	22.6		13.7		
A14	Rate satisfaction with how Information on how long and where you will have to wait before giving evidence	Did not receive the service	28.8	23.5	.032*							27.6	20.3	.021*
A15	Rate satisfaction with information on how the case has progressed	Did not receive the service										19.9	13.4	.022*
A16	Rate satisfaction with information on witness fees	Did not receive the service	55.5	41.0	.000*				46.5	67.9	.000*			
A17	Rate satisfaction with protection against threats to safety	Did not receive the service	38.7	47.0	.002*									
A18	Rate satisfaction with information on how long and where you will have to wait before giving evidence	Not satisfied										33.4	42.9	.048*
		Satisfied										39.2	34.9	
		Very satisfied										27.4	22.2	
A19	Rate satisfaction with Information on how the case has progressed	Not satisfied	16.5	20.6	.020*				17.3	28.7	.015*			
		Satisfied	43.3	47.3					46.0	38.9				
		Very satisfied	40.1	32.1					36.6	32.4				

	Question	Responses	Type of respondent			Gender			Population group			Highest education		
			Victim (%)	Witness (%)	Sig	Male (%)	Female (%)	Sig	Black (%)	White (%)	Sig	Matric and less (%)	More than matric	Sig
A 20	Rate satisfaction with interpreting services in court	Not satisfied							3.5	10.8	.002*			
		Satisfied							43.4	48.2				
		Very satisfied							53.1	41.0				
A21	You received prompt and courteous service	Not at all							7.7	15.0	.013*			
		Yes, sometimes							26.4	20.5				
		Yes, all the time							65.9	64.6				
A22	You were provided with all the information you needed	Not at all							8.4	18.0	.002*			
		Yes, sometimes							21.8	17.2				
		Yes, all the time							69.8	64.8				
A23	Has anybody tried to stop this case or to stop you from testifying?	Yes	10.0	6.5	.023*									
		No	90.0	93.5										

ANNEXURE B
Chapter 5: Experiences after appearing in court: inter-group comparisons

Percentage distribution and Chi-square test results of variables showing relationships significant at the 0.05 level

	Question	Responses	Type of respondent			Gender			Population group			Highest education		
			Victim (%)	Witness (%)	Sig	Male (%)	Female (%)	Sig	Black (%)	White (%)	Sig	Matric and less (%)	More than matric	Sig
B1	Do you think that the magistrate/judge will evaluate this case in a fair way?	Yes										67.3	77.0	
		No										8.6	4.6	.009*
		Don't know										24.1	18.4	

ANNEXURE C

Chapter 6: Knowledge about the NPA: inter-group comparisons

Percentage distribution and Chi-square test results of variables showing relationships significant at the 0.05 level

	Question	Responses	Type of respondent			Gender			Population group			Highest education		
			Victim (%)	Witness (%)	Sig	Male (%)	Female (%)	Sig	Black (%)	White (%)	Sig	Matric and less (%)	More than matric	Sig
	Have you ever heard about													
C1	The National Prosecuting Authority?	Yes				47.0	28.2	.000*	36.6	49.6	.004*	32.9	60.4	.000*
		No				53.0	71.8		63.4	50.4		67.1	39.6	
C2	Asset Forfeiture Unit?	Yes				25.9	18.2	.001*	20.1	40.8	.000*	18.3	39.6	.000*
		No				74.1	81.8		79.9	59.2		81.7	60.4	
C3	Directorate of Special Operations (Scorpions)?	Yes							77.8	86.2	.028*	77.0	85.8	.003*
		No							22.2	13.8		23.0	14.2	
C4	National Prosecutions Service?	Yes				26.2	14.9	.000*	19.1	36.4	.000*	17.0	38.0	.000*
		No				73.8	85.1		80.9	63.6		83.0	62.0	
C5	Witness Protection Unit?	Yes				30.6	24.1	.009*	24.2	56.2	.000*	23.0	47.6	.000*
		No				69.4	75.9		75.8	43.8		77.0	52.4	
C6	Sexual Offences and Community Affairs Unit?	Yes							15.3	45.4	.000*	14.5	36.1	.000*
		No							84.7	54.6		85.5	63.9	
C7	Specialised Commercial Crime Unit?	Yes				23.6	14.7	.000*	16.8	41.9	.000*	15.3	37.8	.000*
		No				76.4	85.3		83.2	58.1		84.7	62.2	