



UNODC

United Nations Office on Drugs and Crime

RESULT ANALYSIS

A PILOT PROJECT

*Assessing Quality of Justice
for GBV Cases in Limpopo's
Magistrate Courts (2024)*



AKNOWLEDGEMNT

I would like to thank Jakkie Wessels, the President of the Regional Magistrate Courts, for her cooperation. I also want to express my gratitude to the court managers, magistrates, prosecutors, clerks, and intermediaries for their support and contributions. Your help and dedication have been key to the success of this project.

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PILOT PROJECT OVERVIEW

This report, commissioned by the United Nations Office on Drugs and Crime (UNODC), assesses the quality of justice provided to GBV survivors. It covers six themes: accessibility of services, responsiveness and efficiency, support and sensitivity, impartiality and fairness, safety and security, and confidentiality and privacy. The recommendations provided are driven by the data analysis and align with key international legal provisions and human rights principles. These recommendations suggest measures to create a more victim-centered legal system and foster a trauma-informed environment.

Through a mixed-methods approach, integrating both quantitative and qualitative data, the study gathered insights from GBV survivors at Sibasa Regional Court, Thohoyandou District Court, and Groblersdal Regional District Court. Additionally, various multi-sectoral stakeholders involved in handling GBV cases provided their perspectives through online questionnaires, offering an understanding of the experiences and viewpoints within the justice system.

This report is structured into six main sections, each dedicated to a specific theme. Following these sections, the findings are discussed in detail, with practical recommendations drawn directly from the data to guide future improvements in the judicial handling of GBV cases.

Accessibility of Services: This aspect ensures that all survivors, regardless of their physical or mental capabilities, can access court services without undue hardship. This study identifies significant barriers to accessibility, such as the lack of standardized interpretation, variability in information availability, and the absence of police stations in far rural areas.

The principles of Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) Article 15 ensure women's equal access to justice and participation in legal processes. Similarly, Istanbul Convention Article 20 mandates access to services that facilitate recovery from violence, including legal assistance and advocacy services. These provisions underpin the need for these improvements.

Responsiveness and Efficiency: This angle looks into the timeliness and efficiency which are crucial for maintaining the principle of swift justice, as delays can exacerbate the trauma experienced by GBV survivors and undermine their confidence in the legal system. This part explores factors contributing to judicial delays, such as high case volumes and staff shortages, and recommends measures to streamline court processes. This theme aligns with Istanbul Convention Article 31, which emphasizes immediate response, and CEDAW General Recommendation No. 33, that stresses timely and effective responses to GBV cases to avoid secondary victimization.

Impartiality and Fairness: Subsequently the Impartiality and fairness which is fundamental to the integrity of the legal system are scrutinized. The analysis reveals serious concerns about corruption, biases, nepotism, and favoritism within the judicial process. Ensuring unbiased and fair treatment for all survivors is backed by CEDAW Article 2(c), which mandates legal protection against discrimination. Additionally, Istanbul Convention Article 49 requires that investigations and judicial proceedings be conducted without undue delay and with proper consideration for the rights of the victim.

PILOT PROJECT OVERVIEW

Support and Sensitivity: A victim-centered and trauma-informed approach is critical for providing sensitive and supportive services to Gender Based Violence (GBV) survivors. This approach involves understanding the impact of trauma and ensuring that court services do not exacerbate survivors' psychological suffering. This research sheds light on the areas demanding attention, namely the lack of sensitivity. In this sense, the UN Declaration of Basic Principles of Justice for Victims of Crime Article 4 establishes treating victims with compassion and respect. Further, the Istanbul Convention Article 18 ensures that protective and supportive measures for victims are integrated and coordinated.

Safety and Security: Maintaining confidentiality and privacy is essential to safeguard the dignity and rights of GBV survivors. The study identifies gaps in these areas, such as the lack of private rooms for sensitive discussions, and suggests improvements to prevent social stigmatization and secondary victimization. Istanbul Convention Article 28 ensures the protection of victims' privacy, including health and personal details, while UN Declaration of Basic Principles of Justice for Victims of Crime Article 6(d) emphasizes the importance of considering victims' views and concerns at appropriate stages of proceedings.

LITERATURE REVIEW

The pilot project aims to assess the quality of justice provided to GBV survivors in Limpopo Magistrate Courts. This pilot is founded on existing research that highlights various challenges and areas for improvement in judicial processes. This literature review synthesizes findings from several relevant studies and reports, establishing a context for the necessity and relevance of the pilot project.

The Victim Satisfaction Survey at Premier Courts (2017) examines a broad spectrum of cases, including general criminal and civil matters. It presents the satisfaction levels of victims within these judicial processes, highlighting the importance of timeliness and fairness. This survey indicates partial satisfaction with court services yet highlights significant deficiencies in handling delays and sensitive matters, which is critical for GBV cases. [1]

Recent insights from the Court User Survey Report, 2023 offer a comprehensive look at court users' perceptions. It particularly focuses on the accessibility and efficiency of court services across a wide array of legal issues. Despite some progress, persistent gaps remain in ensuring that court proceedings are understandable and physically accessible to all users, including those affected by GBV. [2]

It implies that maintaining appropriate ratios of judicial officers to the population influences the quality of justice. The successful implementation of these measures in Europe suggests their potential applicability and efficacy in the South African context, where similar challenges persist. [3]

Furthermore, insights from the Magistrate's Perception Survey Report, 2023, reveal the internal pressures faced by magistrates, including issues of corruption and workload management. These challenges impact the quality of service delivered to court users across all case types, particularly highlighting the urgent need for systemic reforms to enhance judicial responsiveness and integrity.[4]

This literature articulates a clear need for specific interventions tailored to improve the handling of GBV cases within the judiciary. By focusing on enhancing the effectiveness, efficiency, accessibility, and fairness of legal processes, this pilot project directly addresses these critical concerns. Through systematic data collection and analysis involving both court users and stakeholders. This intends to highlight existing deficiencies, and suggests effective improvement strategies.

[1] Final Report: Victim Satisfaction Survey, Premier Courts, 15 May 2017.

[2] Isidima – Magistrates Court User Survey Report 2023.

[3] European Country Judicial and Prosecutor Data Comparisons.

[4] Programme for the Launch of Survey Reports: Magistrates Perception Survey Report, 2023 & Court User Survey Report, 2023.

LITERATURE REVIEW

Distinctively, this pilot project focuses solely on GBV cases, unlike the broader case groups examined in previous studies. This specialized focus allows for a deeper understanding of the unique challenges and needs within GBV case processing. Hence, this research develops targeted interventions to enhance GBV Survivors' experiences.

By concentrating on GBV cases, the project also seeks to address the specific injustices and barriers faced by survivors, ensuring a more supportive and effective judicial response.

In conclusion, the pilot project is substantiated by a thorough review of relevant literature, providing a compelling case for a focused, data-driven approach to reforming the management of GBV cases in Limpopo's courts. This initiative seeks to yield valuable insights and potential solutions, in order to contribute to the ongoing efforts intended at enhancing the quality of justice in Limpopo, ensuring it remains responsive, equitable, and accessible, especially for the most vulnerable, such as GBV survivors.

STUDY METHODOLOGY

STUDY DESIGN:

This study employs a mixed-methods approach, combining quantitative and qualitative questions to achieve a comprehensive data set. The quantitative element consists of structured Questionnaires that capture broad numerical insights, while the qualitative aspect involves more detailed responses. Hence, it aims to provide a deeper contextual understanding. This approach allows for a balanced evaluation of both empirical data and personal experiences related to GBV cases.

DATA COLLECTION:

Data is gathered through specifically designed questionnaires targeting two key groups: GBV Survivors and Multi-sectoral stakeholders who are involved in the handling of GBV cases. These tools are distributed across three courts: Sibasa Regional Court, Thohoyandou District Court, and Groblersdal Regional District Court. The questionnaires are crafted to gather insights while being sensitive to the needs and experiences of the relevant respondents.

ETHICAL CONSIDERATIONS:

The research follows ethical guidelines to ensure the protection and dignity of all participants:

Anonymity and Confidentiality: All participant responses are anonymized to protect their identities, with measures in place to secure data privacy.

Voluntary Participation: Participation is entirely voluntary, and informed consent is obtained from all participants, ensuring they are fully aware of the research purpose, their role, and their rights.

Prevention of Secondary Victimization: Special attention is given to avoid secondary victimization during the research process. This involves ensuring that interactions with participants are conducted with utmost sensitivity, support, and professionalism. Court clerks and intermediaries facilitate the data collection process with the GBV Survivors. They provided the necessary guidance and support to minimize the risk of re-traumatization.

DATA ANALYSIS:

In this study, the quantitative section systematically evaluates court feedback by assigning scores to each response, where 1 corresponds to "Strongly Disagree" and 5 to "Strongly Agree." The average score for each dimension of judicial service quality—such as Accessibility of Services and Fairness and Impartiality—is calculated using the following formula:

$$\text{Average score} = \frac{\sum(\text{Responses} \times \text{Score Values})}{\text{Total Number of Responses}}$$

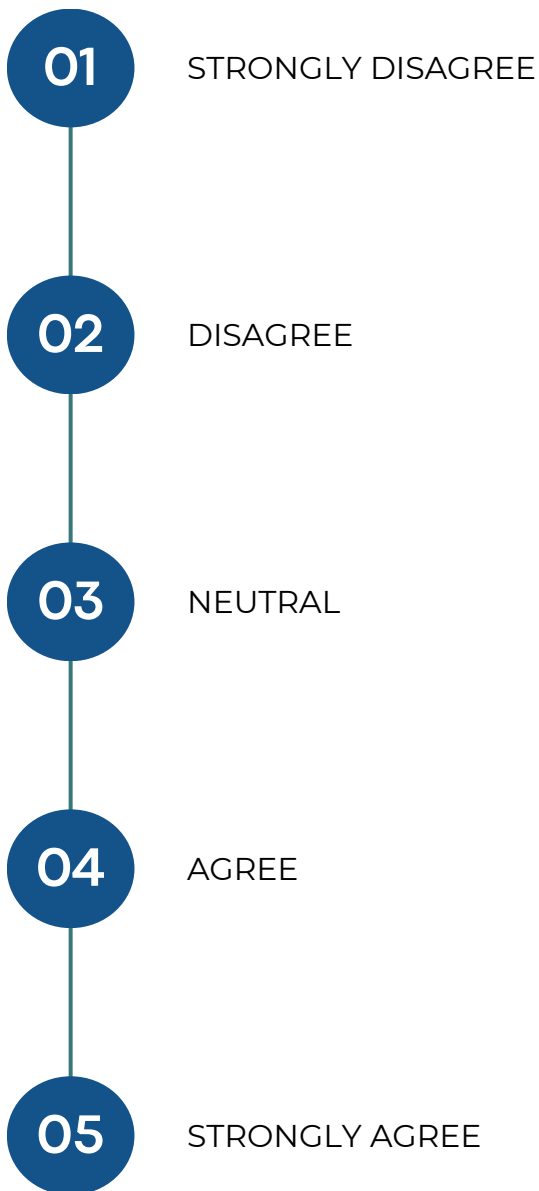
This calculation provides a precise measurement of user perceptions across various service quality dimensions.

In interpreting these scores, we use established thresholds to categorize the levels of user satisfaction: an average score of 4.0 or higher signifies "Agree," indicating a general approval of the services provided. Scores ranging from 3.0 to 3.99 are classified as "Neutral," showing mixed or ambivalent sentiments among users. Scores below 3.0 indicate dissatisfaction, with "Disagree" categorized from 2.0 to 2.99 and "Strongly Disagree" for scores below 2.0.

STUDY METHODOLOGY

This method of scoring and categorization helps pinpoint the specific areas where court services meet user expectations or where improvements are crucial. Therefore, it guides targeted interventions to improve the overall quality of justice and user satisfaction. **(See Figure: 1)**

Figure: 1 Score Threshold and Classification Breakdown for GBV Survivors and Multi-Stakeholders Quantitative questionnaires.



GBV SURVIVOR DEMOGRAPHICS AND PROFILE ANALYSIS

Figure: I GBV Survivor Participants By Court

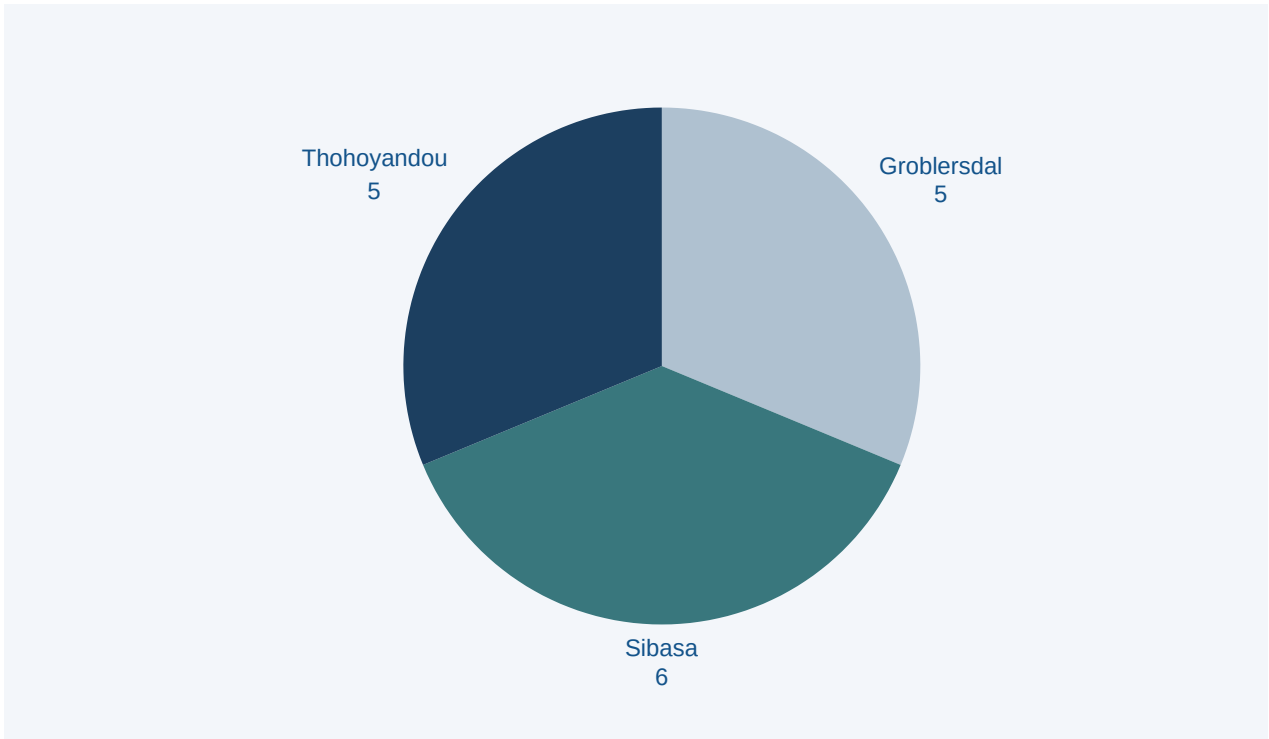
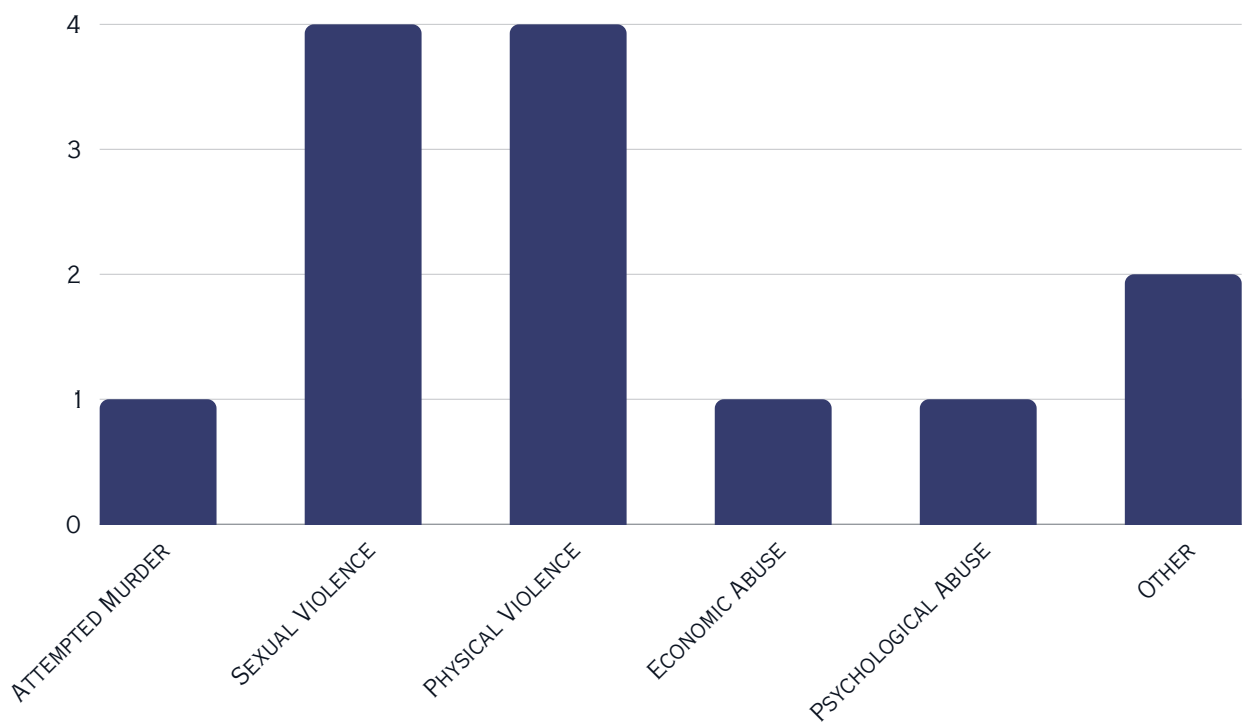


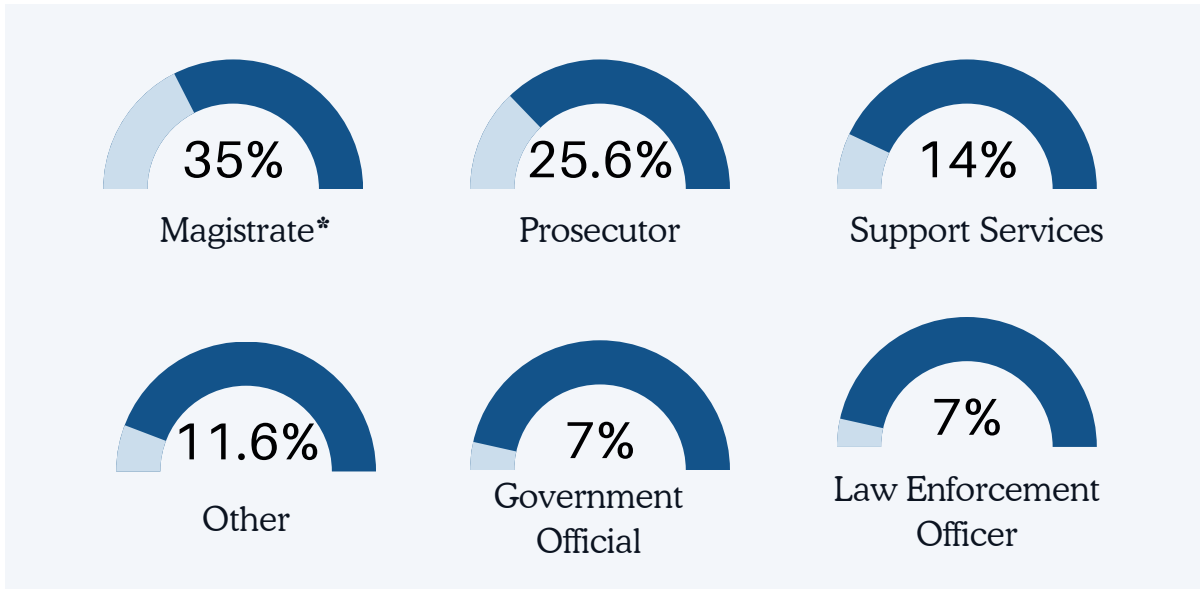
Figure: II Breakdown of GBV Survivor Participant Cases



Some cases involve more than one type, so they are counted twice in this chart

MULTISTAKEHOLDER DEMOGRAPHICS AND PROFILE ANALYSIS

Figure: III Stakeholder Occupation



Magistrates in the South African Legal system equate to a judge

Figure: IV Stakeholder Court Distribution

Number of Participants	Number of Participants
Thohoyandou	17
Groblersdal	9
Phalala	2
Thabazimbi	2
Sibasa	2
Other Limpopo Magistrate Courts, each with one participant.	10
Total Number of Participants	44

Quality of Justice Themes

1

ACCESSIBILITY OF SERVICES



2

RESPONSIVENESS AND EFFICIENCY



3

SUPPORT AND SENSITIVITY



4

IMPARTIALITY AND FAIRNESS



5

SAFETY AND SECURITY



6

CONFIDENTIALITY AND PRIVACY



ACCESSIBILITY OF SERVICES

To evaluate the efficacy of justice delivery, a thorough examination of the accessibility of judicial services is essential. This analysis evaluates the extent to which judicial services are accommodating diverse groups of GBV survivors. This section focuses on physical accessibility, as well as information accessibility.

Different groups could include individuals from varied socio-economic backgrounds, those residing in remote locales, and persons with physical or mental disabilities. Lastly, the assessment also tries to identify potential barriers that may impede GBV survivors' access to justice.

To ascertain the practicality of pursuing legal redress for GBV survivors, a series of quantitative and qualitative inquiries were directed at both survivors and relevant stakeholders. These inquiries collected insights from several aspects, including reasonable geographic accessibility, the physical accessibility of court facilities, the availability of language services, and the accessibility of information.

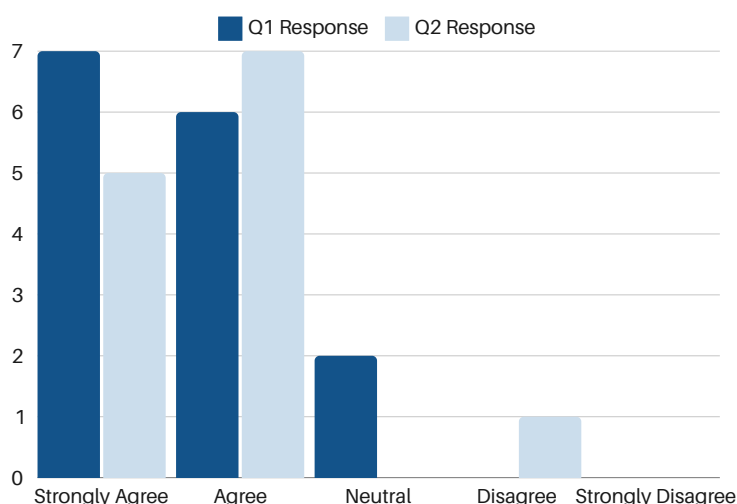
QUANTITATIVE ANALYSIS OF ACCESSIBILITY OF SERVICES

GBV SURVIVOR RESULTS

In evaluating the accessibility of judicial services, GBV survivors' average score amounted to 4.5, when asked if the courts provided the necessary information during legal proceedings.

However, their average score indicated a 4.31 average results, a slightly lower satisfaction rate concerning how clearly the courts explained their rights and options. This aspect impacts their understanding of case proceedings. Nonetheless, both average results crossed the pre-defined threshold of an agreement classification. (See **Figure: 2**).

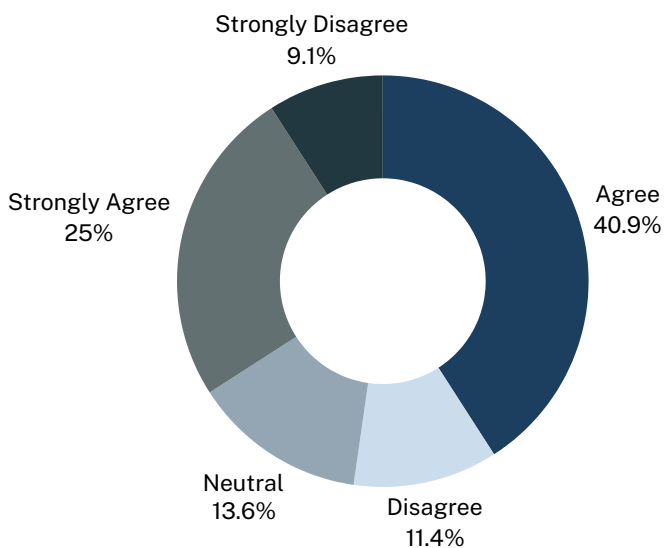
Figure: 2 GBV Survivor response to Q1 - The court made sure you had the information and help you needed during your case, and Q2 - The court explained your rights and choices clearly, so you understood what was happening during your case.



MULTI-SECTORAL STAKEHOLDER RESULTS

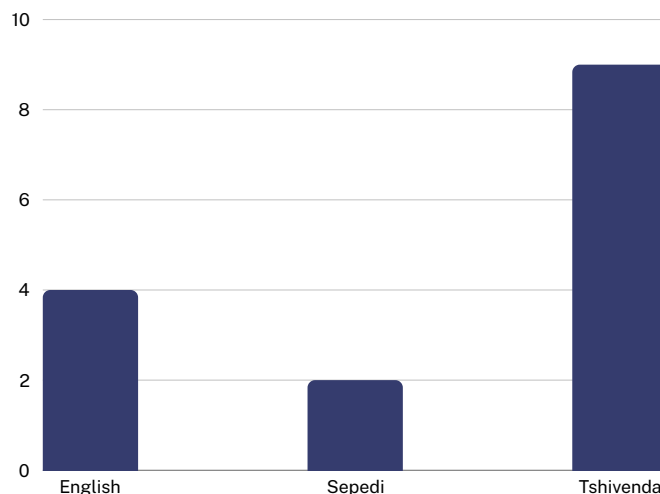
On the other hand, the average scores from various stakeholder groups reached 3.67, reflecting a neutral stance regarding the accessibility of judicial services for a broad spectrum of GBV survivors, including those with special needs. Among these stakeholders, the magistrates who provided an average rating of 3.35, while the prosecutors gave a relatively higher approval, surpassing the agreement's predefined threshold (See **Figure: 3**).

Figure: 3 Multi-stakeholder response to Q 3 - The court facilities and services are accessible to all GBV case participants, including those with special needs.



It is important to note that the availability of language services varies from court to court, suggesting a potential disparity in the level of support offered to GBV survivors.

Figure: 4 GBV Survivor Language Preference



QUALITATIVE ANALYSIS OF ACCESSIBILITY OF SERVICES

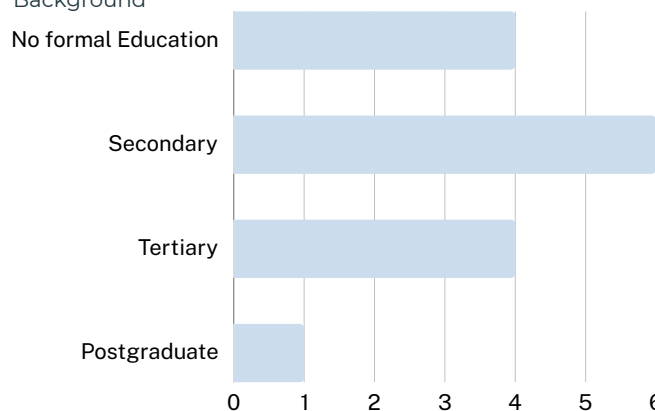
GBV SURVIVOR FEEDBACK

The qualitative analysis of responses from GBV survivors revealed several positive mentions, particularly highlighting the courts' effectiveness in making proceedings understandable through appropriate language translation. When GBV survivors were asked about the helpful aspect of the court, several responses referenced the interpretation services. For instance, a participant indicated that "The fact that everything is being interpreted in a language and I understand." Despite these positives, communication was noted as an area needing enhancement by the GBV Survivors.

Language accessibility is a crucial aspect since the sample revealed that most court users prefer a language other than English, highlighting the importance of language services provided for GBV Survivor to ensure a meaningful access to justice. (See **Figure: 4**)

Furthermore, our data shows a considerable Percentage of individuals without a higher education attainment: 4 have no formal education, and 6 have only secondary education. This diversity highlights the critical need for tailored communication and support mechanisms within the court system to ensure all survivors can effectively navigate the legal process. (See **Figure: 5**)

Figure: 5 GBV Survivor Distribution According to Educational Background



MULTI-SECTORAL STAKEHOLDER FEEDBACK

Stakeholder responses exhibited a mixed perspective, with several positive comments opposed to substantial calls for improvement in the court services accessibility.

Notably, stakeholders identified logistical barriers such as the unavailability of police stations in remote areas, which significantly impede the initiation of legal actions for those living in “deep rural vicinities.” This is compounded by a widespread “lack of accessible facilities”.

Furthermore, concerns about a general lack of awareness and the financial dependency of victims on their perpetrators is also a recurrent issue, deterring many from starting legal proceedings. One stakeholder emphasized “Many people lack knowledge maybe because of lack of education and also the fact victims rely on perpetrators for financial support, so many of them are scared to come forward to open cases”.

ANALYSIS SUMMARY

This analysis highlights the essential need to enhance the accessibility of judicial services to ensure equitable justice delivery for all GBV survivors. The quantitative data indicate a relatively more favorable response from GBV survivors compared to the neutral average score from stakeholders.

Furthermore, while there is a degree of satisfaction among GBV survivors, especially in courts that provide robust language services, the collected data predominantly comes from courts providing these interpretation services.

Therefore, it is essential to standardize and unify the best practices across the region to ensure that all GBV survivors receive equal and adequate language support. Therefore, enhancing their access to justice and the fairness of legal proceedings.

On the positive side, feedback on language services is commendable in making court proceedings more understandable. However, the qualitative insights from various stakeholders reveal substantial disparities in service accessibility, especially in remote areas and for individuals with special needs. Moreover, recurring issues such as, inadequate facilities, and a general lack of awareness underscore the significant barriers that still hinder effective access to justice.

Additionally, there is a noted gap in service provision, particularly for those with mental disabilities, who were underrepresented in the feedback. This gap highlights a critical area for targeted improvement to ensure that all aspects of accessibility are addressed.

RECOMMENDATIONS

Identification of Issues

The accessibility of services for GBV survivors is compromised by several factors including insufficient language services, lack of awareness about GBV and legal rights, logistical barriers such as the unavailability of police stations in remote areas. These challenges hinder the ability of survivors to effectively access and navigate the legal system.

Law enforcement officers and Non-Governmental Organization (NGO) representatives provided the highest share of recommendations regarding the accessibility of services. (See **Figure: 6**)

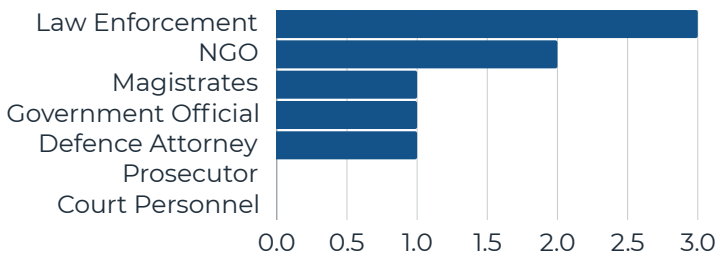
Law enforcement officers often have initial interactions with the victims, giving them firsthand insight into their immediate needs. On the other hand, NGO representatives possess extensive knowledge of the ongoing challenges faced by GBV survivors, allowing them to offer well-informed suggestions.

3. Address Logistical Barriers: Establish more police stations and court service points in remote areas to facilitate easier access to legal services for GBV survivors. This recommendation is supported by the feedback, "Separate stations in deep rural vicinity to assist victims."

4. Improve Court Resources: Improve facilities, and ensure timely and efficient processing of GBV cases. The need for better tools and resources is emphasized by the recommendation, "Financial and Tools [...] for Court personnel."

5. Provide Tailored Support Mechanisms A relevant suggestion is, "training on statutory provisions on assisting vulnerable persons and drafting skills for court documents."

Figure: 6 Number Accessibility of Services Recommendation by Stakeholder group



Proposed Actions and Solutions

1. Enhance and Standardize Language Services: To ensure that GBV survivors can fully understand and participate in legal proceedings, it is crucial to provide consistent and comprehensive language translation services across all courts. As Law Enforcement Officer recommended, "Employ[ing] more court personnel and interpreters".

2. Increase Public Awareness: Implement widespread community education campaigns to raise awareness about GBV, available legal services, and survivors' rights, especially in rural areas. In this sense, a considerable number endorsements for public awareness were recorded. As noted by stakeholders, "Campaigns around the community, especially in rural areas" are essential for educating the public.

RESPONSIVENESS AND EFFICIENCY

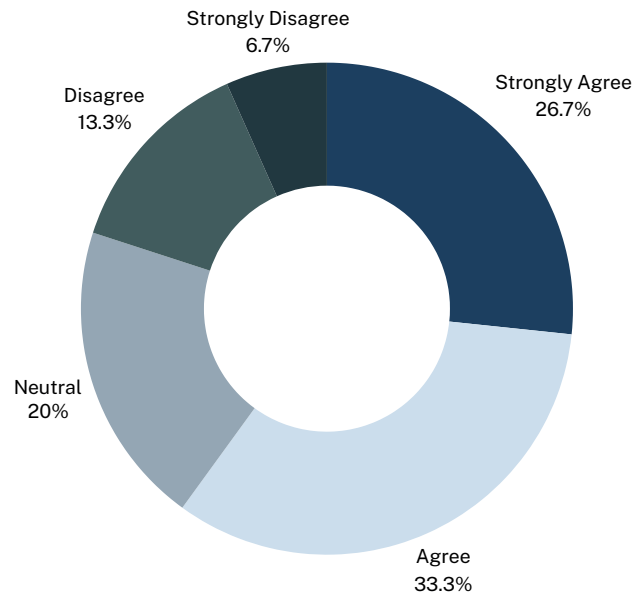
The subsequent theme analyzed in this study concerns the responsiveness and efficiency of GBV case handling within magistrate courts. This element underpins the concept of swift justice in a well-functioning legal system. It investigates several key dimensions, including the processing times of applications and the duration of waiting periods before trials. Additionally, it examines the overall management of the case system, including the integration and effectiveness of electronic tools. Swift justice reflects the court's ability to handle cases promptly, which significantly impacts the perception and experience of justice by GBV survivors. This theme seeks to uncover how effectively magistrate courts meet the demands of timely justice delivery and manage caseloads.

QUANTITATIVE ANALYSIS OF RESPONSIVENESS AND EFFICIENCY

GBV SURVIVOR RESULTS

In examining the responsiveness and efficiency of the judiciary through the GBV Survivor questionnaires, a distinct aspect focused on the timeliness of case handling and the punctuality of court hearings. The GBV Survivor input in relation to the responsiveness and efficiency showed the the lowest average response across the different quality of justice themes. The data showed a 3.43 average score amounting to a neutrality classification. This outcome suggests a median level of satisfaction with the speed and scheduling of legal proceedings among survivors. (See **Figure: 7**).

Figure: 7 GBV Survivor response to Q 5 - Your court appointments and hearings happened on time and did not take too long

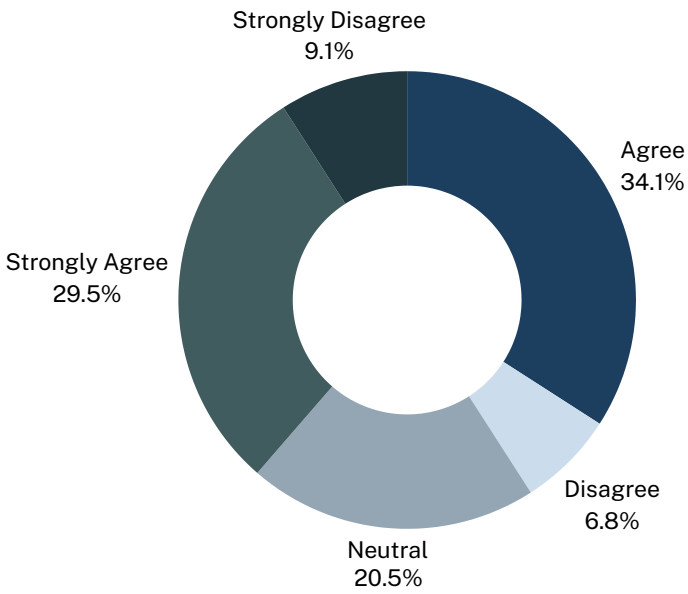


MULTI-SECTORAL STAKEHOLDER RESULTS

Similarly, when stakeholders from various groups were asked to evaluate the same dimensions of judicial performance, their ratings also reflected a comparatively lower assessments compared to other themes explored in the study. The average results reached 3.61. While the magistrates' feedback on the efficiency and timing of case management resulted in an average score of 2.3, which falls into the disagreement classification, indicating a critical view of current practices. On the other hand, prosecutors provided a neutral average score, aligning with the feedback from other stakeholder groups.

This provides a generally moderate to low satisfaction with the responsiveness and efficiency of the judicial process as perceived across different professional perspectives involved in the legal handling of GBV cases (See **Figure: 8**).

Figure: 8 Stakeholder response to Q 1 - The Limpopo Magistrate Courts provide timely and efficient handling of GBV cases.



QUALITATIVE ANALYSIS OF RESPONSIVENESS AND EFFICIENCY

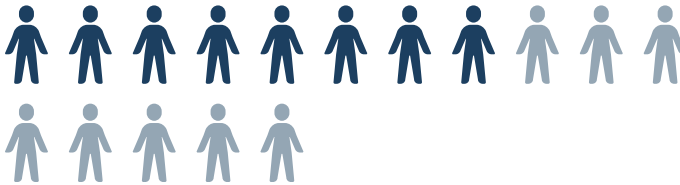
GBV SURVIVOR FEEDBACK

In the qualitative section of the GBV Survivor questionnaires responsiveness and efficiency emerged as significant concern. Delays and frequent rescheduling of court hearings were commonly mentioned challenges in the responses. For example, one GBV Survivor participant expressed, “The challenge is that we will sit for the case and then it will be postponed,” illustrating the recurrent issue of delays. Another respondent emphasized the need for speed in judicial processing with the remark, “They must be fast to finish the case.”

These qualitative findings are further substantiated by the demographic data indicating that a significant portion of GBV Survivor respondents have been within the legal processes for extended periods: 62% reported that their legal proceedings had been ongoing for more than two years,

and an additional 15% for more than a year. This duration aligns with the less favorable evaluations provided by GBV survivor participants. This Highlights a widespread concern over the protracted nature of case handling within the magistrate courts (See **Figure: 9**).

Figure: 9 Number of GBV Survivor Participants with more than 2 years since they initiated their legal Proceeding



MULTI-SECTORAL STAKEHOLDER FEEDBACK

Reviewing stakeholder responses reveals varying observations regarding responsiveness and efficiency within the court system. There is considerable mention of this theme, with one-third of the mentions being positive and two-thirds negative. The main issue highlighted is the timeliness of the court services, which has accumulated the most divergent views. Positive comments include “Court hearings and finalization of matters within a stipulated time,” “Applicants are able to get Court orders timeously,” “the timely dealing of GBV cases,” and, “Cases are dealt with fast and efficiently whenever staff and courts are available.”

Conversely, many negative statements have also been recorded, such as “They receive service after a long time,” “Serving of a protection order to the respondent sometimes takes time for the respondent to be served,” “[O]ur clients stay here the whole day just for the order to be approved,” and “[There are] delays in opening and registering new cases.”

Furthermore, an analysis of the responses indicates repeated mentions of negative issues that impact the responsiveness and efficiency of the court services. Many deficiencies in the court system have been repeatedly highlighted as being rooted in “Hectic family court rolls resulting in minimal court attention.” There is also a noted “shortage of Magistrates / Presiding Officers” and general staff. Additionally, the insufficient number of courtrooms to manage the heavy caseloads and the lack of “online application” processes are significant challenges. The data also revealed inefficiencies in policing practices, specifically that the police do not serve documents in a timely manner to the courts. One stakeholder pointed out, “The biggest challenge is the Police who do not service documents on time and turn people away in opening criminal cases,” further slowing the court services.

ANALYSIS SUMMARY

The examination of both quantitative and qualitative data from GBV Survivor questionnaires and various stakeholder groups showed significant concerns regarding the responsiveness and efficiency of magistrate court services. The findings, ranging from neutral to disagreement, highlights a pressing need for improvements within the court services.

The qualitative responses from GBV Survivor particularly emphasize the challenges associated with delays and the management of court services. Notably, stakeholders' reflections align with this sentiment, marking the timeliness of court services as an area requiring careful review and enhancement. Despite some positive feedback, the overarching narrative reveals a system struggling with efficiency. Negative reaction frequently remarks substantial delays, as illustrated by comments like “They receive service after a long time”.

Further complicating these issues are the systemic deficiencies noted across the court system. High court rolls, a noted shortage of magistrates, presiding officers, and staff, alongside inadequate courtroom availability and outdated case management processes, contribute significantly to the inefficiencies. Moreover, the lack of modern electronic tools and delays in police services, is an aspect for potential reform.

As the principle "Justice delayed is justice denied" poignantly reminds us, delays and inefficiencies not only undermine the economic viability of the legal system but also erode public confidence in its capacity to deliver timely justice. Such systemic delays could be influential in deterring GBV Survivors from trusting the legal framework, potentially explaining why a considerable number of GBV cases remain unreported. This hypothesis, while not definitively proven, suggests a possible link between court services inefficiency and broader societal and educational challenges.

RECOMMENDATION

Identification of Issues

The responsiveness and efficiency of handling GBV cases are affected by delays in court proceedings, a shortage of judicial officers and court staff, a lack of modern electronic tools for case management, and inefficiencies in policing practices.

Proposed Actions and Solutions

1. Reduce Court Delays: Implement measures to streamline court processes and reduce unnecessary postponements to ensure timely resolution of GBV cases. As noted, "If these cases are done in courtrooms with the records meeting instead of writing everything down in writing changes because it causes delays."
2. Increase Judicial/ Court Personnel: Hire additional magistrates, presiding officers, and support staff to manage the workload and expedite case handling. This recommendation is supported by the repeated statement, "More personal staff." is needed.

Also, “Lack of staff also contribute to poor handling of cases an official who has a lot of cases that he is dealing with is likely not going to be able to do best in most cases.”

3. Adopt Modern Electronic Tools: Integrate electronic case management systems and online application processes to enhance efficiency. Continuous training on these tools is also necessary. This would also assist in the “High Court Rolls”, it was mentioned that “work overload is a nightmare that leads to failure. .official not coping are likely to get sick and that will affect service delivery or ineffective justice.”

This recommendation is supported by the repeated statement, “More personal staff.” is needed. Also, “Lack of staff also contribute to poor handling of cases..an official who has a lot of cases that he is dealing with is likely not going to be able to do best in most cases.”

4. Improve Policing Practices: Ensure timely service of documents and reduce delays caused by inefficiencies in policing. Addressing these issues is crucial for maintaining the flow of judicial processes and ensuring timely justice for GBV survivors.

FAIRNESS AND IMPARTIALITY

This section examines the principles of fairness and impartiality within the judicial handling of GBV cases which are essential to the integrity of the legal system, and are foundational for delivering justice.

This part assesses how GBV survivors perceive the fairness of court services, inspecting any biases or prejudices that might influence judicial outcomes, and identifying practices that potentially compromise the quality of justice rendered. This includes a review of potential prejudicial attitudes and discriminatory practices that may affect the fairness of trials and the impartiality of judgments.

Furthermore, the analysis will explore the neutrality of legal advice provided to the GBV Survivors, the consistent application of laws, and the overall treatment of survivors within the judicial process. By identifying discrepancies between ideal principles and actual practices, this section aims to highlight areas needing improvement and underscore the judiciary's commitment to upholding stringent standards of fairness and impartiality for all parties involved, especially those who are most vulnerable.

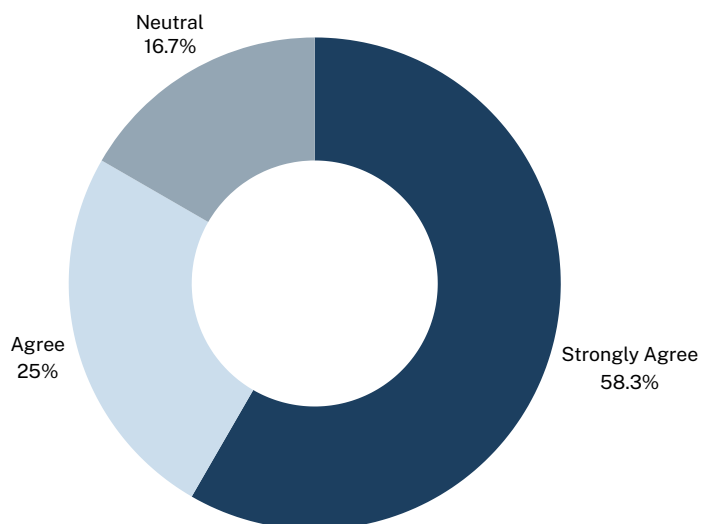
QUANTITATIVE ANALYSIS OF FAIRNESS AND IMPARTIALITY

GBV SURVIVOR RESULTS

The question asked to assess the GBV Survivor perspective on the fairness of the services provided, specifically inquired whether the treatment by court personnel was both fair and respectful.

The question asked to assess the GBV Survivor perspective on the fairness of the services provided, specifically inquired whether the treatment by court personnel was both fair and respectful. This question is both designed to uncover any biases or prejudices potentially linked to the unique circumstances of GBV survivors, as well as to evaluate the overall perceived fairness from the court. Responses from GBV Survivor participants reflected a level of agreement concerning the fairness and respectfulness of their treatment. (See **Figure: 10**)

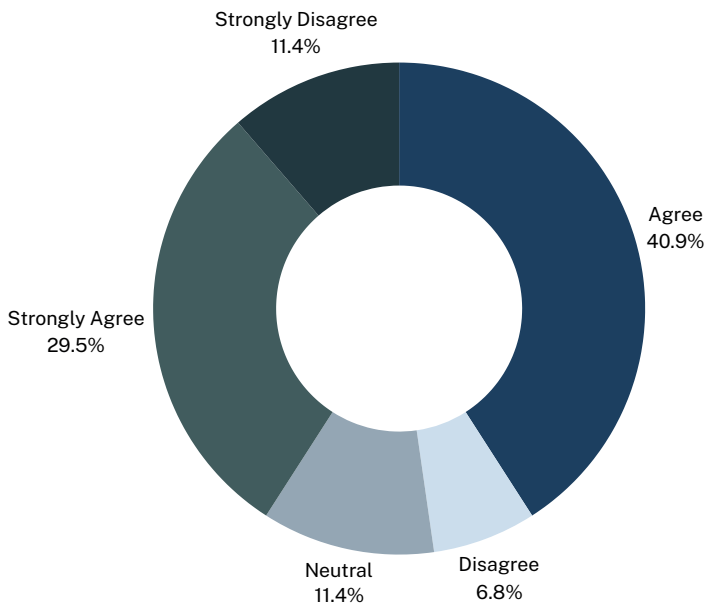
Figure: 10 Q 3 - The court staff treated you fairly and respectfully when dealing with your case.



MULTI-SECTORAL STAKEHOLDER RESULTS

On the other hand, the average score from stakeholders did not reach the agreement threshold, resulting in a classification of neutral, with an overall average score of 3.68. To breakdown the results by the Stakeholder position; The magistrates' collective response also reached neutrality, whereas the prosecutors affirmed agreement with the assessments. Meanwhile, the remaining stakeholder groups collectively provided a neutral overall rating. (See **Figure: 11**)

Figure: 11 Q 2 - The court personnel demonstrate fairness and impartiality in their handling of GBV cases.



QUALITATIVE ANALYSIS OF FAIRNESS AND IMPARTIALITY

GBV SURVIVOR FEEDBACK

GBV Survivor Perceived Fairness and Respectful Treatment:

The GBVS qualitative responses subtly touch on fairness and impartiality, though no direct remarks were explicitly made. Noteworthy statements suggest a desire for fairness, captured by statements such as the need "to listen to us as they are the ones to decide who is right or wrong," and "they do not listen to us." These comments indicate a foundational need for better communication, highlighting how closely fairness and feeling being heard are intertwined in the pursuit of justice.

MULTI-SECTORAL STAKEHOLDER FEEDBACK

Stakeholder Insights on Bias and Judicial Integrity:

While 60% of stakeholders perceived no biases or prejudicial practices in handling GBV cases, a concerning 20%—primarily magistrates—pointed to serious practices that could undermine judicial integrity.

Notably, biases were reported against complainants based on the location of the incident. A magistrate indicated, "Some officials being biased against complainants where scene of the incident is a place where liquor is sold and consumed." This raises critical concerns regarding stigmatization and double victimization, which can perpetuate gender stereotypes and affect the impartiality of proceedings. Furthermore, multiple references to corruption within the court system suggest a detrimental impact on judicial decisions, exacerbating social and economic disparities and affecting the vulnerability of GBVS by reinforcing inequality and benefiting the powerful.

Application of the Law:

The application of the law is another critical factor in evaluating the fairness of court services provided to GBV Survivors. This aspect encompasses the legal professionals' knowledge of the law, its direct applicability, and also extends to understanding the unique circumstances and individual characteristics of each GBV Survivors to provide competent legal counsel effectively. In this regard, about half of the multisectoral stakeholders reflected a positive assessment of how the law is applied when inquired.

Many stakeholders commented on the law understanding and its application to the specific facts of each case, with responses highlighting that it was handled "as best as possible," "satisfactorily," and "efficiently."

However, the nature of GBV cases _ like many other cases _ necessitates a more personalized approach, as each case involves unique facts and personal dynamics. Despite the general positivity, there were significant concerns about the capabilities of those applying the law.

Some stakeholders critically pointed out the shortcomings in the legal process: "Prosecution not having a firm grasp on the effects of GBV and how to question complainants correctly,"

and "Prosecution sometimes doesn't exhibit an understanding of the pernicious effects of GBV and that they have to approach each complainant as an individual who may react in a distinctive way." Such comments indicate a gap in training and sensitivity, as many stakeholders outlined, which is crucial for handling GBV cases effectively.

Moreover, the lack of comprehensive application of relevant laws was noted, as described by comments like, "Application of relevant laws is not exercised fully due to lack of knowledge by officials or lack of interest in the work they do." This lack of commitment and expertise undermines the efficacy of the judicial system and can lead to injustices in handling GBV cases.

In summary, while there is a general recognition of the competent legal application, the overall effectiveness is marred by issues of partiality, insufficient legal training, and disinterest, which compromise the integrity and fairness of the judicial process for GBV survivors as indicated by the stakeholders.

Impartiality in Legal Advice:

The stakeholder questionnaire also explored the impartiality and neutrality of legal advice given to GBV Survivors. The responses uncovered significant concerns regarding the impartiality of the legal advice. For instance, one government official noted, "Officials are not impartial when dealing with the matters. They check how knowledgeable you are [referring to GBV Survivors] and from there they will assess how they can advise you. If they figure out that you are somehow illiterate, they can advise anyhow."

This statement highlights a disparity in the quality of advice provided, potentially based on prejudiced assessments of the survivor's knowledge or literacy. Such practices contrast with the assertion that "[A]ll GBV victims are offered more or less the same advice with regards to how to move forward,"

Indicating inconsistency in the adherence to standards of impartiality.

Furthermore, some feedback pointed to areas needing enhancement, such as, "There is room for improvement." This feedback suggests that despite some positive assessments, there remains a substantial portion of the legal process where the impartiality and quality of advice can be significantly improved to ensure fair and equitable treatment of all GBV cases.

Favoritism and Nepotism:

Recurring statements from stakeholders about favoritism and nepotism shows partiality within the system. Comments like "when the other party is well known or related to everyone" or "where the official knows either party in the proceeding of domestic violence" illustrate the challenges in maintaining impartiality, especially when officials or perpetrators are connected.

ANALYSIS SUMMARY

Taking a comprehensive view of both stakeholder and GBV survivor input, the analysis reveals a potentially concerning picture. While the quantitative feedback from GBV Survivor indicates a generally affirmative sentiment regarding the fairness and impartiality of the judicial system, the stakeholders' responses, showing an average neutral stance, suggest a more reserved evaluation.

The neutral responses from stakeholders highlight the need for further investigation to discern the underlying reasons for their reserve and to determine whether these indicate systemic issues or isolated shortcomings. Such scrutiny is crucial for understanding the depth and breadth of concerns within the legal process of handling GBV cases. The qualitative analysis of stakeholders' responses on the handling of GBV cases,

concerns about fairness and impartiality were voiced. While 60% of stakeholders perceived no biases in judicial proceedings, a significant number highlighted serious issues that could undermine judicial integrity. Notable concerns included biased judgments influenced by the social contexts of incidents. Furthermore, corruption emerged as a critical issue, potentially affecting GBV. These insights feature the need for strict measures to enhance transparency and accountability in judicial processes to uphold the principles of fairness and impartiality effectively.

Further research is required to evaluate whether the concerns raised are sporadic or indicative of widespread problems within the system. Identifying where and how these issues manifest is essential for targeted reforms, aiming to enhance the judicial response to GBV cases and ensure all survivors receive fair, impartial, and competent legal support.

RECOMMENDATION

Identification of Issues

Issues impacting fairness and impartiality include biases and prejudices in judicial decisions, favoritism, nepotism, corruption, and inconsistent application of laws. These issues undermine the integrity of the judicial system and compromise the delivery of justice for GBV survivors. The severity of these challenges implications to the legal system is also reflected in the high number of interventions proposed by the stakeholders. Though it is notable that the Magistrates formed almost half of the overall suggestions, and that the questionnaires had more than one question looking into this aspect (Please see **Figure: 12**), and (See **Figure:13**)

Proposed Actions and Solutions

1. Combat Bias and Corruption: Implement strict measures to address bias, favoritism, and corruption within the judicial system of interest.”

A suggestion is to “Put in place strict laws to combat corruption” and “Implementation of investigators to deal specifically with the conduct of prosecutors and magistrates.” Also, “Court personnel are requested to recuse themselves where there is a possible conflict.

Figure: 12 Number of Proposed Interventions to Enhance the Impartiality and Fairness of the Legal System According to the Multistakeholder Group

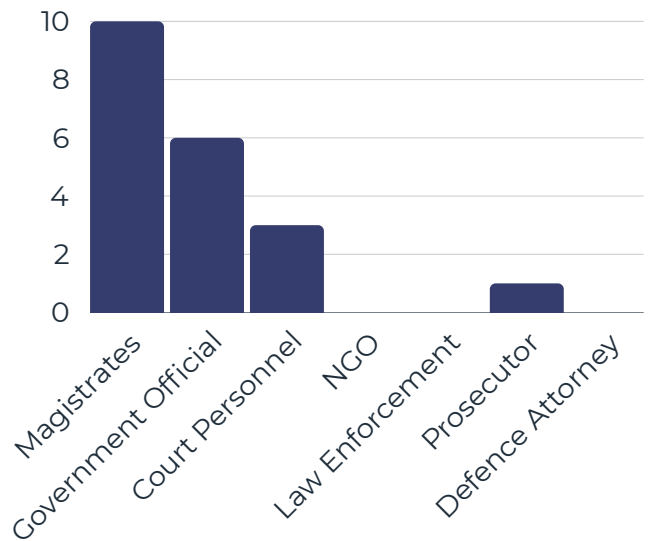
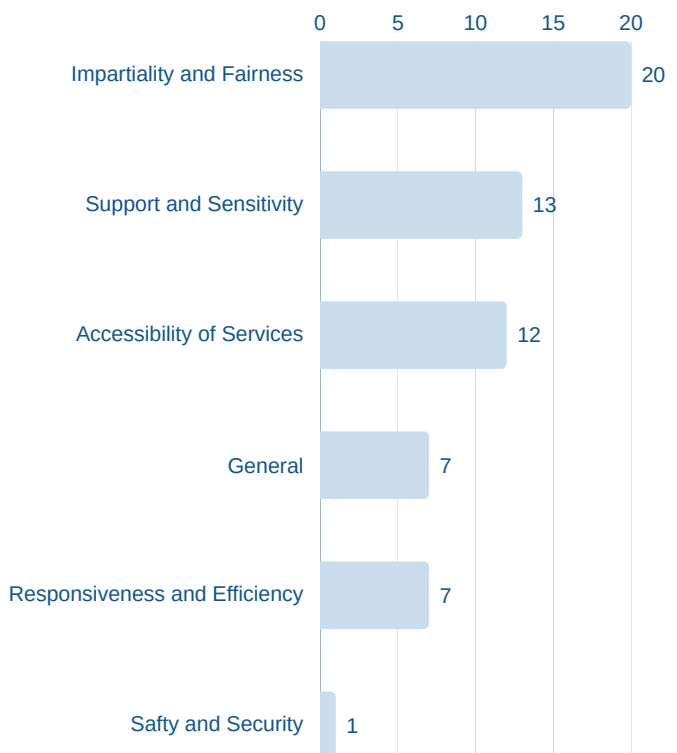


Figure: 13 Total Count of Recommendation by Theme



2. Standardize Procedures: Develop and enforce standardized procedures for handling GBV cases to ensure consistent application of laws and fair treatment of all survivors. The recommendation to have “a standardized manner in dealing with GBV matters from inception in the District Courts” is essential.

3. Training for Impartiality: Provide comprehensive training for all court personnel on the principles of fairness and impartiality, focusing on eliminating prejudicial attitudes and ensuring respectful treatment of survivors.

As noted, “biases,” and “Officials are not impartial when dealing with the matters. They check how knowledgeable you are and from there they will assess how they can advise you.” As a Magistrate noted, “Official needs to be neutral at all times.”

4. Ensure Impartial Legal Advice: Guarantee that legal advice provided to GBV survivors is consistent and unbiased. It is important to ensure that “All GBV victims are offered more or less the same advice with regards to how to move forward.”

SUPPORT AND SENSITIVITY

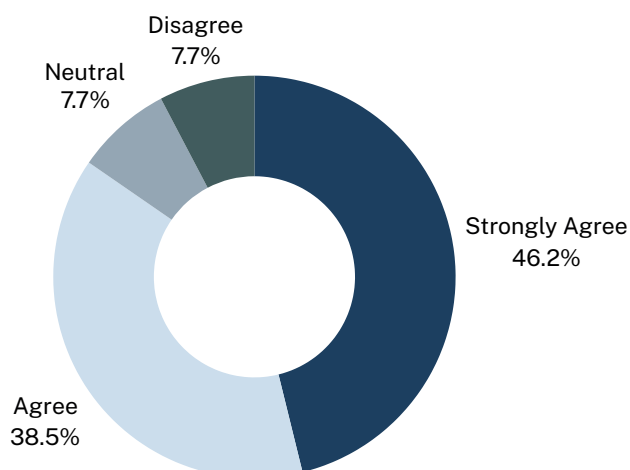
One of the critical aspects in evaluating the quality of justice for GBV Survivors concerns the support services provided and the sensitivity demonstrated towards their needs. GBV Survivors requires special assistance and understanding to effectively participate in legal proceedings. It is therefore needed that they receive support that is essential for upholding their rights and ensuring meaningful access to justice.

QUANTITATIVE ANALYSIS SUPPORT AND SENSITIVITY

GBV SURVIVOR RESULTS

The user questionnaire included provisions aimed at assessing the GBV satisfaction with the court's support services. These services may encompass assistance from court intermediaries, clerks, preparation officers, interpreters, and additional support mechanisms such as referrals to counseling. The question evaluated whether the court handled GBV cases with the necessary sensitivity and understanding. The average response collected from GBVS accounted to 4.25, suggesting a satisfactory level of support services provided (See **Figure: 14**).

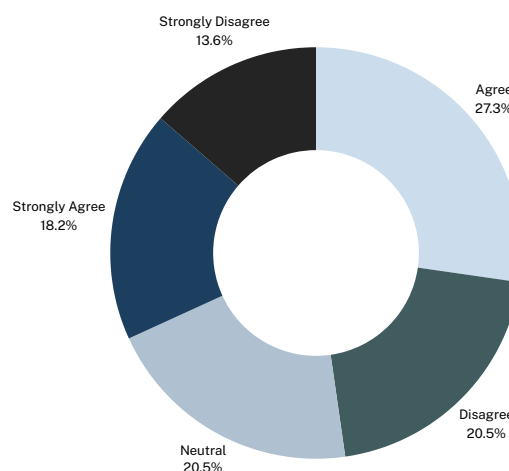
Figure: 14 Q7 The court staff handled sensitive matters related to your case with care and understanding.



MULTI-SECTORAL STAKEHOLDER RESULTS

Conversely, stakeholders provided the lowest average rating for this theme compared to the other themes. The overall average response is a 3.18 and therefore is categorized as neutral. This divergence raises some concerns about the consistency of support and sensitivity perceived by different stakeholders. Breaking down these responses further, magistrates demonstrated dissatisfaction with the support services provided to GBV Survivors, as their average score was recorded as 2.5 amounting to a disagreement classification. Whereas prosecutors and other stakeholder groups offered neutral evaluations. (See **Figure: 15**)

Figure: 15 Q4 - The court adequately facilitates access to support services, such as counseling and legal advice, for GBV victims.



QUALITATIVE ANALYSIS OF SUPPORT AND SENSITIVITY

GBV SURVIVOR FEEDBACK

Survivors provided varied feedback on the court's support services. Positive comments included appreciative remarks about communication styles:

Survivors provided varied feedback on the court's support services. Positive comments included appreciative remarks about communication styles: "They talk to me nicely," and effectiveness in language support: "there have been interpreters to interpret everything," and "The fact that everything is being interpreted in a language I understand." was highlighted as helpful aspects by the GBV survivors. However, some survivors pointed out areas needing improvement, particularly emphasizing the need for better engagement and listening skills, highlighted by comments such as "communication" and "Not helpful because they didn't listen to me."

MULTI-SECTORAL STAKEHOLDER FEEDBACK

General Insights on the Courts Support Services:

The stakeholders' response to the support services showed reference to a broad range of roles involved in GBV case management, including law enforcement officials, court clerks, interpreters, intermediaries, court preparation officers, prosecution, and magistrates. This input sheds light on both the practical and emotional support provided during GBV hearings. Concerns were raised about the conduct of law enforcement, with specific criticisms such as: "Belittlement by law enforcement officials," "Some police officers are rude," and "Poor service by the SAPS." These comments highlight significant issues with the initial contact points for GBV survivors to in their journeys to pursue justice.

Addressing Unique GBV Survivor Vulnerabilities:

The stakeholder feedback was primarily positive, especially praising the support services, often referring to the roles of court clerks and intermediaries either directly or indirectly.

When asked about the court's ability to address the vulnerabilities of GBV survivors, stakeholders provided a favorable overview, with responses totaling 21 positive to 11 negative mentions.

In other words, for roughly every two positive remarks, there is one negative reference. Commendable practices were directed at the support services, including: "counseling, proactive support, giving advice, handling victims with care," and the effective handling by clerks and magistrates: "The professional and speedy way the clerks and Magistrates deal with these matters. The clerks go out of their way in assisting the victims and accompany them to South African Police Service (SAPS) to reiterate the urgency of the matter and the proper service of the documents."

Challenges in Support Service Provision:

Stakeholders also highlighted several logistical and systemic impediments that affect the sensitive handling of GBV cases. These included infrastructural issues such as the lack of private spaces for sensitive discussions: "there are no rooms where the prosecutor can speak with the victims," and a shortage of resources: "insufficient provision of resources. No NGO presence." Furthermore, feedback on court officials' behavioral conduct revealed a need for greater sensitivity and better training to appropriately address GBV cases, such as criticisms about a procedural and insensitive approach by interpreters: "interpreters always follow a procedural approach. They interpreted in a manner that the victim does not understand."

SUPPORT AND SENSITIVITY ANALYSIS SUMMARY

The analysis of feedback from GBV survivors and the multi-sectoral stakeholders reveals significant disparities in the perceived effectiveness of support services. While GBV survivors generally appreciate the support provided, pointing out the sensitivity and communicative efforts of court staff, stakeholders, particularly magistrates, express reservations about the adequacy of these services.

These mixed reviews highlight a need for a closer examination of how support services are implemented across different courts.

Operational challenges such as insufficient private spaces and a lack of comprehensive training for court personnel are recurrent themes that were repeatedly stated by the varied stakeholders. These issues not only hinder the delivery of sensitive support but also suggest gaps between policy intentions and practical execution. Addressing these gaps requires an approach that enhances the interpersonal skills of court staff.

For a more supportive environment for GBV survivors, it is important to review and refine the judicial support systems. Enhancing the quality of interaction and available resources in the court settings would ensure that the system not only meets but anticipates the needs of survivors.

The qualitative input from GBV Survivors has highlighted the gaps in the system, especially in terms of physical safety during legal proceedings and interactions within court environments. The recurring encounters with the accused underscore a profound flaw in the logistical arrangements of the legal settings, which can severely impact a survivor's sense of security and overall well-being.

From the stakeholder perspective, the emphasis has been on balancing the rights of the accused with the imperative to protect victims. However, operational challenges such as delays in the enforcement of protection orders reveal critical vulnerabilities in the system that could potentially endanger survivors. Furthermore, the complex dynamics of economic dependence between victims and perpetrators present additional barriers that complicate the efficacy of the legal support provided.

RECOMMENDATION

Identification of Issues

The main issues regarding support and sensitivity include inadequate training for court personnel, lack of support services such as counseling and legal advice, and insufficient sensitivity to the needs of GBV survivors.

Proposed Actions and Solutions

1. **Improve Training for Sensitivity:** Ensure that all court personnel are trained to handle GBV cases with the necessary sensitivity and understanding. One recommendation is to provide “Further social context training programs” to improve the handling of sensitive matters.
2. **Enhance Support Services:** Increase the availability of support services such as counseling, legal advice, and social workers. Feedback indicated a need for “in-house social workers and psychologists to assist victims readily.”
3. **Collaborate with NGOs:** Strengthen collaboration with NGOs and other support organizations to ensure comprehensive services for GBV survivors. As one stakeholder suggested, “NGO presence” can significantly improve support for survivors.

SAFTY AND SECURITY

The safety and security of GBV Survivors and witnesses are paramount in the context of a victim-centered legal framework. The legal system must proactively implement protective measures to prevent further harm to the potential victims. The system must safeguard the GBV Survivors against potential retaliatory actions by the alleged perpetrator and mitigate any other risks. This protection extends beyond the prevention of physical assault; it includes provisions to ensure that GBV survivors do not come into contact with the alleged perpetrator during judicial interactions such as legal proceedings, medical examinations, or therapeutic sessions.

The legal system environment should not be the reason for more harm being inflicted upon the survivors. That is self-contradictory and counter-productive to what the legal system aims to achieve. Furthermore, the concept of legal integrity encompasses not only the physical safety of survivors and witnesses but also the preservation of evidence integrity and the prevention of any acts of intimidation. Such measures are vital to prevent any influence that could compromise the proceedings or alter the outcome of legal actions. This issue becomes particularly acute given that many GBV Survivors are financially dependent on the accused.

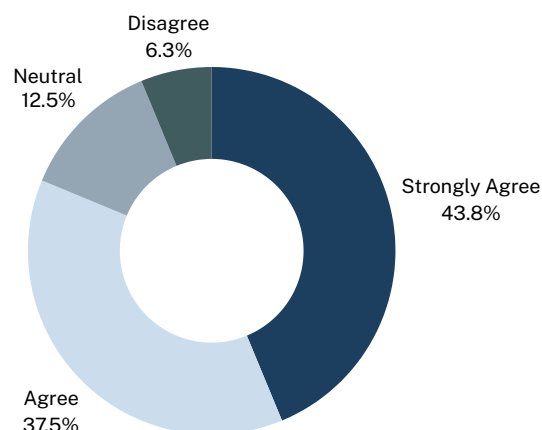
QUANTITATIVE ANALYSIS OF SAFTY AND SECURITY

GBV SURVIVOR RESULTS

GBV Survivor participants provided an average response of a 4, indicating an agreement categorization about safety and security.

However, it is important to note, that the GBV Survivors gave the second lowest rating to the safety and security theme. This indicates a lower satisfaction rate. (See **Figure: 16**)

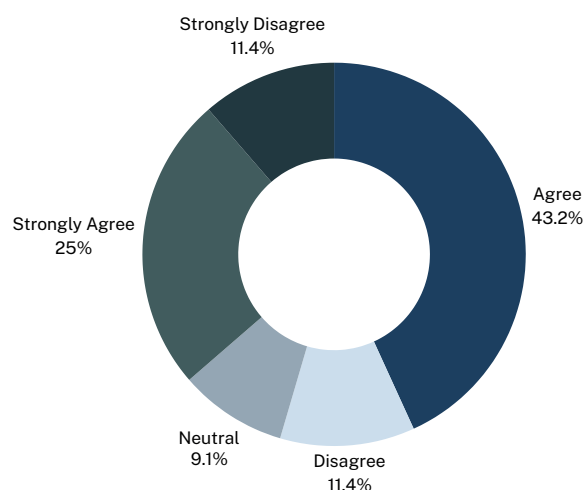
Figure: 16 Q8- You felt safe while attending the court proceedings.



MULTI-STAKEHOLDER RESULTS

Conversely, responses from stakeholders on safety and security presented a more neutral stance presenting 3.68, slightly below the threshold for an agreement classification. This provide a trend towards approval but acknowledges room for improvement. (See **Figure: 17**)

Figure: 17 Q5. The court prioritises the safety and security of GBV case participants during legal proceedings.



QUALITATIVE ANALYSIS OF SAFTY AND SECURITY

GBV SURVIVOR FEEDBACK

In opposition to the relatively high level of rating in the quantitative section, the qualitative analysis of the GBV survivors raises areas of concern. GBV Survivors reported feeling less safe, particularly highlighting incidents such as encountering the accused and feeling unsafe during breaks, as expressed by one participant, “I always meet the accused outside,” and “Not safe during lunch.”

In addressing these safety challenges, GBV survivor participants suggested structural modifications to enhance security, with recommendations like, “More gates are needed,” pointing to a need for better separation within court spaces to prevent unnecessary contact between GBV Survivor and the accused. This issue, carries significant psychological implications for survivors, affecting their sense of security and well-being. As such, it is imperative to address these concerns to ensure that the survivors’ sense of security is not compromised.

Worth noting that seven out of the nine potential GBV survivors in the sample data collected are connected to or related to the alleged perpetrators. This underlines that more than 75% may be at an increased risk of threat or danger. Moreover, it underscores the safety and security risks faced by GBV survivors and emphasizes the critical need for enhanced protective measures within the judicial system. (See **Figure: 18**)

Figure: 18 Total number of GBV Survivors who are related or connected to the accused.

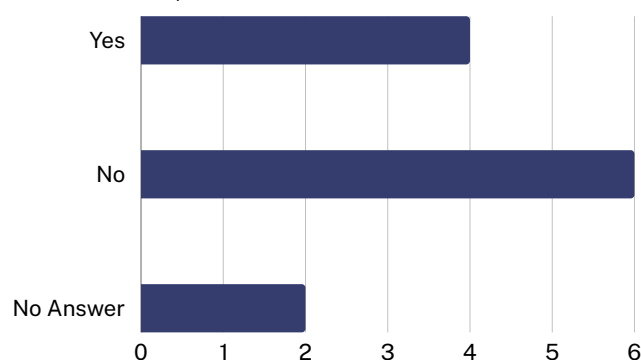


MULTI-SECTORAL STAKEHOLDER FEEDBACK

The stakeholder qualitative landscape highlighted the importance of protection orders, with comments emphasizing procedural safeguards, such as “The Courts try to protect potential victims and safeguard the rights of an accused - it is a fine line and a balance must be had.” Furthermore, stakeholders noted operational challenges related to the timeliness of protection orders, which could potentially endanger victims, “Serving of protection order to the respondent it sometimes takes time for the respondent to be served.”

This is supported by the demographic data collected from the GBV survivors, where protection orders were issued in 4 out of 12 documented GBV cases. This means that nearly 50% of the cases did not receive protection orders, and information was missing for 2 cases. (See **Figure: 19**)

Figure: 19 Number of Protection Granted to the GBV Survivor Participant



Additional concerns were raised about the complex dynamics between victims and perpetrators, especially when economic dependence complicates the situation. Statements like, “It’s a bit tricky because some victims rely on perpetrators for support,” “also the fact victims rely on perpetrators for financial support, so many of them are scared to come forward to open cases,” highlight the intricate balance that needs to be maintained in victim-centered legal processes.

SAFETY AND SECURITY ANALYSIS SUMMARY

The analysis of feedback from both GBV Survivors and stakeholders underlines a critical aspect of the justice system: while there are mechanisms in place to ensure the safety and security of gender-based violence survivors, there remains a tangible need for improvement.

The data suggests a general trend towards approval of current safety and security measures, yet it also points to a significant gap in satisfaction and perceived effectiveness, particularly among the survivors themselves.

The Qualitative input from GBV Survivors has clearly shown the gaps in the system, especially in terms of safety during legal proceedings and interactions within court environments. The recurring encounters with the accused underscore a profound flaw in the logistical arrangements in these legal settings, which can severely impact a survivor's sense of security and overall well-being.

From the stakeholder perspective, the emphasis has been on balancing the rights of the accused with the imperative to protect victims. However, operational challenges such as delays in the enforcement of protection orders reveal critical vulnerabilities in the system that could potentially endanger survivors. Furthermore, the complex dynamics of economic dependence between victims and perpetrators present additional barriers that complicate the efficacy of the legal support provided.

Both quantitative and qualitative data underscore the importance of these measures, as survivors have reported feeling unsafe, particularly in court settings. Stakeholders also highlighted procedural challenges and the complexity of economic dependence on perpetrators, which can hinder victims from seeking help.

Therefore, enhancing safety protocols, ensuring timely execution of protection orders, and providing structural modifications within court environments are crucial steps. These improvements will help create a safer and more supportive legal framework for GBV Survivors, fostering a system that truly upholds justice and protection for all.

RECOMMENDATION

Identification of Issues

Safety and security concerns involve the risk of encountering the accused within court premises, delays in enforcing protection orders, and inadequate measures to ensure the physical and psychological safety of GBV survivors.

Proposed Actions and Solutions

1. **Enhance Court Security:** Implement stricter security measures within court premises to prevent contact between survivors and the accused. As noted by a survivor, "I always meet the accused outside," highlighting the need for better separation.
2. **Timely Enforcement of Protection Orders:** Ensure that protection orders are served promptly and effectively to safeguard survivors. Feedback indicated the need for "Training for prosecutors on active participation in bail applications" in relation to "Serving of protection orders to the respondent sometimes takes time."
3. **Address Economic Dependence:** Develop strategies to support survivors who are economically dependent on their perpetrators, as this dependency can complicate their pursuit of justice. Stakeholders emphasized the complexity of cases where "victims rely on perpetrators for financial support."

CONFIDENTIALITY AND PRIVACY

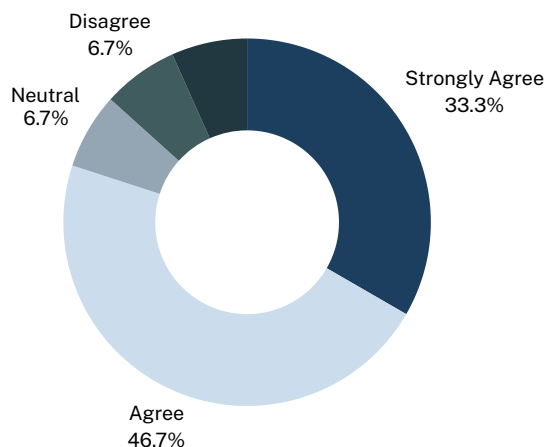
Lastly, this study delves into the confidentiality and privacy of GBV survivors when accessing court services. This aspect involves securing all personal information about the survivor and ensuring that such information is shared solely with those directly involved in providing legal services and support. It grants survivors control over who accesses their personal data in order to safeguard their dignity and autonomy. Furthermore, protecting a survivor's identity and the details of their case is essential for preventing social stigmatization, which can have severe psychological impacts and may deter GBV Survivor from pursuing legal action. This hindering their access to justice. Additionally, strict adherence to confidentiality and privacy is fundamental to maintaining the integrity of the legal system. It ensures that the judicial processes are respected and trusted, free from undue influence and public bias, thus upholding the principles of justice and protecting the rights of the most vulnerable.

QUANTITATIVE ANALYSIS OF CONFIDENTIALITY AND PRIVACY

GBV SURVIVOR RESULTS

The GBVS provided an average rating of a 4 indicating satisfaction with the court's practices in respecting their privacy during proceedings. (See **Figure: 20**)

Figure: 20 Q6 The court staff respected your privacy throughout your case proceedings.



QUALITATIVE ANALYSIS OF CONFIDENTIALITY AND PRIVACY

GBV SURVIVOR FEEDBACK

In the qualitative section of the GBV survivors' responses, no specific mention of confidentiality and privacy was made available by the GBV survivors. This could be attributed to the open-ended nature of the qualitative questions, which might not prompt respondents to consider these aspects specifically. This oversight might also stem from a general lack of awareness among many survivors about their rights regarding confidentiality and privacy, or what could be better in safeguarding their rights.

MULTI-SECTORAL STAKEHOLDER FEEDBACK

In contrast, the stakeholder qualitative section highlighted several key obstacles related to confidentiality and privacy. Challenges identified included generic concerns about "Privacy" and "Lack of confidentiality,"

as a main challenge to the legal system, pointing to essential areas for correction. A significant issue was the lack of private rooms where prosecutors can speak with victims, which was explicitly mentioned as "There are no rooms where the prosecutor can speak with the victims." This issue threatens and impairs the privacy of survivors and represents an opportunity for system enhancement.

Unlike other themes, no positive or commendable practices related to privacy and confidentiality were noted. This establishes the need for substantial improvements in these areas to ensure a more supportive and secure legal environment for GBVS.

CONFIDENTIALITY AND PRIVACY ANALYSIS SUMMARY

The study illustrates gaps in confidentiality and privacy for GBV survivors when accessing court services. Despite some satisfaction revealed in the quantitative assessments, Stakeholders highlighted a key challenge: the court's lack of confidentiality and privacy, evidenced by the absence of private rooms for prosecutors and victim's. The lack of detailed feedback on these aspects suggests a deficiency in either survivor awareness or the survey design itself, which demands further investigation.

In conclusion, while there is satisfaction with current practices, the findings reveal areas that require improvement. Addressing these issues would reinforce survivors' trust, protect their rights, and ensure a judicial system with dignity.

RECOMMENDATION

Identification of Issues

Issues related to confidentiality and privacy include the lack of private spaces for confidential discussions, inadequate protection of survivors' personal information, the risk of social stigmatization, and psychological safety of GBV survivors.

Proposed Actions and Solutions

1. **Ensure Confidential Spaces:** Provide private rooms within court facilities where survivors can discuss their cases confidentially with legal advisors.
2. **Protect Personal Information:** Implement strict protocols to protect the confidentiality of survivors' personal information and ensure it is shared only with those directly involved in providing legal services and support.
3. **Raise Awareness of Rights:** Educate GBV survivors about their rights regarding confidentiality and privacy to ensure they are aware of the protections available to them. This can help survivors feel more secure in pursuing legal action.
3. **Prevent Social Stigmatization:** Develop and enforce policies that prevent the social stigmatization of survivors, ensuring that their identity and case details are kept confidential to avoid undue public scrutiny and bias.

GBV Survivor Overall Response

Figure: V GBV Survivor Average Responses

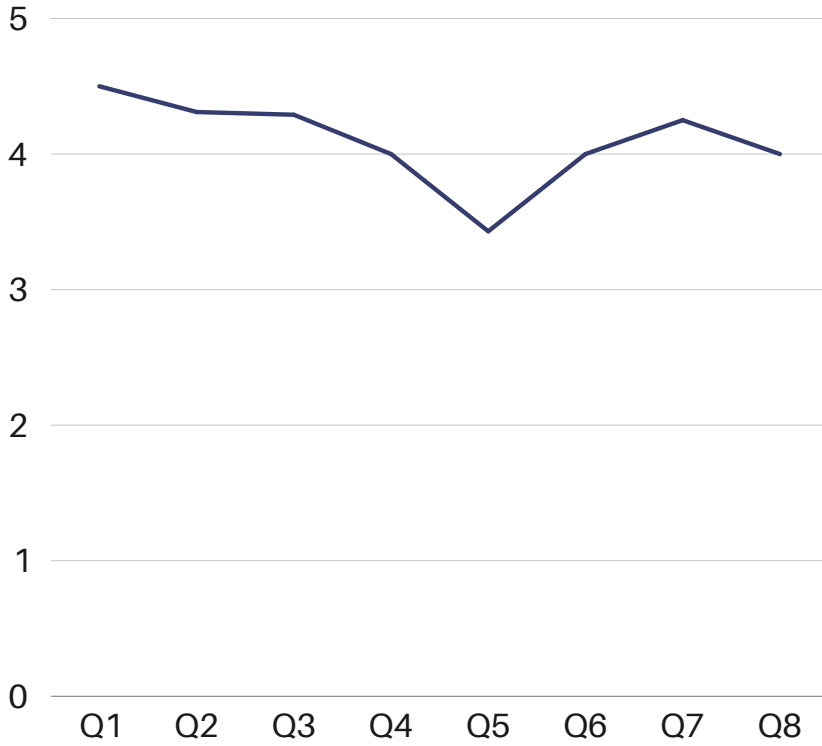
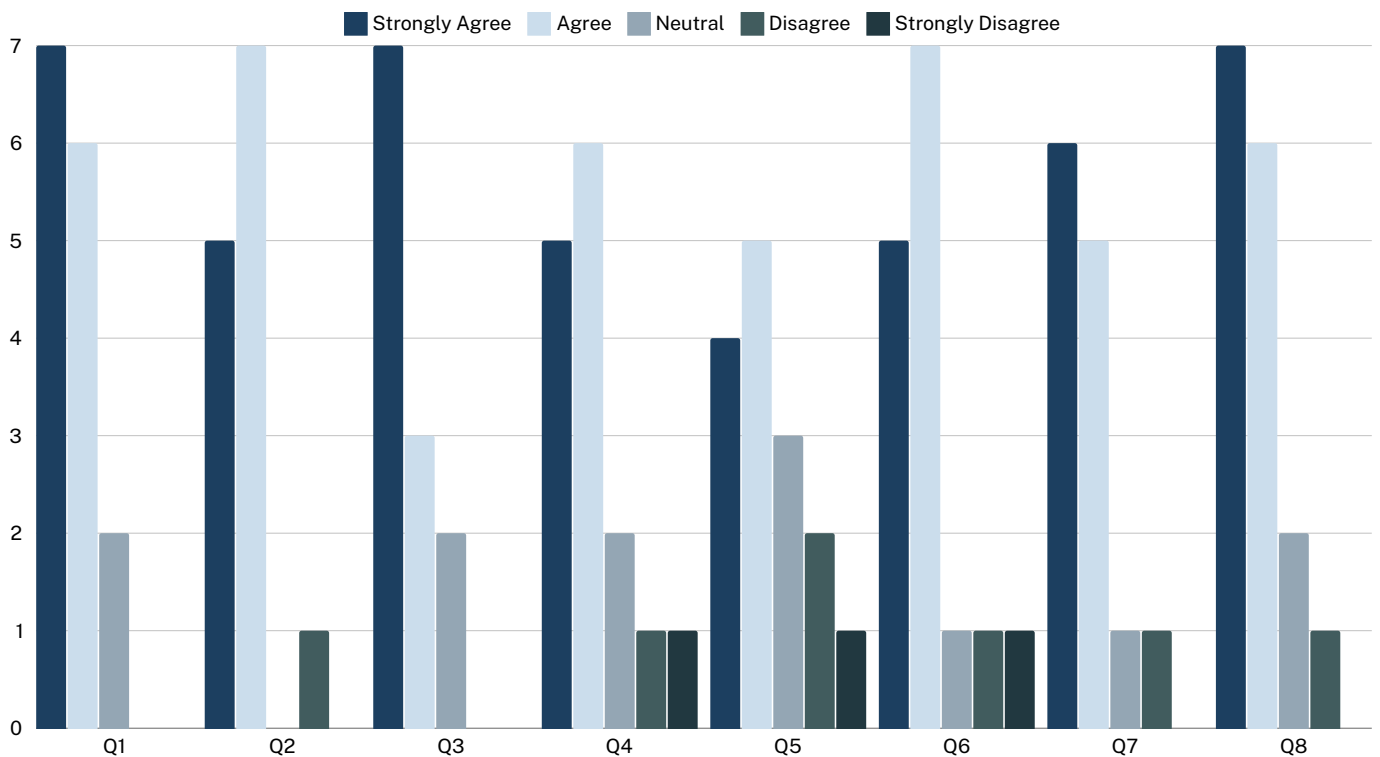


Figure: VI Theme against Question Number

Quality of Justice Thematic Issue	Question Number(s)
Accessibility of Services	Q1, Q2
Responsiveness and Efficiency	Q5
Fairness and Impartiality	Q4, Q3
Support and Sensitivity	Q7
Safety and Security	Q8
Confidentiality and Privacy	Q6

Figure: VII Breakdown of GBV Survivor Responses

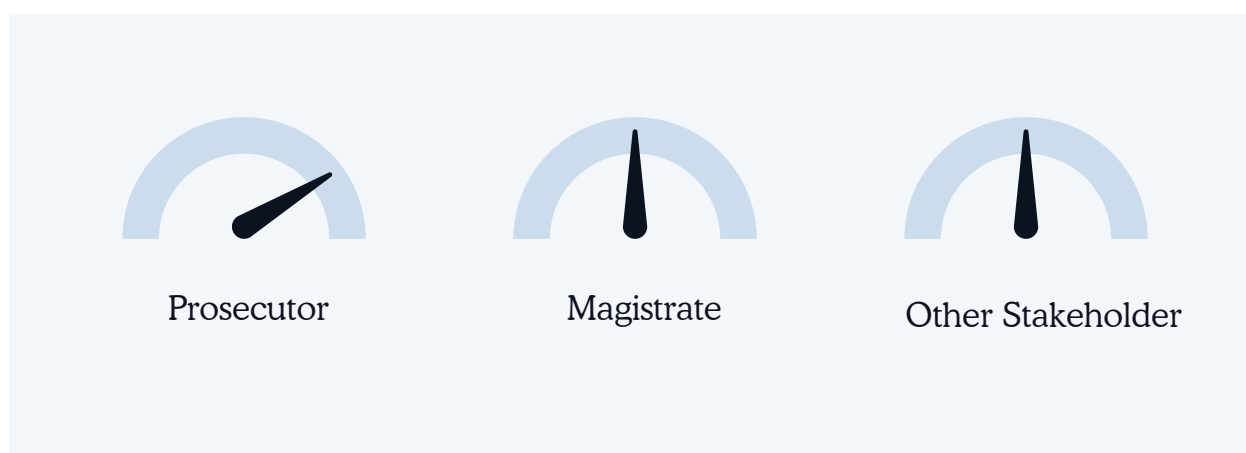


Multi-Sectoral Stakeholder Overall Response

Figure: XII Multi-Sectoral Stakeholder Average Responses in Quantitative Section

Thematic Issue	Magistrates	Prosecutors	Other Stakeholders
Accessibility of Services	2.3	3.8	3.7
Responsiveness and Efficiency	3.3	4	3.5
Fairness and Impartiality	3.37	4.9	3.5
Support and Sensitivity	2.5	3.6	3
Safety and Security	3.4	3.91	3.6

Figure: XIII Multi-Sectoral Stakeholder Satisfaction Rate in the Quantitative Section



Multi-Sectoral Stakeholder Overall Response

Figure: VIII Multi-stakeholder References to Each Theme in Qualitative Analysis

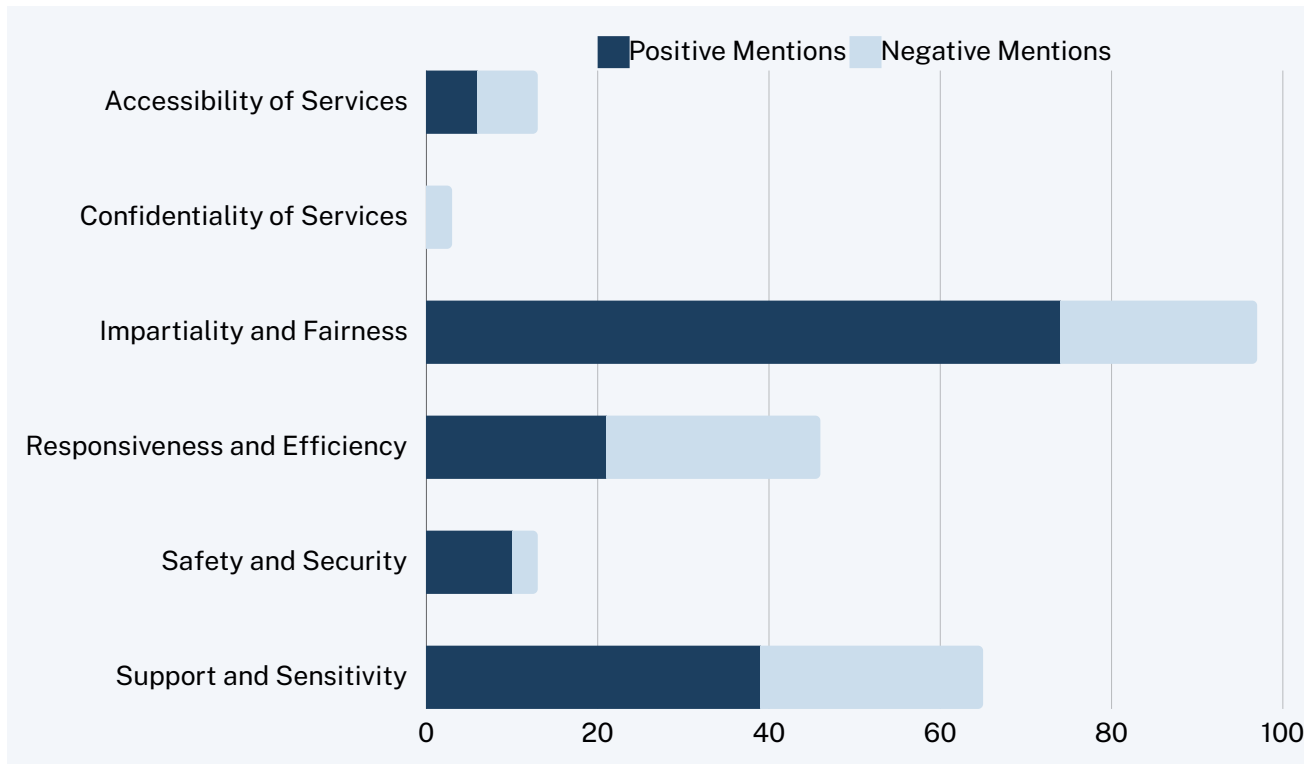
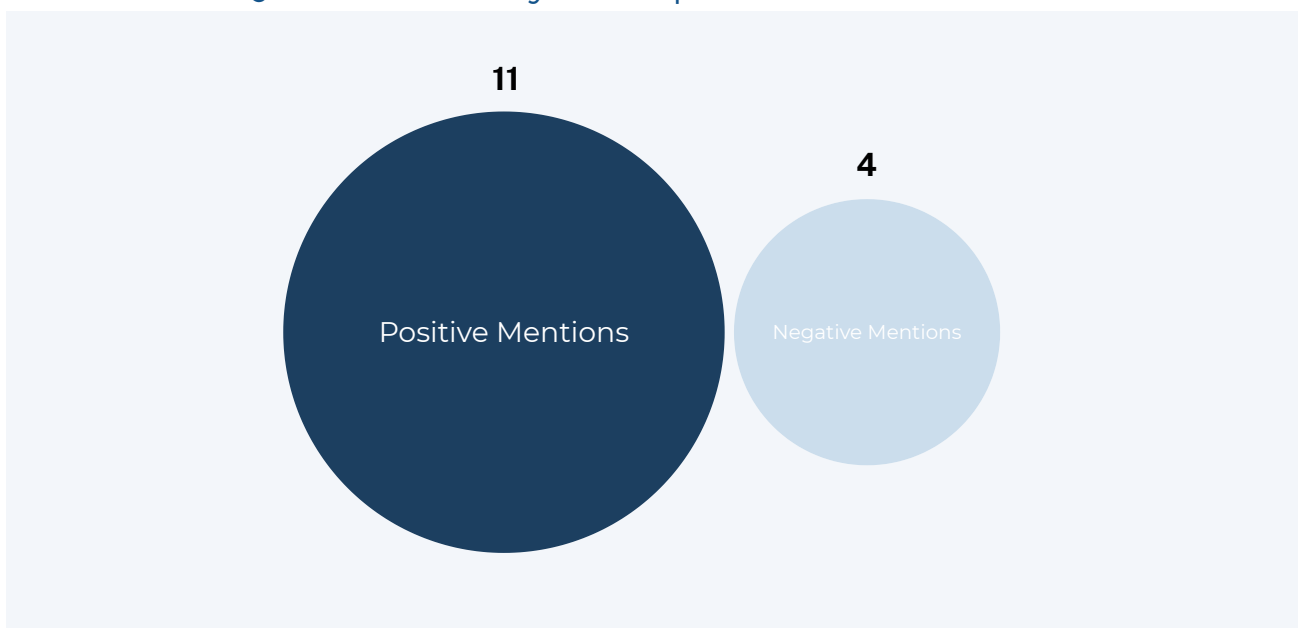


Figure: IX Ratio of Positive to Negative Mentions in Multi-Stakeholder Qualitative Analysis Responses



Multi-Sectoral Stakeholder Recommendations

Figure: XIV Distribution of Direct Recommendations by Theme

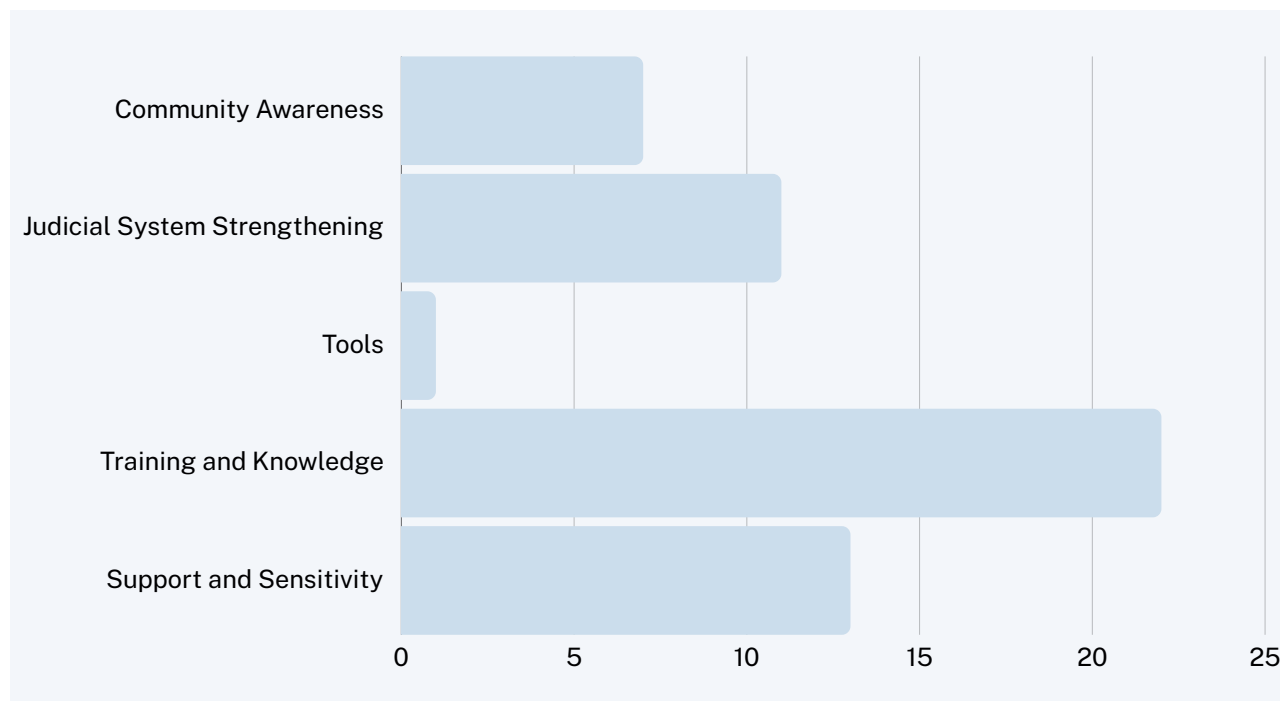
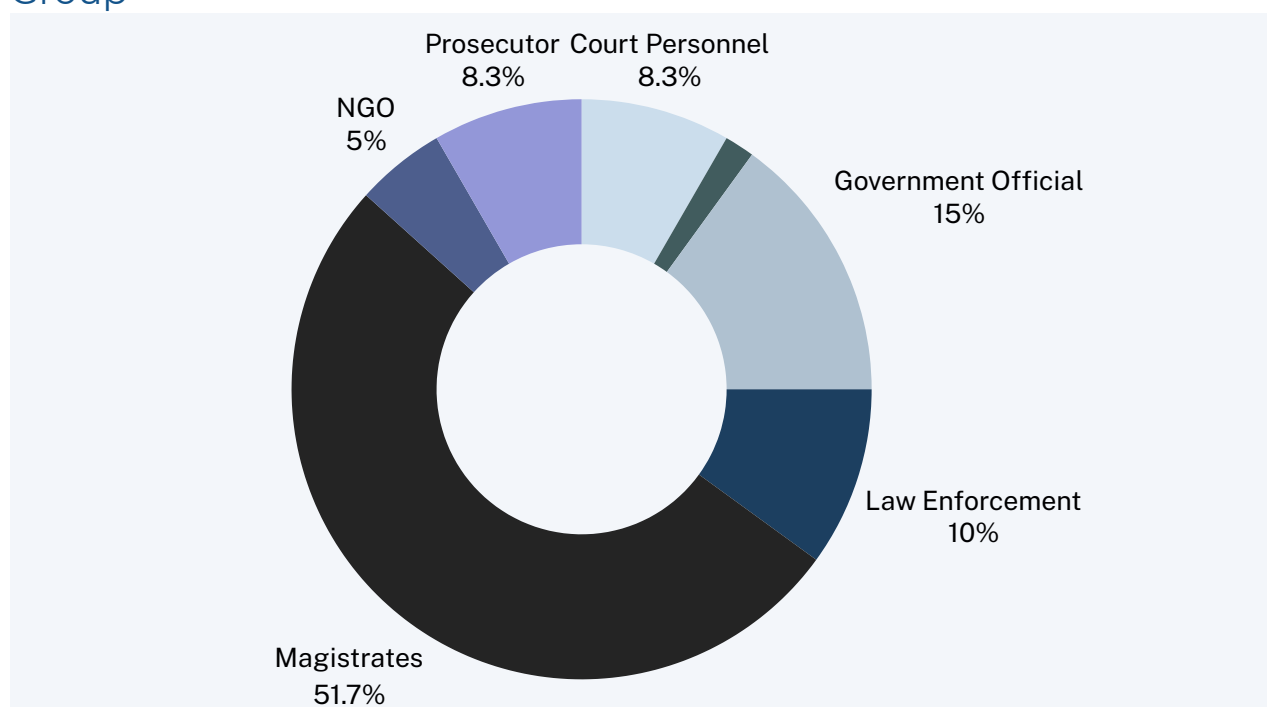


Figure: XV Direct Recommendations Categorized by Stakeholder Group



OBSERVATIONS AND CHALLENGES

DATA COLLECTION

Challenges Concerning GBV Survivors Data Collection

The pilot project aimed to gather comprehensive information from GBV survivors to capture their voices, alongside those of multi-sectoral stakeholders. However, the number of participants fell short of the initial target. Despite aiming for 15 GBV survivors from each court, this target was not met due to several factors:

1. **Mismatch Between Estimated and Actual Hearings:** The estimated number of scheduled GBV cases did not reflect the actual hearings taking place.
2. **Inconsistent Attendance:** Some victims did not attend all scheduled hearings.
3. **Case Identification Issues:** There were challenges in identifying cases that fell within the scope of gender-based violence crimes.
4. **Willingness to Participate:** Not all GBV survivors were willing to participate in the study.
5. **Language and Support Barriers:** Many GBV survivors preferred languages other than English, which created communication barriers. Additionally, court personnel, who were supposed to assist GBV survivors in completing the forms, could not fully provide support. Court intermediaries, preparation officers, and clerks were often too busy with their duties to fully engage and support the data collection efforts.

Challenges Concerning Multi-Stakeholder Data Collection

To gather a comprehensive overview of the Magistrate courts, it was crucial to have relatively equal representation from different courts. However, during this pilot, most stakeholders, particularly prosecutors, were from the Thohoyandou Magistrate Court, forming 91 percent of the total stakeholder participants. This skewed the outcomes positively, as the prosecutors from Thohoyandou gave more favorable ratings compared to stakeholders from other courts. This discrepancy might be attributed to the higher quality of services provided, such as the availability of translation services, in Thohoyandou Court.

Another significant issue is the disparity in perceptions regarding international standards and adherence levels. The standards, which form a baseline for judgment, are subjectively perceived, often leading to higher ratings than intended by the study's assessment criteria.

The lack of insights and shortage of data on themes such as confidentiality and privacy during the handling of GBV cases could be attributed to shortcomings in the questions designed to gather relevant information. This limitation may have hindered a better analysis of these critical aspects.

While the quantitative data mostly presented relatively positive ratings, the qualitative section often highlighted concerning gaps and challenges within the system, thereby undermining the positive quantitative ratings. This discrepancy necessitates a more critical reading of the positive ratings.

OBSERVATIONS AND CHALLENGES

General Observations

As a pilot project, the small pool of participants limited the ability to identify patterns and trends for recommending more targeted interventions. However, if the pilot project progresses to a more advanced stage and expands further, it could enable the creation of both local and regional patterns. This expansion would provide valuable insights and help identify region-specific gaps. Currently, any attempt to create trends would lack robustness due to the small sample size.

CONCLUDING REMARKS AND PROPOSED INITIATIVES

This section establishes general recommendations for the court services and provides concluding remarks for this report. The services provided in Limpopo Magistrate Courts necessitate an all-encompassing approach involving directed interventions to enhance the delivery of justice.

This study first looked into the accessibility of justice in Limpopo courts, providing insights about the shortcomings mainly reflected in the unstandardized manner of interpretation, the variability of information availability, and the non-availability of stations in deep rural areas, as well as the lack of facilities to accommodate persons with disabilities.

Following that, an examination of responsiveness and efficiency was conducted, revealing the root causes of many judicial delays to be the high case rolls and the shortage of staff. Next, the impartiality and fairness of the court services were scrutinized, considering various angles including the application of the law among other things. This section illuminated serious concerns that undermine the integrity of any legal system, necessitating serious attention, such as issues of corruption, biases, nepotism, and favoritism. As well as the lack of a standardized manner to address GBV survivors and the biases and prejudices involved in the judicial services.

Furthermore, the support and sensitivity towards GBV survivors were studied, revealing challenges that require action. Such issues relate to a lack of understanding of trauma and the risk of stigmatization. Subsequently, safety and security were dealt with showing that not all court spaces across Limpopo have adequate safety measures and strict no-contact policies in place.

Lastly, the results synthesized the confidentiality and privacy of the court services, showing some gaps in confidentiality, such as the lack of private rooms to conduct discussions requiring secrecy.

While analyzing the results, it is crucial to consider potential biases that may have influenced the findings. GBV survivors often exhibited an urge to please, which may have skewed their responses positively. Additionally, different stakeholders, might of been aware of the international scrutiny. Therefore, may have presented a higher standard of performance to align with the expectations of the United Nation.

The quantitative results from the GBV survivors, although generally favorable, are based on a small sample size. This limited number of participants means that deviations in the results may have significantly impact the overall findings, potentially distorting the true reality of the situation.

Similarly, while stakeholders provided more favorable than negative mentions, this tendency can be linked to among other issues to the gap between the participants' perceptions of justice and the international standards. This perception can lead to a more favorable assessment of the system.

Understanding these biases and contextual factors is essential for interpreting the data accurately and making informed recommendations to enhance the quality of justice for GBV survivors in Limpopo Magistrate Courts.

CONCLUDING REMARKS AND PROPOSED INITIATIVES

Central to this enhancement is the swift justice concept. Delays in legal proceedings undermine the very essence of justice and erode the GBV survivors' confidence in the legal system, perpetuating the trauma experienced by survivors. As the legal maxim states, "Justice delayed is justice denied."

In line with the accessibility of court services, the inclusivity of persons with disabilities in accessing court facilities and services must be guaranteed. All survivors, regardless of any physical or mental capabilities, age, gender, or sexual orientation, should be able to seek justice. This inclusivity ensures that every survivor has an equal opportunity to be heard and seek justice.

Incorporating e-justice systems can improve the responsiveness, efficiency, and accessibility of court services. Utilizing technological tools and software, as some stakeholders recommended, can expedite court services and accelerate legal remedies. E-Justice also promotes transparency and accountability, reducing opportunities for corruption and bias.

To uphold the integrity of the judicial system, it is imperative to study the current regulations safeguarding the legal system against corruption to identify gaps and the scale of corruption and biases methodologically.

After such investigation, strict regulations and laws to combat these critical issues should be implemented to ensure that any misconduct faces appropriate consequences

Furthermore, having a victim-centered, trauma-informed approach is critical when providing services to GBV survivors. This approach recognizes the impact of trauma on GBV survivors and ensures that the environment and the way the court provides its services do not exacerbate the inflicted psychological effects of suffering. This aligns with the principle "Salus populi suprema lex esto" (The welfare of the people shall be the supreme law). Hence, it is of great importance to ensure that the well-being of GBV survivors is prioritized throughout their journey to pursue justice. Therefore, enhancing the support and sensitivity theme, as well as the safety and security, including both psychological and physical safety, is essential.

It is essential to create a court environment that respects and protects the dignity of the survivors. An under-examined and highlighted trend in this study was the confidentiality and privacy of the GBV survivors. Persons seeking justice should not be exposed to the threat of double victimization. The court domains should be safe and free of social judgments.

To ensure that all the themes of the quality of justice are enforced, improved, and elevated, training for all relevant stakeholders is recommended, as expressed by many stakeholders regardless of their occupation. Starting from law enforcement officers to prosecutors and other court personnel with whom GBV survivors have contact, training should deal with both the means of interactions as well as the procedural and substantive aspects of handling GBV cases.

CONCLUDING REMARKS AND PROPOSED INITIATIVES

As the handling of GBV cases should be standardized to ensure the egalitarianism of the legal system, training should cover GBV case investigations, proper filing procedures, effective questioning of survivors, and the application of relevant laws. This is to have a unified approach, a trauma-informed, victim-centered approach to ensure that sensitivity and legal standards are upheld throughout the handling of GBV cases.

To enhance the quality of justice provided to GBV survivors and the services provided in handling GBV cases in Limpopo, the following recommendations are proposed: (See **Figure: XIV**)

1. Swift Justice: Streamline court processes to reduce delays and ensure timely resolutions. Implement measures to minimize postponements and expedite case handling.

2. Inclusivity for Persons with Disabilities: Ensure that court facilities and services are accessible to all survivors, regardless of physical or mental capabilities. This inclusivity upholds "Audi alteram partem," ensuring equal participation and opportunity for every survivor.

3. E-Justice: Integrate technology into court operations to improve efficiency and accessibility. E-justice systems can enhance transparency, reduce corruption, and ensure swift access to legal remedies.

4. Combat Corruption, Bias, and Prejudice: Implement strict regulations and laws to address corruption, bias,

and prejudice within the judicial system. Ensure thorough and impartial investigations, and hold officials accountable for misconduct.

5. Comprehensive Training for All Stakeholders: Develop and implement training programs for all stakeholders involved in GBV cases, starting from law enforcement officers to prosecutors, court personnel, and magistrates. This training should cover the investigation of GBV cases, proper filing procedures, effective questioning of survivors, and the application of relevant laws. Emphasizing a trauma-informed, victim-centered approach will ensure that all stakeholders are equipped to handle these cases with the necessary sensitivity and professionalism.

6. Victim-Centered, Trauma-Informed Approach: Train legal personnel in trauma-informed practices to handle GBV cases with sensitivity and understanding. Prioritize the well-being of survivors throughout the judicial process, adhering to "Salus populi suprema lex esto."

7. Avoid Stigmatization: Create a judicial environment that respects and protects the dignity of survivors. Ensure confidentiality and privacy during legal proceedings to prevent societal judgment.

