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***NPA Court Preparation Programme***

**VICTIMS OF CRIME AND WITNESSES ASSISTANCE: INTRODUCTION**

Victims of crime demand justice. The courts demand credible and reliable witnesses. “No witness” translates to “no justice”!

NPA has fundamentally closed this gap by addressing the disparities between legal demands and victims’ rights. This has been achieved through the Ke Bona Lesdi Court Preparation Programme which focuses on witness special needs, fears and concerns whilst giving them a voice in court.

This is with a view to a safer South Africa by empowering victims and witnesses to have the confidence to appear in court and give their best evidence, having the voice of the most vulnerable victims at heart and bringing light and hope into their court experience, preventing secondary traumatization, safeguarding their rights and that they are at the centre of the justice system.

**IMPACT**

The impact on all relevant parties (witnesses/customers, role players, CPO’s) and the legal system itself was found to be uniformly beneficial in the Review, Research and Evaluation of the Ke Bona Lesedi Court Preparation Programme of the NPA (2008). Witnesses benefit in a lessening of stress and an increase in confidence that comes from understanding both how the legal system works and what part they are expected to play in it. By understanding how the court works and the child’s role in that process, a child can concentrate better on his/her testimony, without being distracted by the trappings of the court. By explaining to the child the “who, what, where, when, how and why” of going to court, as well as their rights in court, it is hoped that the child will feel more relaxed and be better able to both retrieve and communicate information about the crime. Court preparation should also help minimize court-related “secondary victimization.” Responses will be more accurate and complete, untainted by stress and distraction. Finally court preparation will maximize not only the child or other witness’ ability to respond effectively in court, but just as importantly, to be perceived as a credible witness, upon whose testimony a conviction may stand.

The legal system benefits in many ways. Prosecutors are given more time (in many ways the most valuable resource) in which to prepare the case as a whole for trial, concentrating on legal issues and concerns. As the child is better prepared to testify, this may manifest itself in a higher conviction rate, though there cannot be an absolute cause and effect relationship demonstrated, as other variables enter into the equation of whether a conviction occurs or not.

**Our Purpose:**

The purpose of NPS Ke Bona Lesedi Court Preparation component is to prepare the NPA‘s customers (witnesses) for court; empowering them to testify, thus enhancing prosecution and customer satisfaction. The component also facilitates Victim Impact Statements.

We exist to fulfill the vision and mission of the NPA and the NPS Strategic Objectives 2016/2017:

***NPA Strategic Objective 1:***

***Increased prosecution of serious and priority crime***

Court Preparation Officers (CPO) predominantly, but not limited thereto, prepare witnesses for court and facilitate victim impact statements in sexual offences matters, namely that of children under the age of 18yrs. This is particularly important where there are vulnerable victims such as the very young, very old, developmentally delayed, witnesses with disabilities, or extremely traumatized.

In addition thereto they prepare witnesses and their family members in serious and violent crime in high, regional and district court matters, without going into the merits of the case.

In light of the need for social cohesion in the current South African context the use of Victim Impact Statements are of utmost importance as it provides the victim and the community with an opportunity to have their voices heard in court in a controlled and empowered manner. This has the potential to reduce vigilantism and foster good relations between the public with the CJS.

**Our Vision:**

We will make a safer South Africa by empowering victims and witnesses to have the confidence to appear in court and give their best evidence, having the voice of the most vulnerable victims at heart and bringing light and hope into their court experience, preventing secondary traumatization, safeguarding their rights and that they are at the center of the justice system.

**Our Mission:**

* We believe that victims of all crime deserve to be treated with fairness dignity and respect.
* We believe every child and vulnerable witness should receive specialized support and care by a caring and dedicated court preparation officers when entering the court system
* We believe every victim of crime, young and old, should have their voice heard in court either by giving evidence or through a victim impact statement with the support of a caring court preparation officer
* Where victims special needs are addressed in an integrated, multidisciplinary approach
* Where we will aid crime victims through the court process by providing them with information and how to access specialized victims services through a referral system for continuity of care.
* Where partnerships within the Criminal Justice Cluster is crucial to ensure the best service to victims of crime within a collaborate framework.
* Where ongoing ‘single point of contact” approach by CPO’s who assists the witness/ victim through the trial process.
* We achieve this through key relationships, good governance, strategic development, equipping leaders and sharing resources.
* We want to influence government and civil society to understand the importance of caring for victims of crime.
* By doing this we want to impact our nation on all levels.

**Our Core Values:**

These are the key components of any organization, the operational and ethical guiding light. Core values articulate the goals, dreams, culture, behavior and desired future of KBL. Core values serve as the “GLUE” that binds the KBL Team together through values and standards of behavior.

**The NPA’s Values Core Values supersede that of the Court Preparation Component which are Professionalism; Integrity; Credibility; Accountability and Service Excellence.**

As a component we also subscribe to being:

* **Relationship driven**

We respect, care and highly value others

* **Equipping of colleagues**

We commit to daily train people and to develop them to the point that they eventually surpass us in knowledge and ability

* **Leadership orientated**

We acknowledge that leadership brings success, and successful leaders are learners. We daily commit to the true measure of a leader which is to have influence and leverage to grow others

* **Attitude**

We demonstrate a genuine caring positive attitude by putting people first in application of “Batho Pele”; “Ubuntu”; the “Best Interest of Children” and “Victims Charter” commitments.

* **Quality and good value for money**

Quality, safety and service add unmeasurable value to standard of court preparation and victim impact statements we offer.

* **Consistency**

As a team we act and deliver with professionalism and consistency

* **Fit for team**

We share and live the values and goals with a common purpose fit for the team

* **Team Work**

We commit to the development of a legacy and investing in the team as it guarantees a high return for effort because a team can do so much more than an individual

* **Commitment**

We honor all our commitments. We take ownership with accountability and deliver on all our commitments.

* **Honesty**

We conduct ourselves and interact with integrity, transparency and honesty

* **Service Orientated**

We are committed to ensure service excellence for our witnesses and their caregivers in order to meet their needs and concerns and thereby contribute towards the reduction of secondary traumatisation.

* **Professionalism**

In pursuit of excellence we strive to know what to do, when to do it, how to do it, and then to really do it with quality

* **Easy to work with**

We strive to build long term relationships and strive to be the top court preparation service in South Africa and beyond

* **Purposeful partnerships**

We endeavor to add value to others, lessening their load and lifting them up, doing all the good we can, to all the people we can, in all the ways we can, as long as ever we can. 10% of life is made up of what happens to you. 90% of life is decided by how you react.

**Our commitment:**

We recognize that values cannot be legislated; they must be lived. No document can substitute for the attitudes, decisions and actions that make up the fabric of our life and work. Therefore we commit with each other, with God’s help, to do our utmost individually and as a collective within the NPA to uphold these Core Values, to honor them in our decisions, to express them in our relationships and to act consistently with them wherever and whenever we work with victims of crime.

**OVERALL AIMS:**

It is within this conceptual framework that the government and civil society has defined its customers as –

• **The Vulnerable**: all citizens are vulnerable to crime. (i.e. those natural or juristic persons that find themselves at risk of victimisation)

• **Victims of crime** (i.e. those natural or juristic persons who, as per the United Nations Declaration of Basic Principles of Justice for Victims of Crime, have suffered direct harm, including physical or mental injury, emotional suffering, economic loss or substantial impairment of their fundamental rights, through acts or omissions that are in violation of criminal laws).

**SERVICES**

The program operates in High and lower courts in all 9 provinces within South Africa. Court Preparation Officers are based at 75 courts and assist nationally:

* During the financial year of 2009/10 the total victims / witnesses assisted were 65’315 and of which the witnesses under the age of 18 was 18’877
* In 2010/11 FY total witnesses assisted 68’962 and of that children assisted under the age of 18yrs 18’605
* 2011/12 FY total witnesses were 52’816 of that a total of 13’642 children were assisted
* 2012/2013 FY total witnesses assisted was 91’255 of which 22’097 were children under the age of 18 yrs;
* During 2013 /2014 FY total 94’ 975 victims / witnesses of which 21’371 were children under the age of 18 yrs
* In 2014/2015 FY total witnesses assisted was 104’847 of which the total children assisted 22’276
* 2015/2016 FY witnesses assisted totaled 111’426 of which 27’427 children under the age of 18 yrs

Courts where services are rendered, excluding periodical courts.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **No** | **Province** | **DPP** | **Cluster** | **Office** |
| **1** | **NORTH WEST** | **NWD** | **MMABATHO** | **MOLOPO** |
| **2** | **NORTH WEST** | **NWD** | **ODI** | **RUSTENBURG** |
| **3** | **NORTH WEST** | **NWD** | **ODI** | **BAFOKENG/THLABANE** |
| **4** | **NORTH WEST** | **NWD** | **ODI** | **MORETELE/TEMBA** |
| **5** | **NORTH WEST** | **NWD** | **ODI** | **ODI** |
| **6** | **WERSTERN CAPE** | **WCD** | **BELLVILLE** | **BELLVILLE** |
| **7** | **WERSTERN CAPE** | **WCD** | **BELLVILLE** | **KUILSRIVER/BLUEDOWNS** |
| **8** | **WERSTERN CAPE** | **WCD** | **CAPE TOWN** | **CAPE TOWN** |
| **9** | **WERSTERN CAPE** | **WCD** | **CAPE TOWN** | **GOODWOOD** |
| **10** | **WERSTERN CAPE** | **WCD** | **GEORGE** | **GEORGE** |
| **11** | **WERSTERN CAPE** | **WCD** | **GEORGE** | **OUDSTHOORN** |
| **12** | **WERSTERN CAPE** | **WCD** | **GEORGE** | **MOSSELBAY** |
| **13** | **WERSTERN CAPE** | **WCD** | **GEORGE** | **BEAUFORT WEST** |
| **14** | **WERSTERN CAPE** | **WCD** | **GEORGE** | **KNYSNA** |
| **15** | **WERSTERN CAPE** | **WCD** | **MITCHELLSPLAIN** | **MITCHELLSPLAIN** |
| **16** | **WERSTERN CAPE** | **WCD** | **MITCHELLSPLAIN** | **KHAYELITSHA** |
| **17** | **WERSTERN CAPE** | **WCD** | **WYNBERG** | **WYNBERG** |
| **18** | **WERSTERN CAPE** | **WCD** | **WYNBERG** | **PAARL** |
| **19** | **EASTERN CAPE** | **ECD** | **EAST LONDON** | **EAST LONDON** |
| **20** | **EASTERN CAPE** | **ECD** | **EAST LONDON** | **ZWELITSHA** |
| **21** | **EASTERN CAPE** | **ECD** | **EAST LONDON** | **MDANTSANE** |
| **22** | **EASTERN CAPE** | **ECD** | **PORT ELIZABETH** | **PORT ELIZABETH** |
| **23** | **EASTERN CAPE** | **ECD** | **PORT ELIZABETH** | **UITENHAGE** |
| **24** | **FREE STATE** | **FSD** | **BLOEMFONTEIN** | **PHUTHADITJHABA** |
| **25** | **FREE STATE** | **FSD** | **BLOEMFONTEIN** | **BLOEMFONTEIN** |
| **26** | **FREE STATE** | **FSD** | **WELKOM** | **BETHLEHEM** |
| **27** | **FREE STATE** | **FSD** | **WELKOM** | **WELKOM** |
| **28** | **NORTHERN CAPE** | **NCD** | **KIMBERLEY** | **KIMBERLEY** |
| **29** | **NORTHERN CAPE** | **NCD** | **UPINGTON** | **UPINGTON** |
| **30** | **KWAZULU - NATAL** | **KZND** | **DURBAN** | **DURBAN** |
| **31** | **KWAZULU - NATAL** | **KZND** | **DURBAN** | **UMLAZI** |
| **32** | **KWAZULU - NATAL** | **KZND** | **EMPANGENI** | **EMPANGENI** |
| **33** | **KWAZULU - NATAL** | **KZND** | **EMPANGENI** | **RICHARDSBAY** |
| **34** | **KWAZULU - NATAL** | **KZND** | **EMPANGENI** | **ULUNDI** |
| **35** | **KWAZULU - NATAL** | **KZND** | **NKZN** | **Madadeni** |
| **36** | **KWAZULU - NATAL** | **KZND** | **PINETOWN** | **PINETOWN** |
| **37** | **KWAZULU - NATAL** | **KZND** | **PINETOWN** | **VERULAM** |
| **38** | **KWAZULU - NATAL** | **KZND** | **PINETOWN** | **KWA DUKUZA** |
| **39** | **KWAZULU - NATAL** | **KZND** | **PINETOWN** | **NTUZUMA** |
| **40** | **KWAZULU - NATAL** | **KZND** | **PORT SHEPSTONE** | **PORT SHEPSTONE** |
| **41** | **KWAZULU - NATAL** | **KZND** | **PORT SHEPSTONE** | **SCOTTBURGH** |
| **42** | **KWAZULU - NATAL** | **KZND** | **PORT SHEPSTONE** | **IXOPO** |
| **43** | **KWAZULU - NATAL** | **KZND** | **PIETERMARITZBURG** | **PIETERMARITZBURG** |
| **44** | **NORTH WEST** | **NGD** | **KLERKSDORP** | **KLERKSDORP** |
| **45** | **MPUMALANGA** | **NGD** | **MIDDELBURG** | **MIDDELBURG** |
| **46** | **LIMPOPO** | **NGD** | **MODIMOLLE** | **THABAMOOPO** |
| **47** | **LIMPOPO** | **NGD** | **MODIMOLLE** | **MOKERONG** |
| **48** | **LIMPOPO** | **NGD** | **MODIMOLLE** | **MOKOPANE** |
| **49** | **MPUMALANGA** | **NGD** | **NELSPRUIT** | **NELSPRUIT** |
| **50** | **LIMPOPO** | **NGD** | **POLOKWANE** | **MANKWENG** |
| **51** | **GAUTENG** | **NGD** | **PRETORIA** | **Attridgeville** |
| **52** | **GAUTENG** | **NGD** | **PRETORIA** | **Brits** |
| **53** | **GAUTENG** | **NGD** | **PRETORIA** | **PRETORIA** |
| **54** | **GAUTENG** | **NGD** | **PRETORIA** | **PRETORIA NORTH** |
| **55** | **GAUTENG** | **NGD** | **VAALRAND** | **SEBOKENG** |
| **56** | **GAUTENG** | **NGD** | **VAALRAND** | **VEREENIGING** |
| **57** | **GAUTENG** | **NGD** | **VAALRAND** | **Vanderbijlpark** |
| **58** | **GAUTENG** | **NGD** | **VAALRAND** | **BENONI** |
| **59** | **GAUTENG** | **NGD** | **VAALRAND** | **NIGEL** |
| **60** | **LIMPOPO** | **NGD** | **THOHOYANDOU** | **THOHOYANDOU/SIBASA** |
| **61** | **LIMPOPO** | **NGD** | **THOHOYANDOU** | **WATERVAL** |
| **62** | **MPUMALANGA** | **NGD** | **WITBANK** | **SECUNDA** |
| **63** | **MPUMALANGA** | **NGD** | **WITBANK** | **EVANDER** |
| **64** | **EASTERN CAPE** | **ECD MTHATHA** | **Butterworth** | **Butterworth** |
| **65** | **EASTERN CAPE** | **ECD MTHATHA** | **MTHATHA** | **MTHATHA** |
| **66** | **GAUTENG** | **SGD** | **JHB HC** | **JHB HIGH COURT** |
| **67** | **GAUTENG** | **SGD** | **JOHANNESBURG** | **IKHAYA LETHEMBA** |
| **68** | **GAUTENG** | **SGD** | **EAST RAND** | **VOSLOORUS** |
| **69** | **GAUTENG** | **SGD** | **EAST RAND** | **ALEXANDRA** |
| **70** | **GAUTENG** | **SGD** | **EAST RAND** | **TEMBISA** |
| **71** | **GAUTENG** | **SGD** | **EAST RAND** | **PALM RIDGE** |
| **72** | **GAUTENG** | **SGD** | **EAST RAND** | **GERMISTON (President Str)** |
| **73** | **GAUTENG** | **SGD** | **EAST RAND** | **RANDBURG/WYNBERG** |
| **74** | **GAUTENG** | **SGD** | **WEST RAND** | **ROODEPOORT** |
| **75** | **GAUTENG** | **SGD** | **WEST RAND** | **WESTONARIA** |
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**CONCLUSION**

It is evident from the above that the court preparation programme needs to be implemented nationally – every court in South Africa must ideally have a program like this and every prosecutor must have a CPO to assist them with their witnesses.

People in South Africa need to be made aware of this programme such as presentations at conferences and / or possible articles in scientific journals about the impact are necessary. In addition the rest of the legal system really needs to be educated regarding the role and importance of the CPO’s. Allied criminal justice professionals (prosecutors, investigators, etc…) and the judiciary (both magistrates and judges) should be given briefings or awareness of this programme, its aims, and most importantly, that it does not tell witnesses what to say in court;

The NPS Ke Bona Lesedi Court Preparation program is an attempt to address the crisis in the criminal justice system and has much to recommend it. In general, to secure a just society for all, citizens, parents, trainers, teachers and family members of witnesses all have to embrace the values of honesty, justice and good will (Ubuntu) for the greater good of all. For a child, and any other witness, who testifies successfully in court, has to return home to a morally conducive environment that is free of victimization or revenge.

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