

Oiling the wheels of justice?

The RAPCAN Child Witness Project

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Child court preparation services play a key role in sexual offences courts. These services enhance the ability of child witnesses to testify. This is largely because they support the child, which builds the child's resilience to secondary victimisation and trauma that arise from exposure to the unempathetic systems characteristic of courts. Effective services should, however, draw on a range of disciplines. This article describes the court preparation and support provided by RAPCAN's Child Witness Project and describes the considerations that underpin the services provided.

When court preparation services are discussed, it is imperative to consider the needs of child witnesses in the justice system. Research indicates that traditional criminal justice processes, particularly the adversarial court system used in South Africa, conflicts with the needs of a traumatised child, and often results in further victimisation of that child.¹ Furthermore, research indicates that the traditional accusatorial procedures act against getting children to give evidence in full and thus obtaining the truth.² A range of systemic modifications to facilitate effective testimony and prevent further trauma to the child have been suggested.³

Children's particular vulnerabilities, combined with the impact of the trauma experienced, directly affect their ability to testify in court.⁴ Waterhouse reflects on the needs of child victims of sexual offences in particular, suggesting that this group has different needs to victims of crime in general. These needs arise due to the

experience of trauma, the sexual nature of the violation, as well as their age and developmental stage.⁵ However, despite the particular vulnerability of child witnesses, they face the same processes and procedures as adults in the criminal justice system.⁶ Bellet notes that:

[W]hen children are the victims of violence or sexual abuse they become, of necessity, involved in an adult system, which was not designed [to accommodate the needs of children and] traditionally had not differentiated between adults and children.

The demands placed on child witnesses are often unrealistic in relation to the cognitive and emotional development of children.⁷ Various researchers have noted the highly formalised nature of court settings, within which unique language and highly structured processes are used.⁸ Muller argues that despite reforms to render courts more child-friendly, children are

still perceived and treated as miniature adults, resulting in injustice to the child.⁹

In order for children to perform as competent witnesses, they must be able to overcome several emotional factors.¹⁰ The research shows that fear and anxiety are the most common emotions experienced by children prior to trial. They may fear the accused, the court staff and the court environment, public scrutiny and public speaking, losing control, embarrassment, and rejection by peers.¹¹

Secondary victimisation poses a threat to the child's recovery processes. Blankenberg defined secondary victimisation in the context of the manner in which professionals intervene in child sexual abuse matters.¹² According to Blankenberg, secondary victimisation occurs as a result of the 'depersonalised, punitive and collusive' treatment by professionals, which leaves the child feeling further victimised. Researchers have argued that secondary victimisation could be prevented or alleviated by the early identification of and engagement with the child's concerns, needs and abilities.¹³ Davies states that services for trauma victims in general should 'involve providing warmth, understanding and sensitivity to their trauma and needs'.¹⁴ Additionally, methods used by service providers should be specifically designed to prevent the victimisation of child witnesses. A recognised vehicle for this is the provision of child-centred support and court preparation.¹⁵

Increasing pressure for transformation of the justice system yielded various improvements that made courts more victim and 'child-friendly'.¹⁶ Dedicated Sexual Offences Courts were established in 1993, and have proliferated nationally. This represents an important development for appropriately skilled and victim centred services.¹⁷ These courts employ a range of measures to improve prosecution in sexual offences, including the use of dedicated prosecutors with specialised training and expertise, ensuring the availability of CCTV, the provision of on-site court preparation, and the creation of separate waiting areas for victims to

minimise contact with the accused and other witnesses prior to trial.¹⁸

In spite of these developments, access to these courts is not universal: children's access is dependent on factors such as the area in which they were violated, their age, and the perceptions and values of state officials regarding child witnesses.¹⁹

COURT PREPARATION IN SOUTH AFRICA

Court preparation and support projects have been established in courts around the world and have been shown to cushion the harmful effects of the adversarial system on child witnesses.²⁰ However, though well intended, these services may expose the child to further trauma, harm the recovery process, or hamper the child's ability to testify effectively if they fail to address the holistic needs of the child, or provide inappropriate services.²¹ A range of models exists, and many focus on particularly vulnerable witnesses such as victims of sexual offences and children. Central to these models is informing the witness regarding court processes and role players, and reducing secondary victimisation. Many seek to strengthen coping strategies of victims for the trial and to provide psychosocial support and referral to counselling services.²²

From as early as 1997, studies in South Africa stressed the need for witnesses to be prepared when giving testimony in cases of abuse.²³ Court preparation in South Africa was originally, and continues to be, delivered by a range of NGOs. These are either 'stand alone' services situated directly at the court, or they form part of a broader range of psychosocial services provided by the NGOs that operate independently from the courts, usually off site. International donors or provincial departments of social development fund these services.²⁴ These projects are delivered by the Teddy Bear Clinic for Abused Children, Childline South Africa, Rape Crisis Cape Town, the Institute for Child Witness Research and Training, and RAPCAN. In addition, a handful of smaller projects exist nationally.²⁵ In 2006 the

National Prosecuting Authority (NPA) introduced a national court preparation service. The NPA is developing minimum standards for court preparation services based on the RAPCAN minimum standards, and has received input from civil society and NPA stakeholders.²⁶

RAPCAN CHILD WITNESS PROJECT

Background and rationale

Research into the treatment of children in courts in the Western Cape confirmed the need for court preparation in the province at a time when such services were only available in Gauteng.²⁷ RAPCAN was thus approached by one of the architects of the Gauteng-based programme to establish a project in Cape Town.²⁸ The delivery of direct services represented a new direction for RAPCAN, which had previously focused only on capacity building and resource production.

With the agreement of the Western Cape Department of Justice and Constitutional Development, the Child Witness Project (CWP) was initiated at the Wynberg Sexual Offences court.²⁹ The success of the project at the Wynberg court fuelled the interest of the NPA, which requested an extension of the RAPCAN service to other courts in the Western Cape. Satellite services were therefore established in Khayelitsha, Paarl, Parow and Atlantis.³⁰

The RAPCAN model is founded on international and local good practice, allowing for the development of a model hinged on sound policies, processes and methods.³¹ The overall aim of the project is to reduce the risk and experience of secondary trauma of child witnesses.³² It is located in a preventative framework, recognising that the risks of both future victimisation and offending are reduced if victimised children receive therapeutic services to address the impact of that victimisation.³³

Various elements contribute to achieving these aims, including service provision to children and their care-givers, the creation of an appropriate environment, the delivery of pre- and post-trial

support to provide the necessary skills, legal knowledge, and emotional support to children. Efficient management systems and engaging in inter-sectoral collaboration are also included.³⁴

The environment

To address the alienating court environment, RAPCAN has created welcoming, safe and child-appropriate spaces, including waiting and consulting rooms at the courts. Pictures and posters are pinned against brightly decorated walls, and toys and books are available. Information on the rights of children and witnesses, as well as RAPCAN's services, is available for caregivers. This environment is standardised within the project, and is contained in the memorandum *Minimum standards for service provision*.³⁵

The pre-trial risk of exposure to the accused is minimised, because CWP waiting rooms are separated from the main court facilities. Court supporters or caregivers accompany children when they need to use the toilets, if separate toilets are not available.

The warm, friendly and non-judgemental approach of the project staff to children and their caregivers is invaluable in the context of the fear and anxiety that the system generates.³⁶

Importantly, the project provides meals to all children who visit the project, many of whom come from underprivileged backgrounds. Giving children food addresses the impaired concentration that is induced by hunger, especially important in the context of a system that expects them to exert themselves mentally and emotionally. To respond to the fact that many children are tired when they arrive at court or later in the day, the Department of Justice has also provided a bed and facilities at some of RAPCAN's service sites.

The court preparation session

RAPCAN provides a psychosocial supportive service regarding process and roles, but staff

members do not discuss the facts of the case with the child. The prosecutor, on the other hand, prepares the child regarding the content of his or her evidence. This prevents the contamination of evidence. The RAPCAN preparation and the prosecutor's preparation are, however, integrated.

RAPCAN provides court preparation on every visit to the court, whether the child is coming for a consultation with the prosecutor, or whether s/he is testifying. This is particularly useful where cases are repeatedly postponed.

The court preparation process is child-led and sensitive to the needs of the child. This means that children are not forced to participate in activities, and acknowledges the pace at which the child is most comfortable. Court supporters adapt their approach to the needs of the child, and are vigilant for signs of the effects of the processes on the child in terms of fatigue or lapses in concentration. Importantly, building a rapport with the child is emphasised, as it enhances the project processes and better enables the child to engage with prosecutors and give evidence.

The preparation is grounded in experiential learning methodologies that are age and developmentally appropriate. As such, a range of methods is used, including dressing up in costumes, role-plays, and puppets that depict the court role players. This helps children understand that they will be encountering those role players when they 'tell their story', and also helps them understand what these role players expect of them.

Stress reduction and anxiety management play a central role in court preparation, particularly in building the resilience of the child. Games are played to teach breathing techniques and other ways to deal with fears, worries and anxiety that are experienced pre-trial and during testimony.

As strengthening the support system of the child is critical, the caregiver is provided with information on the process and role players. The roles of the RAPCAN staff, the police (particularly the investigating officers) and the

prosecutors are clarified. Emphasis is placed on building the caregivers' understanding of, and capacity to identify and deal with, the effects of the trauma suffered by the child.

The long waiting periods for consultation with the prosecutor or to testify are particularly difficult and tiring for children.³⁷ Playing allows the child to relax and become comfortable in the court environment. The therapeutic value of play cannot be overstated, as supervised play allows the court supporter to observe the extent of the impact of trauma on the child.

Debriefing, referral and follow-up

In addition to court preparation, the project provides immediate and follow-up debriefing services to children and caregivers. The purpose of this is to address any effect or concerns that were raised through their experiences at court, and to assist in the containment of any emotional reactions to these experiences. Unfortunately follow-up cannot take place in all cases, as there are sometimes difficulties accessing children and their caregivers after the trial.

The project does not offer therapeutic services to clients. Children are referred to other organisations for such services. RAPCAN has developed relationships and referral systems to assist clients to access these. Additionally, in response to the stark need for more therapeutic services generally, the project has developed resources and training in the form of RAPCAN's Healers Package – a toolkit for the development of organisational therapy models. The aim of this is to build the capacity of service providers to provide therapeutic interventions, and promote increased local access to such services.³⁸

To supplement core services, assessment is provided at the Parow, Atlantis and Paarl courts. Appropriate protective measures are recommended to facilitate the testimony of the children so as to protect them from secondary victimisation. Recommendations are made to the courts on the child's ability to testify, the use of CCTV, and whether the child should testify

through an intermediary. Coordinators, who are also qualified social workers, make these recommendations. In addition, the coordinators compile victim impact statements upon request to advise the courts on sentencing.

Previously, psycho-educational group sessions were held with clients to supplement the court preparation process, and to enable RAPCAN's holistic service approach. This has recently been discontinued due to a lack of available resources. This is symptomatic of an increasingly difficult funding environment.

Service delivery and quality control

The provision of psychosocial support and related services to children in South Africa suffers greatly because of the lack of qualified professionals. This means that systems cannot accommodate the high volumes of child abuse cases. The risks that this poses to both future victimisation and offending have been receiving growing attention.³⁹

In this context, creative and innovative approaches to service delivery are required. RAPCAN offers an alternative model to service delivery through its incorporation of skilled community resources into its system. Not only does it mitigate the effects of the under-capacitated state, but it also responds to increasing unemployment rates, and promotes skills and capacity building at grassroots level.

The training for court supporters includes a range of thematic focus areas, such as the contexts and nuances of child abuse, childhood development, the impact of trauma, behavioural management with children, group work methodologies, understanding the criminal justice system, methodologies for court preparation, personal awareness, identifying and managing compassion fatigue, and how to fulfil administrative functions.⁴⁰

Court supporters are thus specifically recruited and trained to provide the required psychosocial support and preparation in the courts. These lay court support staff are supervised by qualified

social workers, who ensure an approach underscored by victim empowerment, stress relief and reduction, and building resilience against secondary trauma.

This approach differs vastly from first world child witness projects.⁴¹ Many of these employ staff who are experienced psychologists, and who are specialists in child development and the impact of victimisation. Moreover, these projects carry much smaller case loads than those seen in South Africa.⁴²

Each RAPCAN satellite office is supervised by court coordinators who are qualified professional social workers. These coordinators supervise the lay court support staff. In addition they provide assessment services to children, and, in certain courts, information sessions to caregivers on the results of the assessment. The coordinator's role also includes direct monthly performance management of staff, and building and maintaining relationships at court level.⁴³ Increased volumes do not go without challenges: the capacity of coordinators to manage and undertake assessments is overburdened, with only three coordinators allocated the responsibility for the six courts. Limited resources exclude the possibility of increasing the number of staff.

Project management systems include performance management, supervision and debriefing of staff, and assuring compliance with the project's *Minimum standards for service provision*. These include standards and guidelines for the development of quality assurance, the code of ethics, the client charter that specifies the rights of children and caregivers as clients of the project, guidelines on confidentiality, and emergency and safety practices. It is acknowledged that, despite comprehensive training and mechanisms to manage quality, ensuring consistency in high quality of services to all clients by the large cohort of court support staff remains a challenge. Ongoing efforts are made to address this.

An important element of supervision is the management of vicarious trauma of court supporters and coordinators. The project

addresses this issue by instituting various supportive mechanisms within the CWP. These include monthly group supervision sessions, individual one-to-one sessions, regular in-service training, and monthly debriefing sessions. Coordinators have access to supervision by external professionals. Project staff further receive therapeutic or stress-relieving treatments such as massages, facials, etc, that are provided free of charge to the organisation.

INTERSECTORAL COLLABORATION AND SERVICE INTEGRATION

The need for the integration of services, particularly when dealing with sensitive, nuanced and complex matters such as child sexual abuse, cannot be overemphasised. Multi-disciplinary integration is critical to court preparation services, because such services form only a small part of the larger criminal justice process.

The project works collaboratively with the Department of Social Development, the National Prosecuting Authority, and the Department of Justice. The CWP has entered into a 'service-level agreement' with the Department of Social Development to fulfil certain statutory functions at certain courts. In addition, RAPCAN has a memorandum of agreement with the Department of Justice that defines the systemic arrangements for the usage of the department's facilities.

While RAPCAN has very strong informal linkages with many of the key role players in the criminal justice system, no formal arrangements exist with the National Prosecuting Authority or the police, as can be found in other international best practice models. RAPCAN's interventions would benefit from formalised relationships with the police and NPA, which would create certainty among role-players, and improve the working relationship.

A formal agreement would clearly outline the roles and expected functions of RAPCAN, the police and prosecutors, for a seamless referral and response system. This approach could provide the much needed support net to prevent attrition.

Waterhouse describes problems that occur at the police service level that often result in cases being withdrawn prematurely from the system.⁴⁴ This is compounded by problems experienced within the court system, which contribute to case attrition.⁴⁵

Formal arrangements between service providers strengthen support, referral and response systems and allow for mutual benefit from the expertise and resources available in civil society, while simultaneously maximising the opportunities of scale that state structures and resources present.

Certain activities of the project not only contribute to its multi-disciplinary approach, but also allow for effective advocacy and engagement with governmental service providers. The project participates in the monthly Project Oversight Committees (POC), which is the local forum constituted by state medical, legal and NGO role players within the justice system. POC meetings deal with any blockages in the system, and provide measures to deal with them immediately. On a provincial level, the project participates in the Gender Justice Forum, which addresses systemic problems at the level of policy and planning. The project thus participates strategically at both operational or service delivery and policy planning levels.

The project has further developed an informal collaborative working relationship with other psychosocial service providers in their areas of operation, which not only facilitates referrals where required, but also promotes mobilisation around advocacy initiatives concerning the rights of child witnesses in the criminal justice system.

NPA COURT PREPARATION

In 2006, the National Prosecuting Authority (NPA) initiated a court preparation service to victims of crime in general, noting that the service prioritises services to children. The programme currently operates in 29 courts across South Africa. Similar to the RAPCAN model, the NPA service is implemented by a diverse complement of lay staff, who receive special training. The service is delivered on the day of court

appearance, and in some cases prior to this, when the child consults with the prosecutor.

NGOs welcomed the new NPA service as an opportunity to significantly increase the scale of the service, and, concomitantly, local access to it.⁴⁷ However, serious concerns were raised regarding its establishment processes. Due to the lack of prior consultation with existing NGO service providers, major disruptions in delivery occurred at some courts.⁴⁸ Furthermore, in the initial months inexperienced and untrained court preparation officers delivered the service to traumatised children without any on-site supervision.⁴⁹ In addition to these problems, questions were raised about the content of the training and court preparation sessions, as well as the lack of management systems. During 2007, the NPA engaged with NGOs to address aspects of these concerns.

Court preparation officers undergo a centralised training process, which provides the tools for court preparation. This includes puppets, toys and booklets to support the learning process.

Inadequate planning at national level has resulted in a lack of dedicated space for court preparation officers at most courts. As a result, prosecutors' offices, NGO court-based offices and even the passageways of the court are utilised.⁵⁰ While this mobility is a creative response to the real limitations of space at courts, the failure to provide a dedicated space undermines the creation of safe spaces for service delivery. The NPA is striving to address this at local level.

Experts in court preparation, child development and child trauma reviewed the original training content for children. The content was recommended to be inappropriate and potentially harmful to children. The model was found to lack an evidence base, and excluded considerations on national good practice.⁵¹ Essentially, it was argued, the content failed to meet the needs of individual children. Subsequently, three preparation modules have been developed and tailored to the different needs of young children, adolescent and adult victims.

However, certain aspects of the programme previously considered problematic have been retained.

Moreover, the management, supervision and debriefing systems are considered weak. Court preparation officers are managed directly by senior prosecutors whose expertise is grounded in case and evidence management, rather than in managing required emotional support systems to victims.⁵² Arguably, separate court support services are required because prosecutors are generally unable (due to training, temperament or time constraints) to adequately meet the needs of victims for information and support prior to trial. Thus while most prosecutors can safeguard issues related to the quality of evidence, they are not skilled in ensuring that secondary victimisation is minimised. The national coordinator indicated in 2007 that five specialised provincial supervisors would be appointed.⁵³ This provides a greater level of specialised management support to the service. Despite this, the day-to-day on-site management remains flawed, raising concerns about quality control.⁵⁴ Measures to strengthen local management of the service, in particular minimising secondary victimisation by the court support officer and other role players in the system, must be established.

CONCLUSION

The provision of the pre-trial preparation services by the NPA is essential, given that such services would not otherwise exist in many places. It is however vital that NGOs oversee or regularly assess the services provided, to ensure that a reasonable quality service is offered. Services like those offered by RAPCAN are in demand, even by prosecutors, but since NGOs rely on donor funds it is not possible to guarantee the continued provision of services, let alone their extension. This is one of the shortcomings of relying on NGOs, who themselves are reliant on external funding sources, to provide the services that should ideally be available nationally.

In order to ensure that the systems of justice function optimally, the psychosocial needs of the child witnesses must be met. In addition, it must be

ensured that the process of going to court is conducted in a manner that protects children from secondary victimisation by all stakeholders. When generating a model for court preparation services, certain factors should be taken into account. These include:

1. The needs of child beneficiaries, within a framework that is driven by the best interests of the child.
2. Minimum standards for service delivery as a tool for quality assurance.
3. Support systems and services, available to children at each proposed service site.
4. The need for mechanisms to mitigate the constraints posed by the processes, systems and the set-up of the courts. These include addressing safety considerations in agreements with departments that detail how safety for clients can best be achieved.
5. The need to develop formal agreements with all departmental role-players to enhance collaboration, and to clearly define roles.
6. Strategies to mitigate resistance and concerns regarding the provision of court preparation and support services, e.g. concerns regarding the potential contamination of evidence.

These considerations should ultimately influence the design of the service delivery model.



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NOTES

- 1 J Plotnikoff & R Woolfson, *Evaluation of Witness Service Support for Child Witnesses: Victim Support UK*, England and Wales, 1996, Available at www.victimsupport.org.uk/vs_england_wales/about_us/publications/children_in_court (accessed 8 December 2008). See also L. Sas, P Hurley, A Hatch, S Malla & T Dick, *Three Years After the Verdict: A Longitudinal Study of the Social and Psychological Adjustment of Child Witnesses Referred to the Child Witness Project*, Canada: London, Family Court Clinic, 1993. See also N Bala, R Lindsay & E McNamara, *Testimonial Aids for Children: The Canadian Experience with Closed Circuit Televisions, Screens and Videotapes*, *Criminal Law Quarterly Review* 44 (2001), 641-48. See also K Muller, K Hollely & Van Der Merwe, *Prosecuting the Child Sex Offender*, Port Elizabeth, 2001; See also A Whittam & H Ehrat, *Child Witnesses in the Criminal Justice System: The issue of vulnerability*, Conference

- paper at Child Sexual Abuse: Justice Response or Alternative Resolution Conference, Australia, May 2003. See also K Landgren, *The Protective Environment Development Support for Child Protection*, *Human Rights Quarterly* 21 (2005), The Johns Hopkins University Press, 4-248. See also L Park & K Renner, The failure to acknowledge differences in developmental capabilities leads to unjust outcomes for child witnesses in sexual abuse cases, *Canadian Journal of Mental Health* 17 (1998), 5-19.
- 2 Ibid.
- 3 Ibid. See also K J Saywitz & R Nathanson, Children's testimony and their perceptions of stress in and out of the courtroom, *Child Abuse and Neglect* 17 (1993), 613. See also P E Hill & S M Hill, Videotaping children's testimony: An empirical view, *Michigan Law Review* 85 (1987), 809-833.
- 4 N Parker *The Court Experiences of Survivors of Child Sexual Abuse*, Unpublished Mini M.Psych, University of Western Cape, 2006. Available at http://etd.uwc.ac.za/usrfiles/modules/etd/docs/etd_init_8806_1177058023.pdf (accessed 8 December 2008); S Waterhouse, *The impact of changing criminal justice responses to child victims of sexual abuse*, South Africa: The Open Society Foundation for South Africa, 2008.
- 5 Ibid.
- 6 S Bellett, *Child witness service: what's so special about it? The Child Witness Service*, WA. Conference Paper, Australian Institute of Criminology & Victims Referral and Assistance Service, Melbourne, 1999. Available at <http://www.aic.gov.au/conferences/rvc/bellett.html>. (accessed on 24 March 2009); Committee on Psychosocial Aspects of Child and Family Health, *The Child in Court: A Subject Review*, *American Academy of Paediatrics* 104 (5) (1999), 1145-1146. See also Waterhouse, *The impact of changing criminal justice responses to child victims of sexual abuse*.
- 7 T C Nordien & A Fourie (Arina@rapcan.org.za), Child Witness Project Coordinators, RAPCAN, Cape Town, South Africa, Message to F Nagia-Luddy (Fairouz@rapcan.org.za) Sent 25 March 2009.
- 8 Parker, *The Court Experiences of Survivors of Child Sexual Abuse*; See also K Muller, The enigma of the child witness: A need for expert evidence, *Child Abuse Research in South Africa* 4(2) (2003), 2-9. See also K Landgren, The protective environment development support for child protection, 214-248.
- 9 Muller, The enigma of the child witness.
- 10 Plotnikoff & Woolfson, *Evaluation of Witness Service Support for Child Witnesses*. See also L Sas et al, *Three Years After the Verdict*, 1993. See also E Kriel, C Wohlitz & E Oliphant, I'm scared he's going to kill me: Children's Fears about Testifying in Sexual Offence Court Cases in South Africa, South Africa: RAPCAN and Rand Afrikaans University (forthcoming).
- 11 Kriel & Wohlitz, *Children's Fears about Testifying*.
- 12 C M Blankenberg, *Evaluating the special sexual offences courts in Cape Town and Wynberg through professional perspectives*, Cape Town: University of the Western Cape, 1997.
- 13 P Hurley (pam.hurley@lfcc.on.ca), Director, Child Witness Project, Centre for Children and Families in the Justice System. Message to F Nagia-Luddy (Fairouz@rapcan.org.za). Sent 1 April 2009.

- 14 A Davies, Understanding & managing trauma: Shattered assumptions – Broken lives. Available at http://www.serviceseta.org.za/EAP/Presentations/Shattered_Assumptions_Broken_Lives_Andrew_Davies.ppt. (accessed 7 August 2009).
- 15 Hurley, message to Nagia-Luddy, 1 April 2009.
- 16 Parker, *The Court Experiences of Survivors of Child Sexual Abuse*. See also Bala, Lindsay & McNamara, Testimonial Aids for Children.
- 17 J M Reyneke and H B Kruger, Sexual Offence Courts: Better justice for children? *Journal for Judicial Science* 31(2) (2006), 73-107. See also National Prosecuting Authority, Annual Report 2006/7.
- 18 Sexual Offence Courts: Blueprint Document, approved 10 April 2005 in Reyneke & Kruger, Sexual Offence Courts: Better justice for children?
- 19 Waterhouse, *The impact of changing criminal justice responses to child victims of sexual abuse*.
- 20 Parker, *The Court Experiences of Survivors of Child Sexual Abuse*. See also Bala, Lindsay and McNamara, Testimonial Aids for Children, and Muller, The enigma of the child witness.
- 21 Parker, *The Court Experiences of Survivors of Child Sexual Abuse*.
- 22 Bellett, *Child witness service*.
- 23 S Stanton, M Lochrenberg & V Mukasa, Improved Justice for Survivors of Sexual Violence? Adult survivors' experiences of Wynberg Sexual Offences Court and associated services. Cape Town: Rape Crisis Cape Town Trust, African Gender Institute University of Cape Town and the South African Human Rights Commission, 1997.
- 24 Minutes of NGO Meeting on Court Preparation Services held in Cape Town 04 April 2007.
- 25 Ibid.
- 26 Minimum Standards for Court Preparation. Draft document, 2 October 2007.
- 27 M Sadan, L Dikweni & S Cassiem, Pilot Assessment of The Sexual Offences Court in Wynberg & Cape Town and related services, Cape Town: Idasa, 2001.
- 28 E Kriel (Interview: 20 January 2009: 10am – 11am), Trauma Centre, Parklands, Cape Town, South Africa.
- 29 Ibid.
- 30 RAPCAN. Annual Report 2006. Cape Town: RAPCAN 2006.
- 31 See The Child Witness Project by the Centre for Children and Families in the Justice System. The Centre is a Canadian non-profit social service organisation dedicated to helping children and families involved with the justice system, as victims of crime or abuse, youth before the criminal courts, the subjects of custody/access disputes, the subjects of child welfare proceedings, parties in civil litigation, or as residents of treatment or custody facilities. Information available at <http://www.lfcc.on.ca/cwp.htm>. See also the Teddy Bear Clinic for abused children, at <http://www.tbcc.org.za/>
- 32 Insideout, 2008. Outcome Evaluation of the Child Witness project: Final Report. Cape Town: RAPCAN.
- 33 Ibid.
- 34 Ibid.
- 35 RAPCAN, The Child Witness Project memorandum on Minimum standards for Service Provision, RAPCAN, Cape Town, 2007
- 36 Insideout.
- 37 Bala, Lindsay and McNamara, Testimonial Aids for Children.
- 38 RAPCAN, The Healers Package, Cape Town: RAPCAN, 2008.
- 39 C Frank, *Missed opportunities: The role of Education, Health and Social Development in preventing crime*. ISS monograph series 126, South Africa, Institute for Security Studies, 2006.
- 40 RAPCAN, Child Witness Project court supporter handbook, Cape Town: RAPCAN, 2007.
- 41 See The Child Witness Project by the Centre for Children and Families in the Justice System, Ibid.
- 42 See the Centre for Children and Families in the Justice System at <http://www.lfcc.on.ca/cwp.htm>
- 43 RAPCAN. Annual Report 2006.
- 44 Waterhouse, *The impact of changing criminal justice responses to child victims of sexual abuse*.
- 45 Ibid.
- 46 Report available at http://www.doj.gov.za/VC/docs/reports/2007_VictimsProgressReport_partB.pdf (accessed 25 March 2009).
- 47 NGO Position paper on NPA Court Preparation Service Project. April 2007. Childline South Africa; Ekupholeni Mental Health Project; Institute for Child Witness Research and Training; Rape Crisis Cape Town; RAPCAN; Teddy Bear Clinic for Abused Children.
- 48 Reported specifically at Parow, Pinetown and Pietermaritzburg Regional Courts.
- 49 Waterhouse, *The impact of changing criminal justice responses to child victims of sexual abuse*.
- 50 Reported by RAPCAN Court support staff at Paarl and Wynberg courts in Cape Town and reported by Childline South Africa at meeting of NGOs, See Minutes of NGO Meeting 04 April 2007.
- 51 NGO Position Paper, April 2007.
- 52 Ibid.
- 53 National Prosecuting Authority, 2007, Annual Report 2006/7, Pretoria.
- 54 National Prosecuting Authority, 2008, Annual Report 2007/8, Pretoria.