



**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. 6
January – March 2012

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

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JUSTICE SECTOR STRENGTHENING PROJECT FOR SOUTH AFRICA (JSSP)

Quarterly Progress Report No. 6 Reporting period: January 1 - March 31, 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

A task order modification request was submitted to USAID on 24 February 2012 that recorded various changes to the year 2 work plan leading up to the conclusion of the JSSP in July 2012. On February 24, 2012, NCSC submitted the Year 2 Work Plan to coincide with the submission of the task order modification.

In February 2012 Mr. Timothy Hughes replaced Ms. Krystal Thompson as NCSC International Project Manager. Mr. Jeff Apperson, the NCSC International Vice President traveled to South Africa between 4 – 9 March 2012 to meet with the COP, CTA, project partners and USAID on issues pertinent to component 3 of the JSSP.

The Office has a full complement of staff: COP/Director Adv Michelle Odayan, Chief Technical Advisor Ms Astrid Coyne-Jensen, and Ms. Elizabeth Dhombo, Office Manager/Finance.

3. HIGHLIGHTS OF ACTIVITIES UNDERTAKEN DURING THE REPORTING PERIOD

- a. NCSC submitted a revised Modification to USAID that reflects final amendments in the work plan for further review and approval.
- b. Update on the JSSP at the Heads of Courts meeting on 3 - 4 February 2012
- c. COP participated as a speaker at the Regional Court Magistrates Conference on 3 – 4 March 2012, on the role of court managers in advancing the rights of vulnerable court users.
- d. Briefing of the South African Women Lawyers membership at their Annual General Meeting on 30-31 March 2012 on the JSSP and specifically the role of private practitioners in monitoring court interventions.
- e. Onsite technical support to pilot courts implementing court improvement measures.
- f. Finalization of Court Services strategic plans and conclusion of the functional process mapping of all court services rendered from National Office.
- g. Appointment of Court Director for Johannesburg Magistrates Court.
- h. Contract with Service Provider finalized after assessment of proposals for monitoring and reporting of GBV and sexual offences.
- i. Detailed program for the Integrated Sexual Offences Training (ISOT) drafted with NPA input and consultations, training materials and presentations under development, training dates set and logistics started.
- j. Qualitative survey of intermediary services started.
- k. Topics and experts identified for the Judicial 'Peer Information Tool', and request for additional budget made by RCPF to DoJCD.
- l. GBV Study Tour Report finalized and forwarded for lay-out and preparation for Feedback Session well under way.

4. TASK-SPECIFIC ACCOMPLISHMENTS DURING REPORTING PERIOD

Activity I. Improved Court Management, Integrated Case flow Management System (ICFMS) and Court Automation

Task I. Rollout of Court Management Program to create model courts of good practice

Subtask Activities

1.1 Activation of the Justice Sector Leadership Group (JSLG)

The Justice Sector leadership Group (JSLG) which officially convened for an inception meeting on 13 December 2011 was unable to schedule a meeting during this quarter due to several competing demands on various members of the group. The COP and the DDG Court Services have been in close contact with the Chairperson of the JSLG on project issues and it is envisaged that the next JSLG meeting will be convened in May 2012. The JSLG will further extend an invitation to Dr Khotso De Wee in his capacity as Acting Secretary General of the Office of the Chief Justice.

1.2 Develop Criteria for Four (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 Johannesburg and Tohoyandou Lower courts on 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. The appointment of the highly skilled Court Director (erstwhile Court Director of the Constitutional Court) at the Johannesburg Magistrates court heralds a new beginning for the potential turnaround of the operations and performance of the court, and for more dedicated implementation of continuous court improvement measures. The Court Director, Mr. Vic Misser is hard at work implementing various improvement measures at all levels within the court, and has constructed an encouraging revised improvement plan that has been submitted to the DDG Court Services for the deployment of necessary resources for the implementation of the plan. The COP and the Johannesburg Magistrates Court Director remain in close contact, with the COP being on hand to render technical support as and when is required by the management committee. Further to this process, a revised draft court improvement plan, together with a proposed organizational chart and court management and administration structure, has been compiled and submitted to the Human Resources unit for consideration. A reflection workshop on the proposed revised structure with pilot court representatives will be convened in the next quarter.

The Thohoyandou Magistrates court follow up process revealed a number of infrastructure and network challenges to the implementation of the court improvement plans, ranging from two separate court buildings (SIBASA regional court and the Thohoyandou magistrates court are in tow different sites due to space limitations) and IT network difficulties in linking the information management systems necessary for smooth court operations. The court struggles on a daily basis with ailing plumbing (that affects water supply for consumption and sewage disposal) the large volumes of cases from far flung rural environments, and general limitations of core management and administration capacity. The Court Services branch have pledged support for an infrastructure revamp project and for dedicated IT network interventions in the 2012 financial year. The Thohoyandou Magistrates court remains a priority court for greater capacity development support going forward.

The JSSP was not in a position to secure dates for a planning process with the South Gauteng High Court, and together with Court Services, is reviewing the feasibility of pursuing the request for the SGHC to be part of the pilot process. A recent visit to the SGHC by the Parliamentary portfolio committee resulted in a scathing report to Court Services to urgently attend to the myriad of challenges that the court faces on a daily basis. In May 2012, Ms Joyce

Mokoena who has been involved in the JSSP, providing interim support to the Johannesburg Magistrates Court before the appointment of the Court Director will assume the position of Court Director at the SGHC. It is envisaged that the SCGH will require JSSP support in the next quarter.

Structured follow up workshops with the remaining pilot sites is planned for the next quarter and it has been stressed that court improvement planning is a continuous and evolving process that requires rigorous attention if indeed the pilot courts are to demonstrate movement towards “model court “ practice.

The Court Services senior management team has finalized their strategic plan for 2012¹ and has concluded the functional process mapping of court services that seeks to better align its strategic goals with the needs of the court environment. In addition to this, Court Services envisages the establishment of a project management unit to better coordinate all projects directed at court capacity development and efforts to general improve justice services. To this end, the Court Services programme has ring fenced a sizable budget to ensure that DOJ ambitions for change in the service culture, efficiency and effectiveness of courts materialize, and that the court capacity development efforts that began with the JSSP are rooted in a sustainable institutional strategy of court services support to the courts.

1.3 Memoranda of Understanding (MOU)

It is envisaged that a memorandum of understanding will be concluded with the JSLG and Court Services at the next JSLG meeting to be held in May 2012. Despite the current absence of the memorandum, the JSSP has had a successful process of implementation to date.

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 improvement are 3 additional courts within the jurisdiction of the primary cluster of the courts and provinces within the JSSP pilot sites. A recommendation has been made by the COP and the Court Service project team to the DDG Court services in this regard, and is yet to be agreed to by the OCJ and the judicial heads of courts. Adv Jiyane is facilitating discussions in this regard and it is hoped that there is agreement of the designated courts by early May.

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. This period has also been spent reviewing the 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. The next steps in the process involves the

¹ <http://www.justice.gov.za/MTSF/mtsf.htm> pages 37 - 42

establishment and convening of a multidisciplinary training committee to design and develop a comprehensive court management learning and development curriculum with support from NCSC on several methodologies to advance a high performance court framework to guide the overall process. It is also envisaged that a second CourTools learning lab will be held in the next quarter, duly facilitated by Adv Odayan and 2 members of the court services project team

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 will submit recommendations to the Justice College for the implementation of a court manager capacity development programme in the next quarter. 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 Bathopele 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

1.6 Windows of Opportunity

Nothing to report during this quarter.

Task 2. Provide Technical Assistance to the ICFM Subcommittee in Developing a Cost Effective Semi-Automated Case Flow Management System for South African Courts

1.7 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 July 2012 and will be implemented for civil matters in the Gauteng, KwaZulu Natal and Western Cape High Courts.

Further consultations are to be held with the OCJ, in defining the extent to which the remaining activities within this component can be delivered that best supports the judicial case

management endeavors within the judiciary. It is not clear at this stage whether the OCJ is ready for a benchmarking and judicial case standard setting, as there is still much buy in required from the judiciary before JCM takes roots in all courts in South Africa. The Chief Justice indicated that he would prefer support from JSSP to convene judicial case management workshops to generate greater JCM awareness within the judiciary, and for possible “buy in” from judicial officers. Due to the various challenges that the JSSP experienced since the change over in Chief Justices and staff within the OCJ, a notable number of activities within this component have been delayed. Hence, it seems that the JSSP will support the JCM subcommittee and project task team primarily in the inception /preparatory phase of the implementation of JCM in the civil courts. The OCJ is still in the process of crafting a comprehensive JCM strategy applicable to all courts.

1.8 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 will in the next quarter recommend design options for the development of a JCM model for civil courts that includes, but is not limited to priority court functions case entry, document production), hardware and software, database design and creation, and training of court personnel on the use of automated systems.

1.11 Strategic Planning and Pilot Implementation Plans

JSSP will in the next quarter host a workshop for the Department of Justice and Constitutional Development (DoJCD) to develop a basic strategic plan for JCM implementation in the courts. The workshop will focus on JCM goals and benchmarks, sequencing of roll out, cost analysis, and a timeline. Participants will include court leaders from the model courts and representatives from the national and provincial ICFM steering committees.

Cross Cutting Activities

The COP, has been closely supporting the Chief Directorate: Vulnerable Groups to finalize the National Policy Framework of Sexual Offences, and oversee the compilation of the report for the period 2008 - 2011. The COP convened with the service provider and staff on several

occasions in March 2012 to take forward the process of finalizing the consolidated draft report and the NPF on sexual offences. A final draft was tabled to the DGISC for approval and ratification and for onward submission to Parliament. The COP attended and presented a short paper on the court management limitations and potential for advancing the rights of vulnerable court users at the Regional Court Magistrates held on 3-4 March 2012. The keynote address at the conference was delivered by Prof Rashida Manjoo, the special rapporteur on Violence against Women which the COP facilitated for the Chief Directorate. Prof Manjoo's address was well received and she has been requested by the Chief Directorate and Director General, Ms Nonkululeko Sindane to provide ongoing guidance to the DOJ in respect of SA's obligations in respect of international compliance with CEDAW, and other relevant international instruments that seek to advance gender justice.

The COP continues to work closely with the Chief Directorate to design a comprehensive strategy for outreach and awareness for the administrative component on the victims' charter, the services charter and other legislation in respect of gender based violence and sexual offences. In addition to this, the COP has recommended to the DDG: Court Services and the Director General to consider renaming the Chief Directorate to reflect a more affirmative position within Court Services.

The COP also convened with the membership of the South Africa Women Lawyers Association (SAWLA) at the AGM held in Cape Town on 30 -31 March 2012. The COP invited SAWLA to support the CSO monitoring intervention and will facilitate their access to the IGWS –UP going forward.

The COP has also engaged with the executive committee of the SA-Association for Women Judges and will in the next quarter jointly convene a dialogue on the "role of women judicial officers in advancing gender justice and the rights of vulnerable groups"

Activity 2. Support to OCJ – US Study Tour

During the reporting period, NCSC undertook preparations for a study tour on court management. The Court Managers Study Tour is designed to benefit managers from the Court Services Branch of the Department of Justice and Constitutional Development. The participants are drawn from the two pilot courts, two regional offices and from the national office, specifically, a Director from Court Services from the Department of Justice and Constitutional Reform.

The goal of the study tour is provide a global learning and development platform for functionaries involved in rendering court services support to courts in South Africa. The participants are expected to commit to fully participating in the structured 5-day programme, make optimal use of the opportunity to reflect comparatively on the SA/USA systems of court administration and management, and more importantly undertake to disseminate lessons acquired to a wider audience upon return to South Africa. Participants will be placed at selected courts and investigate operational practices in integrated case flow management, record and statistical analysis, methods of improving and managing human resources, overall court performance and court automation.

Specifically the participants are interested in:

1. Reinforcement of knowledge and experience in general court management and administrative practice at trial courts
2. Developing tools and methods for effective automated case management and other aspects of innovative court technologies;
3. Identifying and establishing criteria for Model Court Performance Standards;
4. Learning how to develop performance measurement systems;
5. Identifying methods to improve managing human resources in South African Courts;

Planning of the study trip will be completed during the next quarter. The study trip is expected to occur in mid-May 2012. Project staff will collaborate closely with USAID in the planning of the trip and obtaining visas.

Activity 3. Strengthening the Prosecution and Adjudication of Sexual Offences

Component 3 supports efforts to strengthen 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 the quarter significant progress was achieved toward the completion of various activities. JSSP conducted numerous meetings with key partners to ensure that implementation is kept on track to complete all deliverables before project end. March is the fiscal year end for South Africa, requiring the significant attention of key partners to the completion of various reports and activities, and therefore, limiting the time available for project implementation. Despite those demands on partners, the JSSP has managed to ensure good progress on sub-components and organize events for completion during the next quarter.

Task 1. 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

To promote sustainability of activities, JSSP is working with NGOs to obtain their commitment for ongoing activities. This activity is closely linked with Activity 3.2 described below, whereby NGOs will participate in the development and implementation of the monitoring tool. During this quarter the process of selecting a Service Provider, the Institute for Women and Gender

Studies at the University of Pretoria to develop the tool was completed. Discussions about the content of the MOUs for relevant NGOs were held with the University of Pretoria (UP). The JSSP and UP have agreed that MOUs (between the JSSP and the organizations) should be signed as part of Activity 3.2 before the organizations participate in the training scheduled for May 2012. A meeting was also conducted with the National Working Group on Sexual Offences (NWGSO) to discuss collaboration around activity 3.2 and the signing of a MoU.

3.2 Training and Capacity Building of CSOs in Monitoring and Reporting GBV and Sexual Offences

The South African government recognizes the important role played by CSOs in supporting victims of GBV and sexual offenses, particularly in providing the majority of on-going support for victims. However, the lack of uniform information gathered by CSOs regarding challenges and delays in these cases makes it difficult for CSOs to effectively advocate for improvements in the legal system and the victim services offered by the Government. In response to this gap, the JSSP is developing a monitoring and reporting framework and instrument that can be systematically used to collect relevant information on GBV and sexual offences. 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). The partners recognize that the information tool will need sustained support after JSSP project closure and the DoJCD is considering supporting this initiative with additional funding.

As reported previously, a Request for Proposals (RFP) was circulated to more than 20 potential service providers including to CSOs, universities and research institutions. Proposals were received from:

- a) Agisanang Domestic Abuse Prevention and Training (ADAPT),
- b) Institute for Women's and Gender Studies at the University of Pretoria (UP), and
- c) Tshwaranang Legal Advocacy Centre (TLAC).

The proposals were evaluated by both the JSSP team, the National Prosecuting Authority (NPA) and the DoJCD. The Regional Court Presidents' Forum (RCPF) contributed during the negotiations with UP, but chose not to assess the proposals themselves. Based on the assessment of the three proposals, the Institute for Women and Gender Studies at the University of Pretoria (UP) was chosen as the preferred provider. Further discussion and negotiations were undertaken to clearly define the deliverables, timeline and budget. The contract has now been signed by both parties.

DoJCD (CD: PRVG) is considering providing additional funding to support this activity allowing the project to reach more organizations and sites than those covered by the JSSP pilot sites. This additional funding would help ensure sustainability beyond the life of the JSSP and should also be seen as recognition of the importance of establishing a uniform reporting tool. The JSSP is working closely with DoJCD, and has provided input into an internal memo which requests the Director General of DoJCD to allocate the required funding to CD: PRVG. Due to the end of the South African fiscal year in March, the DoJCD has indicated that it may take approximately 1.5 months before the funding can be committed. However, the contract between the JSSP and UP ensures that the project implementation will begin immediately and

that the Service Provider and the participating organizations will not be affected should the financial commitment from DoJCD take longer than expected.

UP-IWGS is now compiling a proposed Reference Group for the project as well as a list of organizations which will be invited to participate. MOUs for the participating organizations are also being developed with the guidance of JSSP, to ensure a quick start-up of this activity.

3.3 Participate in the 16 Days of Activism against Gender Violence

In addition to activities completed in an earlier quarter, the JSSP is planning to compile a short summary report for circulation to participating organizations for use in the 2012 '16 Days of Activism' campaign. The summary report will highlight the outcomes of the monitoring tool (Activity 3.2) and will provide useful support to organizations participating in the 2012 advocacy campaign. The summary report will also be presented as an article to the NPA and other partners for possible inclusion in their newsletters. The summary report is expected to be completed in June 2012.

3.4 Windows of Opportunity

The JSSP continues to work closely with the DoJCD Chief Directorate for the Promotion of Rights of Vulnerable Groups. DoJCD (CD: PRVG) requested JSSP participation in a 3-day National Conference to Review the Victims' Charter National Implementation Plan for 2007-2011. The Conference was organized by DoJCD-VG, with the participation of all other key Departments, Institutions and civil society. The JSSP facilitated a working session which focused on promoting the rights of victims of sexual violence.

The NPA requested that the JSSP Chief Technical Advisor spend significant time at their premises, providing office space to JSSP, to further implementation of project activities and to ensure effective collaboration with the Sexual Offences and Community Affairs (SOCA) Unit. The CTA was invited to and participated in the NPA/SOCA Unit's strategic planning session in March 2012.

3.5 Strengthening Prosecutor Guided Investigations (PGI) through Enhancements to the Integrated Sexual Offences Training (ISOT)

The JSSP continues to support the NPA's efforts to update and improve the multi-disciplinary training to increase collaboration between police, medical personnel, social and correctional services, and prosecutors. This training is being completed as part of 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. SOCA has requested that JSSP focus on the multidisciplinary training to strengthen the existing training material for better multidisciplinary cooperation in Prosecutor Guided Investigations. Over the past several months JSSP has developed proposed checklists, training scenarios, train the trainers materials, and the agenda for this training program.

During this quarter several meetings were held between the NPA and the JSSP to plan the training program and to coordinate with the South African Police Service (SAPS). SAPS is a key partner on the ISOT and it is crucial to ensure SAPS's buy-in to the planned enhancements.

Coordination is also taking place with the ICITAP team at the US Embassy to ensure coordination with their training activities and avoid overlap. SAPS personnel have recently changed, requiring further consultations with senior management, which are scheduled for April 23, 2012. This change in SAPS' structures has led to the training enhancements focusing more on training skills and techniques. JSSP is still awaiting feedback and documents, including the proposed "dummy docket" to finalize improvements to the ISOT training manual and process, but these enhancements are dependent on SAPS cooperation.

The NPA has requested that two training sessions be held instead of one, so that more trainers can benefit. JSSP continues to collaborate with the NPA to finalize the proposed agenda for the training program, incorporating several rounds of comments from the NPA. The two training sessions have been confirmed for May 21-23, 2012 in Pretoria and May 28-30, 2012 in Cape Town. JSSP and NPA are working closely to define the profile and geographical coverage of participants, as well as organizing logistics for the training.

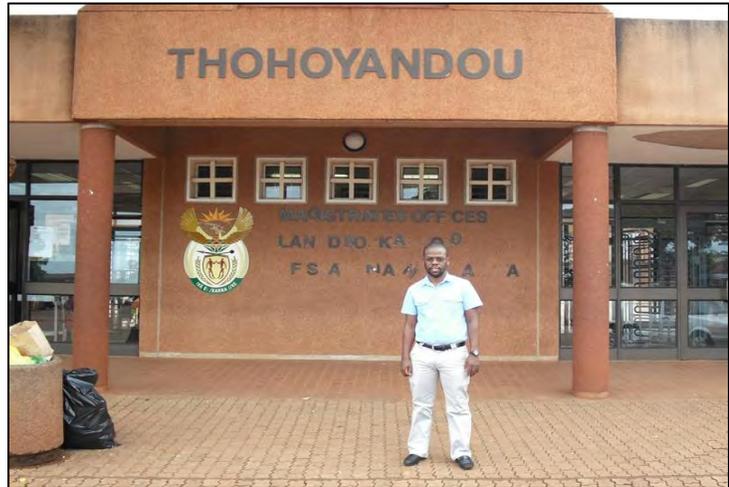
This 3-day training program is designed to enhance both technical and training skills to utilize accelerated and interactive learning techniques. A team training approach will be taken, with sessions led by alternating trainers and co-trainers to maintain a high level of interest and demonstrate techniques using technical information. Attendees will be significantly involved in the interactive approach, participating in role plays, problem solving, discussions, and the development of their own training activities. Discussions will focus on best practices in Prosecution Guided Investigations (PGI), current 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. will be incorporated where appropriate, this will not be the focus of the training. The training is intended to build on and enhance ongoing South African efforts in compliance with local procedure and law. Participants will be provided with a Train the Trainers manual describing the various techniques, learning types, tips for effective presentations, etc. Participants will also receive technical training materials to enhance the process of PGI.

3.6 Strengthening Intermediary Services in Courts

The JSSP and the Chief Directorate for the Promotion of the Rights of Vulnerable Groups (PRVG) of the DoJCD continues to collaborate to strengthen intermediary services for the courts. In agreement with DC: PRVG, the JSSP agreed to provide technical assistance and participate in a survey process to establish gaps, weaknesses and strengths in the present management and implementation of intermediary services in courts. This survey is now being completed.

In early January 2012, JSSP facilitated a communication from the DoJCD National Office (NO) to the Regional Offices informing them about the intermediary survey. The JSSP collaborated with the DoJCD (CD: PRVG) and DoJCD National Operations Centre (NOC), to develop the survey tool and plan its implementation. The survey questionnaire which is being used for the qualitative survey was circulated with the previous Quarterly Report. One of NOCs core competencies is administering surveys and NOC therefore became involved since PRVG did not have sufficient capacity to conduct the survey. NOC agreed to participate despite the timeline for the JSSP/DoJCD survey being considerably shorter and more condensed than what NOC's usual guidelines and procedures prescribe.

The JSSP and DoJCD (PRVG and NOC) agreed to conduct the survey in two parts. The first survey phase includes qualitative in-depth interviews in courts, while the quantitative survey tool is also being tested, refined and finalized. The second phase, a quantitative survey, will include a questionnaire which will be administered to the approximately 180 courts where intermediaries presently operate. The implementation of the second phase to a large extent depends on the capacity of NOC as neither the JSSP nor CD: PRVG have capacity to implement a survey of this size.



Thohoyandou Magistrates Court, Limpopo

The qualitative survey began on January 23, 2012. Interviews were conducted in the following courts from January 23-31: Mamelsburg (Western Cape), Victoria West (Northern Cape), Sasolburg (Free State), Lichtenburg (North West), Middelburg (Mpumalanga) and Thohoyandou (Limpopo). In addition to the courts, interviews were also conducted with officials in the Regional Offices in the surveyed Provinces. *See pictures of two courts visited.*

Following the first round of qualitative interviews the JSSP, DoJCD VG and DoJCD NOC met on February 10th to review the process before the final round of interviews. Feedback was discussed regarding the draft survey tool, and the practical and logistical implementation of the interviews. Challenges were discussed relating to accessing regional office officials in the Department of Social Development (DSD) for in-depth interviews, which had been a challenge in all six of the provinces. DoJCD VG and JSSP were also informed that a new Director for Research in NOC would take up position on February 13th. The new Director has decided that the survey approach be amended so that DoJCD/NOC will conduct the remaining in-depth questionnaires and administer the test questionnaire in the remaining five JSSP pilot courts. NOC now prefers to have a separation between, what DoJCD/NOC perceives as the service provider (NOC) and the client (DoJCD and JSSP). The remaining interviews will be completed by NOC by the end of March and a report will be compiled on the preliminary results of the survey questionnaire and the in-depth interviews. A meeting has being requested between the DoJCD/VG, DoJCD/NOC and JSSP to confirm the plans for finalizing phase 1 of the survey and starting phase 2.



Sibasa Regional Court, Limpopo

The JSSP will provide input into the Report compiled by NOC and will assist the DoJCD to promote policy changes

designed to ensure that the Intermediary posts in courts are made permanent. The JSSP will also facilitate presentations of the findings; specifically focusing on gaps and challenges for Intermediary training and relevant support for court personnel within the DoJCD, Justice College, the NPA and the Judiciary.

3.7 GBV Curriculum for Judicial Officers

During this Quarter the JSSP engaged with the Regional Court Presidents' Forum (RCPF) to further develop and plan the production of the Peer Information Tool conceptualized by the JSSP and the RCPF. In February a roundtable was held in connection with the RCPF's regular meeting to gather feedback from the Forum. The concept note was very well received and the RCPF requested that the JSSP expand the number of interviews and provide video as well as audio input of those interviews. The Forum also suggested including footage of moot courts to illustrate the proper way to utilize intermediaries. The Peer Information Tool should also contain resources on case law, guidelines and other sources of information useful for regional court magistrates when preparing for or presiding over sexual offence cases.

Following the roundtable with the RCPF, the JSSP CTA was invited to attend the Regional Magistrates Conference organized by DoJCD (CD: PRVG) and the RCPF, where several presenters were identified as experts to participate in the development of the Tool. A meeting was held with a RCPF representative and some of the possible experts to begin this process.

The JSSP has engaged with service providers, experienced in producing similar information tools, to obtain costs estimates. It is clear that the JSSP budget is insufficient to develop the type of enhanced tool the 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 in addition to the funding provided by the JSSP. The strategy is to produce the Information Tool in two stages, utilizing JSSP funding first, with DoJCD funding for the second phase. This strategy takes into consideration that funding from DoJCD will not be available until mid-May because of the South Africa fiscal year end in March.

3.8 Pilot GBV Training Tool with Judiciary Facilitated by Sonke Justice and Law Race and Gender Unit

Before the final version of the Peer Information Tool is completed, the JSSP will test the training tool in one of the JSSP pilot sites, utilizing suggestions from participants to make the tool more practical. The testing of the tool is planned for the next quarter, with production and distribution to the judiciary expected to follow immediately after.

3.9 Study Tour

During this quarter, the GBV Study Tour Report compiled by participants was finalized and submitted to the NPA Communications unit for lay-out. The JSSP facilitated the report drafting process with significant edits and suggestions to improve the structure and content of the report, and making the report a more practical tool. In addition to serving as a study tour report, the report provides best practices and a series of recommendations for reforms.

The NPA has requested that the JSSP facilitate a feedback session to share the experiences and recommendations from the report. Consultations have been held with Adv. Majokweni to plan the national feedback session and the JSSP drafted and facilitated a request to the DoJCD (Court Services) to facilitate and host the session. Participants in this session will include regional heads of DoJCD, NPA, RCPF, Chief Magistrates, and Judges who participated in the December 2010 study tour conducted under Component 1. The JSSP will draft a summary report on specific observations and recommendations from the GBV Study Tour Report during April, which will be provided to participants in the Feedback Session and beyond. The session was originally set for March but was delayed due to partners scheduling and has been reset for May.

5. ACTIVITIES ANTICIPATED IN QUARTER 7

Activities planned for next quarter include:

- Justice Sector Leadership Group (JSLG) quarterly meeting to be held in May 2012.
- Interprovincial Reflection on implementation of court improvement processes at pilot courts.
- Finalize Court Manager competency mapping, curriculum and national recommendations for the Court Capacity development
- Implementation of Component 2 with support from Judge D Campbell to the JCM Subcommittee for High Courts.
- Court Technology Feedback session by Judges Mlambo and Judge Erasmus during the on court automation dialogue.
- Roundtable discussion on the role of specialized courts, especially as it relates to the NPF and the current status of sexual offences courts with the subcommittees on case flow management convened under the auspices of the Association of Women Judges – South Africa.
- Court Management study tour between 11 – 20 May and feedback workshop upon return.
- Onsite support to court managers in pilot courts from practical implementation of court improvement plans.
- Finalize and sign MOUs with South African NGOs
- Conduct training for NGOs on monitoring and reporting, provide guidelines on monitoring and reporting, build and pilot uniform reporting system for NGOs
- Conduct two PGI/Training-The-Trainers trainings in support of the Integrated Sexual Offences Training program
- Completion of qualitative survey on intermediary services, and input provided into DoJCD policy papers on management and training of intermediaries
- Development and testing of 'Peer Information Tool' with distribution of the tool well under way.
- GBV Study Tour feedback session held and Summary Report made available