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**JUSTICE SECTOR STRENGTHENING PROGRAM  
FOR SOUTH AFRICA**  
A USAID Project Implemented by National Center for State Courts

**NATIONAL CENTER FOR STATE COURTS**  
**Justice Sector Strengthening Program for South Africa (JSSP)**

**Quarterly Progress Report No. 7**  
**April 1 – June 30, 2012**

**Contract No. DFD-I-05-04-001 76-00**  
**Task Order No. 03**

Submitted: August 8, 2012

This publication was produced for review by the United States Agency for International Development. It was prepared by National Center for State Courts.

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# **JUSTICE SECTOR STRENGTHENING PROGRAM FOR SOUTH AFRICA (JSSP)**

## **Quarterly Report No. 7 Reporting Period: April 1 - June 30, 2012**

### **I. PROJECT GOALS**

The Justice Sector Strengthening Program (JSSP) is a twenty-one month USAID initiative being implemented by the National Center for State Courts (NCSC). The JSSP is committed to providing operational and technical support to South African institutions implementing reform. This is a South African driven intervention.

JSSP is providing technical assistance to the following justice sector partners: the Office of the Chief Justice (OCJ) the Department of Justice and Constitutional Development (DoJCD), and the Sexual Offences and Community Affairs (SOCA) Unit of the National Prosecuting Authority (NPA). The JSSP Project consists of three programmatic tasks. **Task 1** is focused on engaging justice sector leadership on a policy level and by providing operational and technical support to the Office of the Chief Justice (OCJ) and Department of Justice and Constitutional Development (DoJCD) in their efforts to streamline and enable greater efficiency and effectiveness in court management and administration. **Task 2** provides assistance in the implementation of a case flow management system (ICMF), which was a key component of previous court administration reform. **Task 3** focuses on 'strengthening the Prosecution and Adjudication of Sexual Offences'. JSSP provides technical assistance and support to strengthen the collective skills of prosecutors, judicial officers, intermediaries and civil society organizations in fulfilling their role in addressing gender based crimes.

Initially, the JSSP intervention was to assist with the Judicial Education Institute (JEI). However, in March 2011, NCSC submitted a modification to remove the JEI component from the work plan due to leadership and operational challenges currently facing the OCJ. Since the project is 21 months, it was considered to be more beneficial for JSSP to devote attention to rendering technical and operational support that strengthens court management and administration practice, and the prosecution and adjudication of gender based violence and sexual offences.

### **2. CONTRACT AND ADMINISTRATIVE MATTERS**

This quarter is the last full quarter for JSSP, which will close on July 15, 2012. During the reporting period, NCSC submitted a project demobilization plan to USAID. Home office worked closely with the field office to plan and coordinate the close down of project operations. Home office staff will travel to South Africa in mid-July to assist with close out of project operations in accordance with the demobilization plan.

During the reporting period, USAID approved Modification No. 1 of the task order. At the end of June, NCSC submitted a request for final task order revision to align the budget with final programmatic and operational cost demands.

### **3. HIGHLIGHTS OF ACTIVITIES**

- a. NCSC submitted a revised Modification to USAID that reflects final amendments in the work plan for further review and approval.
- b. The COP and Court Services project team provided follow up support to Port Elizabeth and Durban pilot courts in reviewing and fine tuning court improvement plans, and processes to identify add on courts for improvement planning within each pilot cluster.
- c. A two day workshop was held on 25 – 26 May 2012 with pilot court managers and provincial operations directors and national court services representatives to deliberate further on a proposed model court structure and identify key elements for the court managers learning curriculum which is to be finalized by Justice College and the court services training team.
- d. Pilot court representatives attended a reflection workshop on 28 -29 June 2012. It was an important process for the validation of the JSSP methodology and for the various technical capacity development efforts rendered over the past 18 months.
- e. The COP in collaboration with the South African Chapter of the International Association of Women Judges (SA – IAWJ) and the Association of Regional Magistrates (ARMSA) convened a dialogue on 9 June 2012 around the theme: “ The role of judicial officers in advancing gender justice and victim rights in South Africa.”
- f. The COP was nominated to serve on the Ministerial Task Team for Sexual Offences (MTTTSO) together with representatives from the NPA, Judiciary and the Department of Justice and Constitutional Development. The mandate of the MTTTSO is to investigate, in consultation with the Inter-Departmental Consultative Group the viability of re-establishing the “sexual offences courts.” The MTTTSO is further tasked with advising the Minister of Justice and Constitutional Development on a suitable framework and strategy for the effective management of sexual offences cases in the courts.
- g. The COP, in supporting the Chief Directorate Vulnerable groups is happy to report that the National Policy Framework of the Sexual Offences Act and the 2008-2011 report was ratified by the DGIS and Ministry of Justice and Constitutional Development, and will be submitted to Parliament in due course.
- h. 10 MOUs signed with civil society organizations nationally for the CSO Monitoring process.
- i. Reporting and monitoring tools for civil society organizations providing services to victims of sexual and gender-based violence piloted, and funding from DoJCD secured for continued development and roll-out of these tools.
- j. Two three-day training sessions on Prosecution Guided Investigations/Train the Trainers completed in Pretoria and Cape Town for 79 attendees from five different Government Departments, resulting in recommendations for improvements of the current PGI/integrated training program.
- k. Survey of gaps and challenges with intermediary services in courts completed.
- l. Detailed concept paper on the Judicial Training Tool finalized, including comprehensive list of topics and experts, and handed over to the Regional Court Presidents’ Forum for production when requested budget becomes available from DoJCD.
- m. GBV Study Tour Report finalized and printed.

#### **4. TASK-SPECIFIC ACCOMPLISHMENTS DURING REPORTING PERIOD**

##### **Activity 1. Improved Court Management, Integrated Case Flow Management System (ICFMS) and Court Automation**

##### **Task 1. Rollout of Court Management Program to create model courts of good practice**

###### ***1.1 Activation of the Justice Sector Leadership Group (JSLG)***

The Justice Sector leadership Group (JSLG) was unable to convene for a progress meeting due to several difficulties in the schedule of the Chairperson and the DDG: Court Services during this period. While there JSLG did not convene formally, the DDG: Court Services has kept key stakeholder representatives from the JSLG apprised of the various developments within the Court Capacity Programme and technical progress of the JSSP. The JSLG will require a much more structured and formal governance mandate if it is to effectively fulfill the requirements of an integrated special projects coordination role amongst key justice sector stakeholders. There was limited time available within the scope of the JSSP to enable a sustainable and workable governance framework for the implementation of JSSP activities, and of other projects. However it does appear from various conversations with key justice sector stakeholders that the need for the JSLG in the context of increased project activity within the OCJ and the DOJCD remains high on the list of priorities of the Chief Justice and executive leaders within the justice and crime prevention cluster.

###### ***1.2 Develop Criteria for 4 Model Court Designation and Strategies for Geographic Roll-out***

The movement in SA towards an international model of professional court management includes developing a cadre of court managers, shifting administrative functions from judges to court managers, emphasizing court services for court users, developing policies based upon statistically verified court performance measures (in lieu of anecdote and conventional wisdom), and strengthening support structures within the judicial branch to better serve the courts through decentralized management. During this quarter, JSSP and the Court Services project team provided onsite technical support to the Durban and Port Elizabeth Magistrates Court, and the South Gauteng High Court the implementation of court improvement plans. A two day workshop was held with the pilot court's management committee that collectively reviewed progress of the implementation of the court improvement plans, deliberated on the challenges and potential for more robust implementation and engaged in a strategic dialogue that culminated in a revised version of the plan for 2012. The COP facilitated and led the process with support from the various project team members from Court Services. In both provinces the follow up support was very well received and commented very positively about the methodology and quality of support received from the JSSP. In particular, the Chief Magistrate of the Durban Magistrates Court made the following remark via an email soon after the follow up visit: " I would like to thank you and your team for your visit at our offices in the Durban Magistrates' Court on the 25 and 26 April 2012 and for the excellent presentation of the action plan. It was truly appreciated by all for the structured manner in which the action plan was formulated and it lays the foundational basis for improvement in the court environment."

Ms Joyce Mokoena, who has been part of the Court Services project team, was appointed as Court Manager at Director level for the South Gauteng High Court as of 1 July 2012. She is an experienced and credible court executive and the JSSP is certain that she is best placed to lead the change effort together with the newly appointed Judge President of Gauteng, Judge Dunstan Mlambo. The COP and the Court Services project team also supported the inception planning process for the implementation of the Judicial Case Flow Management pilot at both high courts in Gauteng.

The COP and Court Services project team provided follow up support to Johannesburg Magistrates Court and the South Gauteng High Court in reviewing the organisation structure and establishment needs of both courts against the Reaga Boswa structure recommendations. The COP and Court Services project team compiled the structure proposition for the Johannesburg Magistrates Court and the South Gauteng High Court that was shared with the various pilot courts and the DDG: Court Services. There is much support for the proposed structure and to this end, a comprehensive business process and work-study is being undertaken for the Johannesburg Magistrates Court and the South Gauteng High Court. A functional model structure proposition is to be presented to the Executive Committee by the end of August 2012. A two day workshop was also held with pilot court managers, provincial operations directors and national court services representatives to deliberate on the proposed model court structure and identify key elements for the court managers learning curriculum which is to be finalized by Justice College and the court services training team in the near future.

The inter - regional reflection workshop with pilot court representatives was held on 28 -29 June 2012. The workshop was an important process for the validation of the JSSP methodology and for the various technical capacity development efforts rendered over the past 18 months. The feedback received is being used to compile an institutional strategy for the further roll out of the court capacity development programme under the leadership and direction of the DDG: Court Services. The workshop included a dinner working session attended by the DDG: Court Services and other senior court services managers where the court management study tour group delivered feedback to their colleagues on the learning experience from the US. The feedback session was well received by participants and several plans are in place to implement and replicate practices observed during the visit to the US.

The add on courts in the pilot provinces have been agreed to by the judicial cluster heads of the primary pilot court and the court services project team will continue to provide support to a total of 12 courts. An additional 13 courts will adopt a continuous court improvement planning model supported by the national court capacity development project over and beyond the JSSP set of pilot courts. It is envisaged that a collective 25 courts will benefit from the court capacity development intervention by February 2013. The remaining courts are yet to be identified.

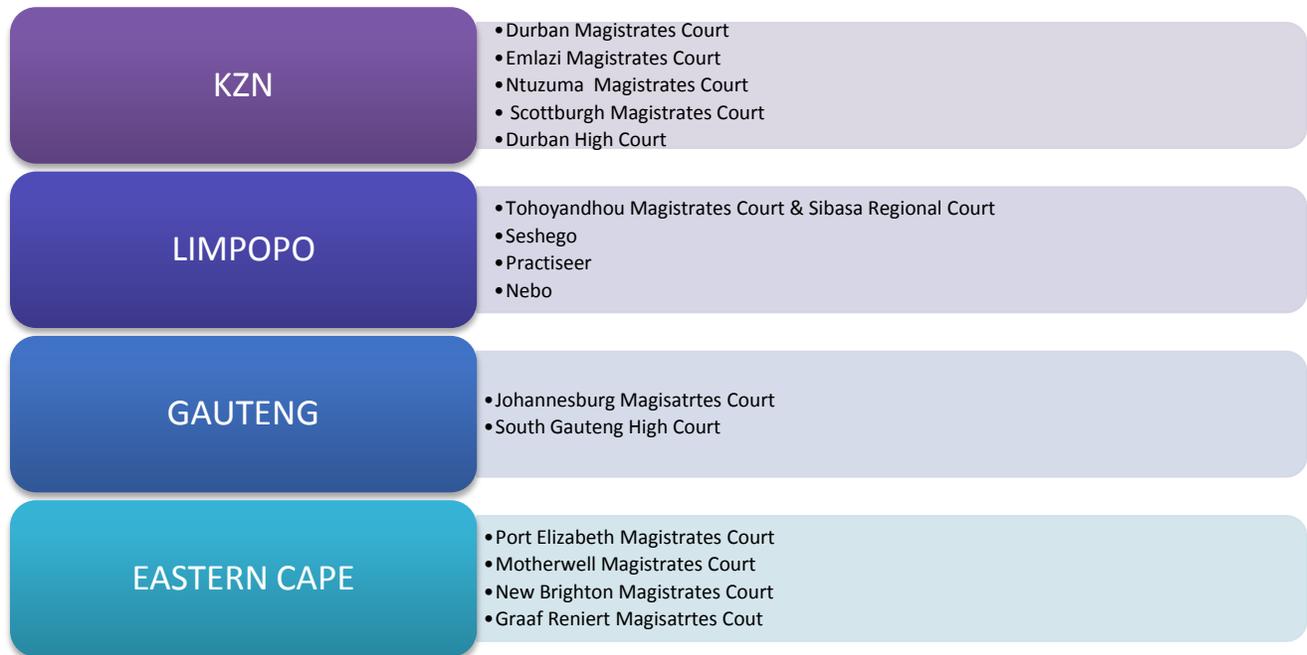
### ***1.3 Memoranda of Understanding (MOU)***

The memorandum was concluded with the DOJCD: Court Services Business Unit with the Director General: Adv Simon Jiyane.

### ***1.4 Roll-out of Court Management Plan in 4 Additional Model Courts***

The JSSP and the Court Services project team embarked on the planning of the next phase of the rollout of the intervention to approximately 12 more courts in January 2012. Courts earmarked for court capacity development and improvements are 3 additional courts within the jurisdiction of the primary cluster of the courts and provinces within the JSSP pilot sites. The DDG: Court services and the judicial heads of courts within the pilot courts accepted the recommendation made by the COP and the Court Services project team for the add on courts.

The following courts are earmarked for continuous capacity development support in the 2012 - 2013 financial year.



### ***1.5 Developing Court Administration Capacity***

Adv. Simon Jiyane has appointed 3 more senior staff within Court Services to specifically support the court capacity development process and will shortly appoint a Chief Director: Projects to lead a newly established Project Management Unit (PMU). This period also focused on the courts services project team review of various curricula on court management, case flow management, criminal court processes, and the US curricula on court tools and the high performance court framework. Several processes were held between the designated team from Court Services and the JSSP to review the extent of current training interventions to build capacity among court managers and other administrative functionaries within courts. A multidisciplinary training committee is in place with key court representatives that will work with Justice College in the final composition of the court management learning and development curriculum. Due to JSSP timelines and participant time constraints, the JSSP was unable to convene more learning sessions on the courtTools methodology

Arising from an internal organizational review process, the Learning and Development unit has been delinked from the Human Resources unit and is now within the structure of the Justice College. The JSSP and the Court Services project team submitted recommendations to the

Justice College for the implementation of a court manager's capacity development program. Several learning and development processes to strengthen overall court management and administration capacity within courts are being implemented by the various regions, and some of these programmes (amongst others) include the following:

- Introduction to service delivery improvement within courts and the implementation of the Services Charter.
- Implementing Batho Pele at courts through the revised Habits Programme.
- Introduction to criminal and civil case flow management for registrars and clerks of courts
- Ongoing training in Criminal, Civil, and family processes (including divorce) and Magistrates Court Act rules
- Financial Skills training for the implementation of the maintenance turnaround strategy
- LEAN management and development training
- Business architecture and functional process mapping

## **Task 2. Provide technical assistance to the ICFM Subcommittee in developing a cost effective semi-automated case flow management system for South African Courts**

### ***1.6 ICFMS Review***

In accomplishing Task 2, the JSSP successfully facilitated the ICFM review in Year 1.

The DDG Court Services and the COP have engaged with the current Chief Justice on the implementation of the recommendations, and JSSP support to the Subcommittee on Case Flow Management for the High Courts since October 2011. In February 2012 Chief Justice directed the JSSP to the newly appointed Subcommittee Chair Justice K Mthiyane. At a subcommittee meeting held on 5 April 2012, the summary recommendations that emanated from the report compiled by Mr. David Steelman and Judge Dave Campbell were adopted. A “roadmap” for implementation was compiled by the Subcommittee. The JCM project will begin in September 2012 and will be implemented for civil matters in the Gauteng, KwaZulu Natal and Western Cape High Courts.

The task team for the judicial case management pilot in the civil courts, represented by Judge Steven Madjiet communicated to JSSP and Judge Campbell (a week before Judge Campbell arrived in SA) that the July dates for technical support under activity 2 was not feasible. Judge Campbell and the task team will remain in contact and it is envisaged that the OCJ may request further support from Judge Campbell at a later stage. It is regrettable that activities for this component were not concluded.

### ***1.7 Business Process Reengineering and Performance Measurement Framework***

The Draft practice directives for implementation of the civil court process have been compiled and circulated for comment to the high court judiciary. It is envisaged that the JSSP, more especially, Judge Dave Campbell will provide technical support in reviewing the directives against the embedded performance and process management measures contained in the practice directives.

### ***1.9 Train the Trainers Course***

There are various options available to the OCJ to build capacity for the implementation of JCM. The South African Judicial Education Institute is tasked with all matters related to the training of the judiciary. Judge Campbell will in the next quarter provide input into the JCM training strategy and curriculum in the preparatory phase of the implementation of JCM in the high courts in Gauteng, KwaZulu Natal and Western Cape.

### ***1.10 Automated Case Management Model Development***

JSSP recommended options for the development of a JCM model for civil courts in the concept proposal prepared by Judge Dave Campbell however models for automation were not included and the JSSP understands that the OCJ is exploring several strategies from the Malaysian court automation system.

### ***1.11 Strategic Planning and Pilot Implementation Plans***

JSSP was not in a position to convene this workshop due to various delays in the scheduling process for technical support to the ICFM task team.

### ***Cross-Cutting Activities***

The COP and the Chief Directorate Vulnerable Groups have been working closely on ensuring DOJCD compliance on the implementation of the Sexual Offences legislation and are happy to report that the National Policy Framework of the Sexual Offences Act and the 2008 -2011 report was ratified by the DGIS and Ministry of Justice, and will be submitted to parliament in due course.

The COP also rendered technical support to the Integrated Sexual Offences training committee convened through the Department of Social Welfare and the DOJCD in refining the Integrated Training Manual on Sexual Offences and Victim Empowerment for front-end staff. The first pilot training workshop took place from 13 – 15 June 2012. Further workshops are to be held in pilot court jurisdictions between August – October 2012.

The COP also facilitated a working session with the newly formed DOJCD Intra Departmental Committee for sexual offences and victim empowerment that will focus on the monitoring DOJ responsibilities and operational issues in the implementation of the sexual offences legislation.

The COP was nominated to serve on the Ministerial Task Team for Sexual Offences together with representatives from the NPA, Judiciary and the Department of Justice and Constitutional development. The mandate of the MTTSO is to investigate, in consultation with the Inter-Departmental Consultative Group the viability of re-establishing the “sexual offences courts” and to advise the Minister on a suitable framework and strategy for the effective management of sexual offences cases in the courts. To this end the MTTSO, supported by the COP compiled terms of reference and issued a limited request for proposals for a reputable service provider to conduct an empirical study on the feasibility of dedicated sexual offences courts within the criminal justice system. The MTTSO envisages the appointment of the service provider by 13 July 2012.

The COP in collaboration with the South African Chapter of the International Association of Women Judges (SA – IAWJ) and the Association of Regional Magistrates (ARMSA) convened a dialogue structured around the theme: “The role of judicial officers in advancing gender justice and victim rights in South Africa.”

The dialogue provided opportunity for the SA –IAWJ and ARMSA membership to collectively reflect on the myriad of challenges that face judicial officers, highlight areas of good practice and contemplate possibilities for a more robust gender strategy going forward. The JSSP/NCSC wishes to thank both organizations for a remarkable collaborative effort that resulted in a mutually engaging deliberation, and an important learning and knowledge building dialogue for all participants.

The workshop followed an interactive learning approach with small group reflection sessions and plenary discussions structured to encourage the sharing of experience and combined with a new knowledge area that focused on “Feminist Jurisprudence”.

The JSSP/NCSC also wishes to thank Ms Yvonne Oyike from University of Pretoria and Mr. McIntosh Polela for so freely giving of their time and effort to participate in process and contributed immensely to the success of the dialogue.

The JSSP/NCSC also wishes to thank Africology for the wonderful aromatherapy cosmetic product sponsorship, Tiger Brands for the tea and coffee sponsorship, Alexander Forbes Insurance for the handbag holders and sanitizer key rings and the DOJCD: Vulnerable Groups for the sponsorship of mugs that went into the “ thank you bags” that all participants appreciated receiving.

## **Activity 2. Support to the OCJ – US Study Tour**

### **2.1 Court Management Study Tour**

The National Centre for State Courts (NCSC) hosted a delegation of 5 Court Services officials of the Department of Justice and Constitutional Development on a court management study tour from 13 – 18 May 2012. The delegation comprised five (5) DOJCD officials namely: Mahomed Dawood (Director: District Court Efficiency, National ICFM Coordinator); Dibuseng Mongoato (Director: Court Operations – Eastern Cape Province); Tshiane Munyai (Area Court Manager: Thohoyandou – Limpopo Province); Zurika Pienaar (Area Court Manager: Emlazi, – KwaZulu Natal Province) and Viven Pather (Chief Registrar, South Gauteng High Court).

The study tour provided an important opportunity for officials to observe first hand the court management approach, systems, processes and best practice IT efforts that support court operations in the USA, specifically in the federal and trial courts in the jurisdiction of Minneapolis.

The study tour program was designed to enable the participants to:

- a. Identify methods to improve the management of the courts human resources which make up its social capital,
- b. Understand the capacity building efforts for court professionals through education, training, and professional development;
- c. Reinforce knowledge and experience in general court management and administrative practices and procedures;
- d. Understand the development of tools and methodologies for effective automated case management;
- e. Identify and establish criteria for Model Court Performance Standards.

The participants thoroughly appreciated the learning opportunity and compiled a very impressive study tour report attached as annexure I. During the feedback session to DOJCD, participants extended their gratitude to NCSC International and USAID for reception the exceptional organization of the study tour and the warm reception by all court stakeholders in Minneapolis. The feedback session was well received by the DDG: Court Services, senior court services managers, and members of the judiciary. There are several plans in place to implement and replicate learning gained during the visit to the US.

### **Activity 3: Strengthening the Prosecution and Adjudication of Sexual Offences**

In this last quarter of the JSSP, Component 3 has continued its support to strengthening the prosecution and adjudication of sexual offences, focusing particularly on the following areas:

- Strengthening prosecution guided investigation through improvement of the integrated training on sexual offences (lead partner: National Prosecuting Authority (NPA),
- Strengthening of intermediary services in courts through technical assistance into a gaps and needs Survey which will lead to improved policy guidelines and training of intermediaries (lead partner: Department of Justice and Constitutional Development (DoJCD)),
- Strengthening the adjudication of sexual offences through the development and piloting of a 'Peer Information Tool' for judicial officers in Regional Courts (lead partner: Regional Court Presidents' Forum (RCPF)),
- Strengthening NGOs' capacity to monitor and report sexual offence cases (lead partner: civil society).
- Study Tour to the US on GBV and sexual offences (lead partner: NPA)

During this quarter Component 3 finalized implementation of activities and planned the handover of interventions to ensure sustainability of ongoing initiatives. Component 3 worked closely with key justice sector partners, including the NPA, DoJCD, the RCPF and civil society representatives, conducting planning meetings to ensure that relevant processes will continue after project closure.

## **Task I. Strengthening Civil Society Capacity to More Effectively Monitor and Report on the Impact of Court Process and Judicial Decisions in the Field of Gender Based Violence.**

### ***3.1 MOU between JSSP and South African NGOs***

MOUs have been finalized and signed with the following organizations which are participating in Activity 3.2 (see below):

- Rape Crisis Centre (Port Elizabeth, Eastern Cape),
- Masimanyane Women's Support Centre (East London, Eastern Cape),
- Teddy Bear Clinic for Abused Children (Johannesburg, Gauteng),
- Childline (Durban, KwaZulu-Natal),
- Thohoyandou Victim Empowerment Project (Thohoyandou, Limpopo),
- Matjhabeng Rape Intervention Care Centre (Welkom, Free State),
- Thusanang Advise Centre (Phuthaditjhaba, Free State),
- Greater Nelspruit Rape Intervention Project – GRIP (Nelspruit, Mpumalanga),
- Masisikumeni Women's Crisis Centre (Tonga, Mpumalanga), and
- Christina Matthew's Foundation (Kimberley, Northern Cape).

The number of MOUs signed exceeds the target number indicated in the JSSP project document, and this activity is now completed.

### ***3.2 Training and capacity building of CSOs in monitoring and reporting GBV and sexual offences***

JSSP is working with civil society organizations to develop a monitoring and reporting framework and instrument that can be systematically used to collect relevant information on GBV and sexual offences before, during and after cases formally enter the justice system. This is the first effort to build a uniform information system for NGOs working in this field in South Africa, and the initiative has been very well received by the project partners (DoJCD, NPA and the RCPF) and civil society. The current lack of uniform information gathered by CSOs about challenges and delays in sexual offences and GBV cases makes it difficult for CSOs to effectively advocate for improvements in the legal system and the services offered to victims by the Government. This reporting tool should streamline information gathered by CSOs in a way that supports advocacy for victims as well as improving the government response.

JSSP is working with the Institute for Women and Gender Studies at the University of Pretoria (UP) to complete this activity. UP has organized a team of researchers and academics, including those from the Law Faculty and the Institute for Information Technology.

Initially, UP coordinated with a broad group of organizations supporting sexual assault victims to determine the type and extent of reporting being conducted. This exercise collected information on current processes and informed the drafting of the reporting tool. This collaborative process was utilized to ensure that the pilot reporting tool met the needs of the organizations and provided an incentive for them to participate and sustain the reporting effort after the JSSP project ends. CSOs have limited resources and little time for this type of activity so the JSSP sought to develop a tool which would assist the organizations in their core functions instead of adding additional pressure on their already heavy workload. UP engaged

civil society organizations (CSOs) in all nine provinces to have a wide geographical reach for the project. They also included organizations supporting victims of sexual and GBV violence in city, informal, semi-rural and deep rural contexts. A draft reporting tool was compiled and the JSSP provided technical input at various stages including before the tool was circulated to other partners for input.

UP also completed a desk study and drafted a report on monitoring and reporting initiatives in South Africa. The purpose of the Desk Study was to inform the drafting of the JSSP pilot tool and to ensure that the tool builds on previous experiences in South Africa. The findings of the Study were presented to and discussed at the Reference Group meeting conducted on May 16, 2012 with the UP Law Faculty, Department of Social Work, Centre for the Study of AIDS, and Information Technologies, as well as The Institute for Security Studies (ISS). The JSSP partners (NPA, DoJCD and RCPF) were also invited but were unable to attend due to other commitments. These partners were kept informed about project updates and invited to provide feedback via email or in separate meetings.

A monitoring tool was developed, based on technical input from JSSP. The tool focuses on collecting basic information on court services delivered and has been piloted by a limited number of organizations which offer services to victims in courts.

UP conducted a Training Workshop for CSOs on May 22-23, 2012. Organisations from all provinces except North West were represented, with a total of 24 CSO staff members participating. The JSSP Chief Technical Advisor (CTA) and Ms. Teresa Cannady of DPI/JSSP met with the workshop participants on May 22 and provided a presentation on the JSSP, focusing on how the monitoring project links in with the other components. DoJCD (Chief Directorate for the Promotion of Rights to Vulnerable Groups (VG)) also made a presentation at the workshop. This workshop focused on the draft JSSP reporting tool and the implementation of the monitoring exercise, illustrating how to incorporate information gathered by the organisations into the instruments. A workshop report was compiled and will be submitted separately.

The participating organizations are currently utilizing the reporting tool for sexual offence cases they are currently involved in and are submitting records to the University via an online system. The University is monitoring the use of the pilot tool and will submit a final report on the findings and recommendation in early July.

The JSSP partners recognize the need to sustain this tool and utilize its benefits beyond the life of the project. Therefore, JSSP assisted DoJCD (VG) in their request to the Director General (DG) for funding to sustain this activity. The request was approved by the DG and the JSSP is now working with VG to transition this activity.

### ***3.3 Participate in the 16 Days of Activism against Gender Violence***

JSSP will compile an article for participating organizations to use in the 2012 '16 Days of Activism' campaign, highlighting the outcomes of the piloting of the monitoring tool (Activity 3.2). The article will be drafted in early July 2012 once the final report from UP is available. The summary article will also be presented to the NPA and other partners for possible inclusion in their newsletters.

### **3.4 Windows of Opportunity**

The Component three CTA participated in the 5<sup>th</sup> Sexual Offences Indaba organized by the NPA in collaboration with USAID and other international donors from June 6-8, 2012. The Sexual Offences Indaba brings together key stakeholders from Government and Civil Society in the fight against sexual and gender-based violence and provided an opportunity for the JSSP to ensure alignment between the JSSP activities and those led by other key partners. The Indaba among other things discussed how to improve services to victims of sexual offences in South Africa, and the recommendations following from the pilot training in JSSP activity 3.5 (see below) were included in these considerations.

### **3.5 Strengthening Prosecution Guided Investigations (PGI) through enhancements to the Integrated Sexual Offences Training (ISOT)**

During this quarter, the JSSP finalized two training sessions on Prosecution Guided Investigations (PGI)/Train the Trainers which took place in Pretoria May 21-23 and in Cape Town from May 28-30, 2012. The training agenda is attached as annex 2. The training program was designed to support the 'Integrated Sexual Offences Training' (ISOT) which was developed in 2010-11, in collaboration with key partners under the leadership of the NPA and with USAID funding. NPA/SOCA requested that JSSP focus on this multidisciplinary training to strengthen the existing training material for better multidisciplinary cooperation in



**Adv. Thoko Majokweni provides opening comments**

Prosecution Guided Investigations. Over the past several months JSSP has developed proposed checklists, training scenarios, train the trainers materials, and the agenda for the training program. The JSSP collaborated closely with NPA/SOCA, the South African Police Service (SAPS), and the ICITAP program at the US Embassy to develop the agenda and identify participants to ensure that the two JSSP training sessions complimented and supported other training initiatives offered by these stakeholders in South Africa. The Integrated Sexual Offences Training (ISOT) is the South African stakeholders' equivalent to PGI.

During April 2012 the JSSP facilitated invitations to all NPA regional offices, SAPS, Department of Health, Department of Social Development, Department of Correctional Services, and the Department of Basic Education requesting nominations of delegates. Substantial effort was made to ensure a wide geographical coverage of participants and to include as many Departments as possible in the training. JSSP was also responsible for organizing logistics for the program, including the selection of venues, catering, presentations, participant folders, etc. Several meetings were held to ensure high level SAPS commitment and to coordinate the presentations by the NPA, SAPS and the JSSP.

The training in Pretoria was attended by 40 people from NPA (SOCA and NPS), SAPS (including Detective Services, Family violence, Child abuse and Sexual offences Unit, and training & curriculum development), Department of Health, Department of Social Development, USAID, the US Embassy and the JSSP. The training in Cape Town was attended by 39 people, including a representative from the Department of Basic Education. All nine provinces in South Africa were represented in the training sessions.

The 3-day training program was designed to enhance both technical and training skills, and was led by DPI consultants, Ms. Teresa Cannady and Mr. Matthew Galluzzo. Technical skills improvement focused on improving prosecution guided investigations and better coordination of the multidisciplinary approach in prosecuting sexual offenses. The remainder of the program focused on train the trainer skills to utilize accelerated and interactive learning techniques. A team training approach was employed, with sessions led by alternating trainers and co-trainers to maintain a high level of interest and demonstrate good teaching techniques. Local trainers from the NPA and SAPS also participated in several sessions and panel discussions. Attendees were encouraged to be significantly involved in the interactive approach, participating in role plays, problem solving, discussions, and the development of their own training activities. Discussions focused on best practices in Prosecution Guided Investigations (PGI), current



Participants utilize interactive training techniques

training techniques and materials, and enhancements to South African training programs, where appropriate. While best practice techniques (on both technical and training skills) from the U.S. were incorporated where appropriate, the focus was on finding solutions to fit the South African context. The training supported ongoing South African efforts in compliance with local procedure and law. Participants were provided with a Train the Trainers manual describing the various techniques, learning types, tips for effective presentations, etc. Participants were also provided with technical training materials to enhance the PGI process.

Participants were very knowledgeable about their work and willing to participate in the discussion and activities, particularly learning about U.S. models that have overcome similar challenges. Having this multi-disciplinary group together in one place was an achievement, providing a space for them to discuss their mutual problems and find ways to better work together. This opportunity showed them the benefits of their cooperation and made connections that will remain beyond the program.

The participants were particularly interested in learning the interactive techniques to improve their training skills. They expressed their desire to have a more substantial Training-The-Trainers program. Evaluations from the program revealed a high level of satisfaction with the program, with all respondents answering yes to the question: 'Would you recommend this

training to your colleagues?' The NPA has expressed willingness to incorporate appropriate sections into its current training offerings.

A separate training report was developed by the two DPI consultants, including best practices, challenges and recommendations on how to take the training forward. A summary of the evaluations by the participants are attached as annex 3. A de-briefing meeting was conducted with the JSSP, the NPA and SAPS, and adjustments in the ISOT program and the training material are being planned based on the recommendation made following the JSSP training.

### ***3.6 Strengthening Intermediary Services in Courts***

The JSSP and the DoJCD/VG have continued collaboration based on the JSSP/DoJCD survey to determine gaps, weaknesses, and strengths in the present management and implementation of intermediary services in courts. Technical input was provided by the JSSP throughout the planning and implementation of the Survey as well as into the Survey Tool. The JSSP participated in the initial test interviews which led to further refinement of the implementation plan. Based on the implementation plan developed by DoJCD (NOC and VG) and the JSSP, the Survey has been finalized and NOC has compiled a preliminary report covering experiences from court officials in all nine Provinces.

DoJCD outsourced the transcription of interviews to a service provider and is currently awaiting final transcripts to finish their report. This process has taken longer than expected due to the Department's procurement process and the financial year end in March. JSSP has met with the Department to move the processes forward and overcome these delays. NOC requested time to vet the information in the preliminary report against the information in the transcriptions. However, due to the imminent closure of the JSSP project, the JSSP has requested that DoJCD provides the draft report to JSSP before the end of the June, regardless of whether the vetting is complete. If the report is received as requested, the JSSP will provide input into the final version and will assist the DoJCD to promote policy changes designed to ensure that the Intermediary posts in courts are made permanent. The DoJCD has expressed their satisfaction with the Survey and the findings, which has focused their efforts to make the Intermediaries a permanent position within the court system.

### ***3.7-3.8 GBV Curriculum for Judicial Officers and Pilot Training***

During the quarter, JSSP has focused on planning the production of the Judicial Training Tool based on the comprehensive list of topics and experts previously developed. JSSP revised production costs and it is clear that the JSSP budget is insufficient to develop the type of enhanced tool the Regional Court Presidents' Forum (RCPF) has requested. Therefore, attempts have been made to ensure additional funding from DoJCD in collaboration with the RCPF. The RCPF has submitted a funding request to DoJCD (CD: PRVG) for ZAR 250,000 to support the Information Tool. The JSSP has discussed the funding proposal with DoJCD and while funding will likely be made available, it will not be received before the JSSP project ends.

In an attempt to reduce production costs for the tool and to move forward with the limited JSSP funding, the JSSP met with the National Treasury (NT) to discuss the use of their Knowledge Lab studio. The Knowledge Lab is a small recording studio that can accommodate audio and visual recording of interviews. The NT has offered use of the facilities for those

interviews which do not require a specific location (e.g. at courts). However, the Knowledge Lab does not offer a technician/producer., which will need to be contracted for separately. In collaboration with the RCPF, the JSSP will develop a detailed concept paper including key interview points for each interview, and the requirements for a service provider to produce the Tool. Once the funding become available from the DoJCD, the RCPF can produce the Judicial Training Tool as designed by the JSSP.

### **3.9. Study Tour**

JSSP edited and revised the study tour report provided by participants. The revised version was submitted to NPA/SOCA in June for a final review and approval. The report will now be printed and distributed to other relevant agencies and organizations to promote the recommendations from the tour. JSSP facilitated a meeting between the participants and the Judicial Case Flow Management Committee (JCFMC) to agree on a plan to pilot selected best practices from the US. The meeting was set during May but had to be rescheduled because Adv. Majokweni was not available due to obligations linked to her new positions as National Deputy Director of Public Prosecutions. The meeting is now expected to occur during the regular monthly meeting of the JCFMC during July or August.

The recommendations which the JSSP GBV Study Tour wants to discuss with the JCFMC are detailed in the GBV Study Tour Report, which has been facilitated by the JSSP. The JSSP has also provided substantial and editing as well as compiled the executive summary. This report is now in the process of being printed.