

LEVELS OF DEPRIVATION IN SUPPORTING CHILD WITNESSES IN
SEXUAL ABUSE CASES: A CASE STUDY

by

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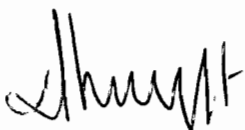
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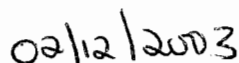
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Declaration

This work has not been previously submitted in whole, or in part, for the award of any degree. It is my own work. Each significant contribution to, and quotation in, this dissertation from the work or works of other people has been attributed, and has been cited and referenced.



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ABSTRACT

Child sexual abuse is very prevalent in the South African context. The trauma inherent in child sexual abuse is not confined to the actual abuse, but also includes the responses of those around the child to the disclosure of the abuse and can include secondary victimisation by those supposed to be helping the child. Increasing numbers of children are being seen in court as witnesses in child sexual abuse cases. Children may suffer secondary victimisation in the Criminal Justice System. Different approaches exist to assist children in the criminal justice system. These include both empowerment and protection models. Dealing with children who have been sexually abused can cause vicarious traumatisation in those who work with them. This qualitative research used a case study approach to investigate difficulties facing the supporters who work with child witnesses in the Child Witness Project, which is a project using an empowerment approach to prepare children for court and support them throughout the court processes. Data was gathered from an evaluation meeting, information from questionnaires from court personnel, interviews with staff involved in the project, documentary analysis of the daily record book and folders of children, the annual report of the project as well as observations of court preparation work and incidental interactions within the project. The results showed emotional, practical, interpersonal and organisational difficulties for the supporters. These difficulties were understood in terms of the political context of the Western Cape within which the project was situated and in terms of levels of deprivation which permeated all levels of the project, including the criminal justice system the Child Witness Project, the supporters themselves as well as the child witnesses and their families. The impact of these difficulties and levels of deprivation on the supporters were analysed using psychodynamic and systemic theories. The research concluded that addressing difficulties faced by supporters need to be approached from an understanding of psychological responses to trauma, the complexities of the contextual and political structures which surround the project and the complexities of the

interplay of power and control of all role-players. Any interventions would need to be systemic and endeavour to integrate the work of the Child Witness Project into the services offered by the Criminal Justice System.

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CHAPTER ONE: INTRODUCTION

Introduction

This research is an investigation into the difficulties facing those supporting children testifying in child abuse trials. It aims to find out what difficulties faced these supporters in order to make recommendations for improvement of services to the children as well as for appropriate management of those working in the field trauma and who are susceptible to vicarious trauma. The research is a case study based on a project operated by an NGO in the Western Cape, Cape Town.

The Organisation

The organisation is a children's rights organisation which aims to develop and implement strategies to prevent child abuse and neglect. It offers services by providing information on child abuse, creating awareness of child abuse and the issues associated with child abuse, empowering adults and children to act appropriately with regard to child abuse and ensuring that the legislative framework within the country addresses issues effectively. The organisation runs training workshops for adults (lay people and professionals) and children. One of the projects the organisation runs is a project aimed at supporting children who are testifying in child abuse cases. It is this project that I have investigated in this research. The project is run from a Sexual Offences Court in Cape Town.

The Sexual Offences Court

The Sexual Offences Court was set up in a Magistrates Court in March 1993 by the Attorney General of the Western Cape. This represented a new model for the processing of sexual offence cases involving both adults and children (Stanton, Lochrenberg and Mukasa, 1997).

The Child Witness Project

The Child Witness Project is a court preparation and support programme run by the NGO and is located in the Sexual Offences Court. It aims to empower children and prepare them for the court experience by providing them and their parents/caregivers with appropriate legal knowledge and skills needed to testify in court along with emotional support. Some of the activities, for example interviewing them about their fears about court, are offered individually to children, but ongoing support and practical assistance is also offered to children in groups in the waiting room while waiting to testify. The parents/caregivers are also an integral part of the preparation process as they are often just as anxious as the children are and can thus benefit from support to be able to offer the best level of support to their children. Through preparation and support the aim is to enable the parents to focus on the needs of their children and to be supportive (Resources Aimed at the Prevention of Child Abuse and Neglect (RAPCAN), 2001).

Eight sessional workers who have been trained by the NGO staff the Child Witness Project. They are available to support the child and family from the time that the child's case enters the Criminal Justice System until after conviction and sentencing. Debriefing is then offered as a final intervention in order to help the children deal with the outcome of the case as children often find a conviction of an offender just as traumatic as an acquittal, as in most cases the offender is someone known to the child (RAPCAN, 2001).

Supporters are employed as sessional staff of the NGO and paid R100 per shift. Shifts are from 08:00 to 16:00. Supporters are expected to be at the office, during that time regardless of the number of cases being heard in the courts. Currently there is no leave allocation; either sick, annual or family responsibility. The NGO management is looking into this issue at the moment. There are two supporters on duty every day.

The Research

The research was conducted in a qualitative paradigm using the Child Witness Project as a case study. A number of data gathering methods were used to gather the most detailed and pertinent information about the project and the difficulties faced by the supporters. This data was analysed using a psychodynamic and systems understanding which is outlined in detail in the methodology chapter. The results are summarised in terms of emotional difficulties, inter-personal difficulties, practical difficulties and organisational difficulties. Themes, which emerged from the results, have been outlined in the discussion chapter. A number of recommendations have been made based on the results and are listed in the final chapter.

CHAPTER TWO: LITERATURE REVIEW

Introduction

In this chapter I review literature relevant to the research that I conducted. I limit my review to that literature that is directly pertinent to my research and emphasise literature relevant to the South African context. Where international literature is relevant I review it briefly or refer the reader to it.

This chapter defines child sexual abuse and gives an indication of the incidence of child sexual abuse in South Africa. It locates child sexual abuse within the continuum of stress-crisis-trauma and outlines the psychological consequences of child sexual abuse.

The legal framework of child sexual abuse is briefly described, and includes an account of the difficulties faced by children testifying in court. Consideration is given to the conflict between the rights of the accused and the rights of the child complainant in justifying certain procedures, which disadvantage children in the court process.

The next section deals with measures that have been put in place or are recommended to assist child complainants during the court process. These fall into two categories, namely empowerment and protection. Court preparation is an example of the empowerment model, whilst the use of intermediaries and closed circuit television (CCTV) are protective measures. Both interventions are discussed, since both are in use in South African courts and in the court in which the project I am studying is based.

Finally, the research about the impact of working with sexually abused children is outlined. This section covers a description of vicarious trauma and a discussion about how and why it affects

those working in the field of trauma. It outlines various strategies to combat vicarious trauma, including personal, organisational, administrative and policy strategies.

Child Sexual Abuse

Definition of Child Sexual Abuse

Although there is an almost universal taboo on incest, children have always been at risk of sexual attention from their relatives and others. However, until recently the subject of sexual abuse has remained something of a taboo (Renvoize, 1993; Hobbs, Hanks, & Wynne, 1993).

Child sexual abuse is any type of sexual contact between an adult or older person and a child less than 18 years of age for the stimulation and/or gratification of the adult or older person. It is not necessarily confined to physical contact and may range from exhibitionism, involvement with pornography, full intercourse or child prostitution. The child often does not completely understand what is happening and lacks the authority or power to prevent her/himself being coerced into activities (Renvoize 1993; Browne and Finkelhor, 1996 in Peter, 2001, Hobbs et al, 1993). In child sexual abuse the victim usually knows the perpetrator. The victim is likely to be under the control of the perpetrator and cannot escape. Child sexual abuse is different from other forms of trauma in that it is more likely to be chronic; although the first instance of the trauma is unexpected, the child begins to expect the trauma over time (Lewis, 1999).

Since the perpetrator is almost invariably a trusted adult, children find it even more difficult than adult women to report sexual abuse (RAPCAN, 2001). However, certain indicators could alert adults to the possibility of sexual abuse. These indicators can be physical, for example, venereal disease, vaginal discharge, AIDS, problems with the passing of urine and faeces; or behavioural, for example, deterioration of school performance, excessive masturbation or pre-occupation with

sexual matters (Skelton, 1998). Psychological consequences of sexual abuse are numerous and will be expanded on in a later section.

Prevalence of Child Sexual Abuse in South Africa

Child abuse, and in particular child sexual abuse, is a widespread problem in South Africa (Cohen, Judith A., Mannarino, Anthony P. & Rogal, Shari, 2001; Nolan, O'Flaherty, Turner, Keery, Fitzpatrick, & Carr, 2002, Haj-Yahia & Tamish, 2001). Studies of prevalence rates indicates that roughly one in every three women and one in every ten men have been victims of sexually abusive behaviour at some point in their lifetime (Peters, 2001).

The level of criminality in South Africa means that exposure to violent crime is much more commonplace in South Africa than other countries. In particular, according to the International Crime Statistics Report 1994, South Africa has the unfortunate distinction of being the country with the highest rate of reported rape in the world (Eagle and Watts, 2002). In addition it is known that sexual assault is a generally very under-reported crime. Rape Crisis Cape Town, an NGO working in the field of violence against women estimates that only 1 in 20 rapes is reported (RAPCAN, 2001). Of those rapes (for both adults and children) that are actually reported, very few proceed completely through the criminal justice system. In 1998, for example, less than half of reported rapes were referred to court (45%), and 46% of these cases were withdrawn in court. Of the 8 717 cases that were tried in 1998, 50% resulted in guilty verdicts, but this "successful conviction rate" must be weighted against the reality that this represents only 9% of reported cases, and only 20% of the cases referred to court in the first place (RAPCAN, 2001).

Figures released by the South Africa Police Services (SAPS) indicate that for the first six months of 1999, there were 11 469 reported cases of sexual crimes (including rape, attempted rape and indecent assault) against children under the age of 17. By doubling the January to June figures a

total of 22 938 of sexual crimes against children are likely to have been reported in 1999. The records of child welfare and child abuse NGO's present a picture of both physical and psychological trauma caused by child sexual abuse. The South African Health Review (2000) reports that according to The South African National Council for Child and Family Welfare (SANCCFW) there has been a steep increase sexual abuse. Their records indicate that the number of new sexual abuse cases reported to SANCCFW for the year 1998/99 was 3 684 compared to 1 886 during the previous year of 1997/98.

In addition, the last decade has seen an increased awareness of the prevalence of child sexual abuse (Schwikkard, 1996). Research conducted at the Red Cross Children's Hospital comparing perineal injuries as a result of sexual assault across a period of time, however does indicate an increase in children being presented for treatment (Van As, Withers, du Toit, Millar and Rode, 2001). This seems to suggest that there is a real increase in the number of children sexually assaulted in South Africa.

RAPCAN (2001) argues that the cases of child sexual abuse that are heard in court are likely to be a very small percentage of the sexual abuse faced daily by children in South Africa. However, the increased number of cases reported to the police has resulted in increasing numbers of children having to testify in court (Hollely and Muller, 1999).

Trauma

Herman (2001) defines trauma as an event in which a victim is rendered helpless by an overwhelming force with which she is unable to cope. The person feels fear, is helpless and out of control and under threat of annihilation (Herman, 2001; Lewis, 2000). Although it was generally believed that trauma was out of the realm of normal experience, statistics suggest that it is a common part of women and children's lives (Herman, 2001). What makes a trauma extra-

ordinary, is not that it occurs rarely, but rather that it overwhelms ordinary systems of care that give people a sense of control, connection and meaning (Herman, 2001). As such trauma is always negative and damaging to the victim. Traumata can include human caused disasters, natural disasters, and intentional violence, like sexual abuse. Traumata can consist of a single unexpected event, or could involve multiple incidents over a period of time, such as chronic ongoing child sexual abuse (Lewis, 1999).

Faced with overwhelming events, ordinary responses to danger are inadequate. The components of the response to danger (physiological arousal, emotion, cognition and memory), that are usually integrated become separated from one another and tend to persist in changed and dysfunctional ways. Symptoms of post-traumatic stress include, intrusive symptoms, which refer to re-experiencing the trauma, avoidance, which may include an avoidance of stimuli which remind the victim of the trauma or more general emotional numbing, and hyper-arousal, which refers to a generalised state of physiological arousal (Herman, 2001; Lewis, 2000).

Impact of Child Sexual Abuse

The impact of child sexual abuse is mediated by a number of factors: (a) the nature of the trauma, for example level of violence, duration of the abuse, the identity of the perpetrator, (b) the child's support system, including parents and school systems (c) the child, for example, her developmental age, (Herman, 2001; Dawes & Donald, 2000, Meyerson, Long, Miranda & Marx, 2002; Finkelhor and Browne, 1985).

After sexual abuse the child may suffer from post traumatic stress symptoms or complex post traumatic stress, where the effects are more severe and may result in longstanding psychological difficulties (Herman, 2001; Lewis, 1999). Finkelhor & Brown (1985) and James (1989) have conceptualised a number of what they call traumagenic states which result from the trauma of

child sexual abuse. These are sexualisation, stigmatisation, powerlessness, loss and betrayal, self-blame, fragmentation of bodily experience, destructiveness, dissociative disorder and attachment disorder.

Emotional consequences include feelings of guilt and self-blame and loss of self esteem, hopelessness and isolation (Gorey, Richter & Snider, 2001; Lewis, 1999; Peters, 2001) depression, including suicide attempts, and anxiety (Cohen, Mannarino, & Rogal, 2001; Meyerson, Long, Miranda & Marx, 2002) sexual problems (Peters, 2001) and dissociative symptoms (Johnson, Pike & Chard, 2001; Herman, 2001), borderline personality disorder (Zlotnick, Mattia & Zimmerman, 2001), psychotism, hostility, somatisation, anxiety, phobic anxiety, paranoid ideation, obsessive-compulsive behaviour (Haj-Yahia & Tamish, 2001). Adults who have been sexually abused as children tend to more likely to subsequently use disengagement as a method of coping in adult life. This has been shown to be associated with increased psychological distress (Gibson & Leitenberg, 2001).

Behavioural problems as a result of child sexual abuse include substance abuse, (Cohen, Mannarino, & Rogal, 2001; Gorey, Richter & Snider, 2001) and compromising eating behaviours (Thomson, Wonderlich, Crosby & Mitchell, 2001) and sexually risky behaviour (Parillo, Freeman, Collier & Young, 2001). Children also experience physical symptoms such as headaches and stomach aches or changes in appetite (Lewis, 1999). Research has indicated that children who have been sexually abused have a higher risk of being sexually abused again (Swanston, Parkinson, Oates, O'Toole, Plunkett and Shrimpton, 2002).

A child whose abuse is reported is likely to already be suffering from some of the above-mentioned symptoms. The criminal justice system is potentially an additional source and site of

trauma for the already traumatised sexual abuse survivor (Hollely and Muller, 1999 Schwikkard, 1996, Davies and Westcott, 1995, RAPCAN, 2001, Combrink, 1994).).

The Legal Framework and Criminal Justice System in South Africa

Seeking redress through the legal system may either help or hinder the healing process for a child who has been sexually abused. For some children, testifying in court can help to restore their sense of control and competence and their belief in justice and reinforce the sense that the perpetrator was in the wrong. However, the response of all role-players in the criminal justice system has an important influence on how the child experiences the process (Lewis, 1999). If the response and investigations are unsatisfactory, feelings of frustration and hopelessness often result. These problems could add to the trauma of an abused child (Lewis, 1999; Stanton, Lochrenberg, Musaka, 1997).

In South Africa there is no legal definition of child abuse and neglect and no specific crimes labeled 'child sexual abuse'. Most laws defining offences related to child sexual abuse come from general criminal laws. Refer to Appendix 1 for all laws pertaining to child sexual abuse and Appendix 2 for the criminal justice procedure in sexual abuse cases.

It has been suggested that under very specific circumstances a child may be empowered by the process of testifying in court. However, most research suggests that appearing in court is damaging to children. Thus the caregiver of a sexually abused child has a difficult decision to make in deciding whether to press charges, despite the legal requirement of mandatory reporting. Research conducted by Goodman, Taub et al (1992 reported in Davies and Westcott, 1995) showed slower recovery rates for children who testified in court despite no apparent difficulties in the time leading up to the court appearance. In South Africa there is no guarantee of protection for child witnesses or their families in the legal process (Lewis, 1999). In fact, Schwikkard

(1996) contends that the criminal justice system itself could be seen as a perpetrator of abuse towards child witnesses. A detailed description of difficulties faced by child witnesses appearing in court are outlined in Appendix 2. These include an overloaded criminal justice system with frequent long delays in bringing the matter to court, lack of human resources and child friendly facilities, the child having to relive the abuse by giving evidence, the use of the adversarial system, ignorance of child witnesses of court processes, lack of credibility afforded to child witnesses by the legal system.

The South African constitution and the United Nations Convention of the Rights of the Child, which South Africa has signed, entrench a number of children's rights. These documents recognise that children are as deserving of rights as adults are, but in addition, because of their vulnerability children deserve special protection.

The right to a fair trial for the accused is also entrenched in the South African constitution (Schwikkard, 1996). Some features of the criminal justice procedure, which disadvantage children, are justified on the basis of ensuring a fair trial for the accused. These include the competency test, cautionary rules, and the mechanical application of the rules of the adversarial system. Although both the rights of the accused and the rights of the child need to be protected, the rights of the accused are currently given far greater weight in our criminal justice system.

Schwikkard (1996) does a thorough analysis of all the procedures which disadvantage children as well as those implemented to help children, which have been challenged by claims that they infringe the rights of the accused. In each instance he has weighed up the rights of the child witness against those of the accused. In all cases he argues that these laws disadvantage children and are a violation of the rights of the child, which are not justified in terms of the rights of the accused. He argues that the challenges put to those procedures aimed at assisting children in

court do not violate the rights of the accused. He concludes that the criminal justice system itself is a perpetrator of abuse towards child witnesses. Child abuse occurs in part because of inequalities between the child and adult in size, knowledge and power and Schwikkard argues that these inequalities are institutionalised in the criminal justice system.

Lane (1994) argues that there is great discrepancy in many countries between what is endorsed by the signing of the United Nations Convention of the Rights of the Child and the implementation of these protective measures. RAPCAN agrees saying that from a children's rights perspective, it is clear that the manner in which trials are conducted in South Africa does not meet the requirements of the United Nations' Convention on the Rights of the Child. In particular, the articles referring to non-discrimination (article 2), the best interest of the child (article 3) and participation (articles 11 and 12) are violated. They argue that promotion of these rights should be a basic requirement to achieve higher conviction rates, and to minimise the trauma experienced by the child witness (RAPCAN, 2001).

Intervention Strategies to Assist the Child Witness

Introduction

Muller and Tait (1997) indicate that the quality of a child's evidence in legal proceedings is dependent on three interacting factors: the child, the court personnel involved in the trial and the environment. Interventions aimed at improving the experience of child witnesses can occur at any of these levels.

Facilitating children's testimony in criminal cases in the legal systems employing adversarial principles has mainly taken one of two forms: empowerment and protection. In the empowerment model the emphasis is placed on preparing the child so that he/she is better able to cope with the adult demands of the courtroom. The protection model seeks to amend and adjust

legal procedure to try and take account of particular difficulties experienced by child witnesses. The flexibility of court process rather than the philosophical differences in approach have dictated which solution different court systems have pursued (Davies and Westcott, 1995).

Empowerment

Empowerment models educate children about courtroom procedure and personnel, help them tell their story competently during testifying and help the child cope with their stress and anxieties relating to their role as witness. The programs offer support prior to, during and after the child takes the stand, (Davies and Westcott, 1995). Many practitioners (See Hollely and Muller, 1999, Skelton, 1998) claim these programmes reduce the trauma which children experience in court and empower children to testify effectively.

Court preparation programmes usually makes use of a mixture of information and support to ensure that the child is mentally and emotionally prepared for court. This may be done individually or in groups, and may include booklets about court procedures, models of the court or role-playing court procedure. In this way children are introduced to court personnel and learn about their roles. Written exercises and drawings may be used to explore the child's feelings about his or her forthcoming court appearance and desensitisation through clinical methods, such as progressive relaxation techniques may be used to reduce anxiety. No details of the child's case are discussed to avoid any allegation of coaching. Children may however be taught the meaning of the oath, the importance of telling the truth and the ways in which to respond to the defense under cross-examination. It also includes a trip to the courtroom and a child may be permitted to view part of an ongoing trial (Davies and Westcott, 1995).

Criticisms of this approach include the arguments that it denies the reality of the power imbalance inherent in an adversarial system. In addition those working with children fear that this approach

may frighten the child off or that the preparation process may contaminate the evidence (Davies and Westcott, 1995).

Research conducted by Muller and Tait (1997) in South Africa found a clear developmental trend with increased knowledge of terminology and procedures in older children. However, in general there were deficiencies in children's knowledge of the legal process and gross misconceptions of certain terms and procedures. The misconceptions were dangerous in as far as they could exacerbate the fear and stress of children appearing as witnesses. They conclude by saying that there is a strong need to prepare children for court. A basic knowledge of court proceedings would assist them by reducing the fear and stress they experience as a result of their unrealistic expectations and thereby enabling them to partake more effectively in the judicial process (Muller and Tait, 1997).

Research done at the London family court in Ontario, Canada showed that children presented better in court and displayed lower levels of anxiety on at least some of the measures of performance if they were prepared for court. However this research also found that the advocacy role adopted by project staff went beyond maintaining the rights of individual child witnesses. "It's lobbying led to changes in the attitudes and practices of many police and crown attorneys" (Dezwirek-Sas et al., 1991, p.118 in Davies and Westcott, 1995).

Protection

The main aim of in this approach is to shield the child as far as possible from court processes. This can involve preventing the child from appearing in court, thus diminishing the stress associated with the unfamiliar courtroom and facing the accused. It usually involves the use of screens or Closed Circuit Television (CCTV), some could exclude the child from a court appearance at all (for example, by using a pre-trial hearing or videotaped testimony), but in some

cases the child will still be required to make a court appearance. The advantage of using CCTV is that the child is protected from seeing the accused, and also will not have to enter the unfamiliar environment of the court room (Davies and Westcott, 1995).

Intermediaries are in use in South African courts. This system allows for a child to give evidence by live video link, or behind a one-way mirror, provided that the court can still see and hear the child. It allows for some of the negative aspects of the cross-examination to be curtailed (Schwikkard, 1996). Although these reforms potentially decrease the trauma suffered by the child they have been criticised because they do not address the traumatic effect of the adversarial nature of the trial.

In terms of South African law videotape evidence is, in principle, admissible as real evidence. In addition hearsay evidence will be allowed where the person upon whose credibility the probative value of such evidence depends, testifies at such proceedings. However Skelton (1998) indicates that there is still some dispute about the admissibility of videotaped evidence, which hinges on whether it should be considered documentary or real evidence and in practise in the South African context, this has yet to be used in child sexual abuse cases.

Davies and Westcott (1995) outline research done in a number of countries including England, Scotland and Australia. This research indicates that these protective measures lead to a reduction of stress for the child, which in turn allows the child to give improved evidence. For example, it has been shown that witnesses give more information and include more detail when using CCTV than when appearing in a conventional courtroom. Generally the children are more relaxed and forthcoming and tend to be more audible and have greater resistance to leading questions (Davies and Westcott, 1995).

In addition most court officials (social workers, police, judges and lawyers, both for the defense and for the prosecution) were positive about the use of these protective measures. Magistrates were found to intervene more if the child was being interviewed on television rather than in open court. Even the prosecutor was significantly more supportive than when children were examined face-to-face. The presence of the CCTV seemed to act as a reminder that they were dealing with children who have special needs and difficulties. The research found that some children did prefer to testify in open court, giving some credibility to the claim that a small number of children actively seek the opportunity to testify in open court. However other children may gain a sense of power and control by using the CCTV (Davies and Westcott, 1995).

Empowerment or Protection?

Children who have used empowerment methods and those making use protective measures are less anxious and perceived as better witnesses than those who had not been prepared, or who testify in open court. Both avenues of support for children seem promising for reducing the trauma of testifying for many vulnerable child witnesses. It is not clear whether the same or different mechanisms mediates the protection or empowerment effects. Reduced anxiety in general could lead to increased access to memory and hence the quality of the information offered (Davies and Westcott, 1995).

Many practitioners agree that although these interventions go a long way to improve the position of the child witness, the situation is still far from perfect (Skelton, 1998, Combrink, 1994 & Schwikkard, 1996). One possible danger of the success of these methods is that it may appear to support the view that criminal procedures may be the best or only way to deal with sexual abuse (Davies and Westcott, 1995). One component of gender violence that feminist critiques have been questioning is the effectiveness of the traditional response of state agencies and institutions including the law, in meeting needs of survivors of sexual violence (Stanton, Lochrenberg and

Mukasa, 1997). We need to consider ways of dealing with sexual abuse that does not involve the use of the adversarial legal system (Davies and Westcott, 1995).

Families and other interpersonal networks are powerful systems for promoting recovery after a traumatic event. Often the most important and frequent remedies for people suffering from trauma is personal rather than clinical or medical, particularly that offered by family, friends and acquaintances and professionals, such as teachers, who care. But professional helpers are also involved in support for those affected by trauma. Helpers find that those traumatised are relieved by a caring professional who understands, respects their pain and engenders hope in recovering from it. However there is a cost involved for those concerned with survivors of trauma since they can be traumatised by exposure to stories of abuse (Figley, 1999; Kassam-Adams, 1999). This concept of vicarious traumatization is dealt with in the next section.

Vicarious Traumatization

Introduction

Trauma has a ripple effect which affects those who have direct contact with the survivor, like families and relatives and those in the helping profession who hear traumatic stories (Lewis, 1999; Figley, 1999). The impact of working with trauma survivors appears to parallel the impact of the events on the survivor (Pearlman, 1999).

The concept of vicarious traumatization in people who deal with traumatised clients has been receiving increased attention (Kassam- Adams, 1999). Figley stresses that this reaction, which has been called by a number of names, is a 'natural, predictable, treatable and preventable, unwanted' (Figley, 1999:4) consequence of working with traumatised people. It is not abnormal or pathological (Rosenbloom et al., 1999) and it is not an indication of the inadequacy of the

carer, nor the toxicity of the client, but rather an occupational hazard for caring service providers (Saakvitne and Pearlman, 1996; Pearlman, 1999; Rosenbloom et al., 1999; Figley, 1999).

Definition of Vicarious Trauma

Vicarious traumatisation is the cumulative transformative effect on the helper's inner experience as a result of empathic engagement with survivors and their traumatic life events (Saakvitne and Pearlman, 1996). Figley (1999) defines vicarious traumatic stress as the 'natural consequent behaviours and emotions resulting from knowledge about a traumatic event, experience[d] by a significant other which results from helping or wanting to help a traumatised or suffering person' (Figley, 1999:10). This is distinct from burnout or other forms of occupational stress (Kassam-Adams, 1999), although those who care for trauma survivors may face these as well.

Consequences of Vicarious Trauma

Because of the intense interpersonal involvement in trauma, helpers' emotional well being has significant impact on the work they do (Rosenbloom, 1999). Helpers' own reactions to the material they hear, if unexamined and unprocessed, may lead to a range of reactions (Rosenbloom, 1999).

It is useful to understand vicarious traumatisation by means of constructivist self-development theory, which emphasises the active construction of meaning. As such it argues that traumatic events impact on a person in the context of his or her developing self and sees symptoms as an adaptation to traumatic events. In the face of trauma the person will adapt and cope given her current context and early experiences: interpersonal, familial, cultural and social, which give meaning to the event. Thus symptoms have adaptive value to the individual which we need to understand (Saakvitne and Pearlman, 1996).

According to constructivist self development theory there are five components of self, namely: (1) frame of reference - the underlying sense of identity, world view, and spirituality - the lens through which she views the world and interprets her experiences (2) self capacities, which is the individual's ability to manage strong affect, to feel entitled to live and be deserving of love and to hold onto an inner awareness of caring others. (3) ego resources refer to the ability to deal with interpersonal situations and make good decisions. (4) psychological needs and cognitive schemas refer to basic needs such as safety, esteem, trust, control and intimacy and (5) memory and perception are the ways in which an experience is processed and recalled, including cognitive, visual, affective, somatic and sensory and interpersonal (Saakvitne and Pearlman, 1996; Pearlman, 1999).

Engaging with the trauma of others can impact on all these aspects of the helper's self (Saakvitne and Pearlman, 1996; Pearlman, 1999). For example, helpers may feel disconnected from their sense of identity, there may be a change in the helpers' worldview or spirituality, it may be difficult to deal with feelings, and they may become numb or unable to experience pleasure. When the helpers ego resources are depleted she may have difficulty in making decisions that are for her own good, she may fail to set limits and have difficulties in separating her own issues from those of her clients. They may experience changes in trust and self trust. It also has a profound impact on relationships with others, especially intimate relationships. Other important signs of vicarious traumatisation are intrusive imagery and other symptoms, which parallel Post Traumatic Stress Disorder symptoms (Saakvitne and Pearlman, 1996).

In addition to the consequences for the helpers themselves, vicarious trauma may have consequences for those who are already traumatised. For example family members and professionals may try to prevent traumatised people from speaking about their experiences

because they are unable to cope with their reactions to these disturbing events (Figley, 1999; Rosenbloom, 1999).

Causes of Vicarious Trauma

Those who voluntarily engage empathetically with survivors to help them resolve the aftermath of psychological trauma open themselves up to deep personal transformation. This includes personal growth, a deeper connection with both individuals and human experience and a greater awareness of all aspects of life (Pearlman, 1999)

However, carers are also particularly vulnerable to vicarious trauma for a number of reasons. Firstly, empathy is a major resource for trauma workers to help the traumatised. Thus carers need to identify with and relate to feelings which are frightening and overwhelming. In addition, many trauma workers have experienced some type of traumatic event in their lives and unresolved trauma of the worker will be activated by reports of similar trauma in clients. When carers come face to face with the sexual violence perpetrated against their clients, they have to come to terms with the reality of the trauma and pain humans are capable of inflicting on each other. It has been found that children's trauma is the most provocative for carers (Figley, 1999). Carers' own vulnerability and powerlessness can overwhelm them. This interferes with their ability to use the adaptive assumptions of personal invulnerability and of the world as meaningful and comprehensible that allows for the maintenance of a sense of safety and stability in the world. (Kassam-Adams, 1999).

Kassam-Adams (1999) speculates that being a woman and having a past history of trauma impacts on (1) self selection for trauma work, (2) the carer's perceived vulnerability to trauma material presented by clients and (3) the ways in which the carers experiences his or her working relationship with trauma survivors and is likely to predict higher incidence of vicarious trauma.

In addition the nature of the work impacts on the level of vicarious trauma. For example, if survivors are only seen once and there is no feedback on how helpful the intervention was, carers may not see the healing process occur. Working with survivors for a longer period of time may allow for a witnessing of the healing process in action, but can also heighten awareness of how slow and painful the process is (Kassam-Adams, 1999).

The context of the workplace also impacts on levels of vicarious traumatisation. If the organisations do not prioritise dealing with vicarious trauma, it makes helpers even more vulnerable to the effects (Saakvitne and Pearlman, 1996).

Addressing Vicarious Trauma

Williams and Sommer (1999) argue that all those who work in trauma field face a number of obstacles. They believe that in order to offer the best service to the traumatised clients, carers need to face their own vulnerabilities in order to offer ethical care and minimise vicarious trauma. Rosenbloom (1999) argues that the first step to addressing vicarious trauma is acknowledging that it exists and challenging the assumptions that being affected by work with survivors of trauma indicates weakness on the part of the helper.

Dealing with vicarious trauma needs to be done on an organisational and a personal level. Carers need to adopt certain self-care strategies. This includes the self-nurturing activities that helpers recommend for their clients. In addition transformation rituals when arriving at home, like changing your clothes, taking a bath are recommended (Saakvitne and Pearlman, 1996). People working with trauma need to have good support structures within their personal lives (Robertson, 2002).

Organisations need to support these self-care processes. However, organisations can create an environment that is hostile to self-care. For example, the social and economic pressures sometimes make short-term solution-focussed approaches seem preferable to those that take into account the bigger picture and long term effects of the work.

Figley (1999) suggests that there are a number of strategies to prevent carers experiencing vicarious trauma and that organisations should experiment with a variety of ways of dealing with it without impacting on clinical effectiveness.

Attention needs to be paid to both pragmatic and practical issues, such as provision of supervision and adequate time off, and psychological sources of support, such as the organisation's attitude toward the helpers trauma. Orientation to the workplace, adequate training, clear and realistic expectations, regular performance feedback, recognition for performance and achievement, horizontal and vertical lines of communication, teamwork, clear philosophy and goals for the organisation, written and accessible protocols for all procedures, adequate time for holidays and illness, variety of work (e.g., psychotherapy, evaluation, consultation, research, writing and training), an atmosphere of respect, safety and control for the workers, a supportive group system for the colleagues, and ongoing supervision - no matter the level of the supporter - are deemed to be essential. (Western Cape Provincial Rape Reference Group, 2002) Orford (1992) argues that human service organisations would be in a better position to provide supportive care if they got on-going support from mental health professionals, which could include training, consultation, supervision and emotional support. Supervision needs to foster an atmosphere of respect, safety and control for the carer. Supervision needs to be able to accommodate the expression of strong feelings by the supporter and can help by identifying painful transference/countertransference dynamics and recognising traumatic re-enactments. Access to personal psychotherapy, is also

recommended. (Saakvitne and Pearlman 1996; Pearlman, 1999; Rosenbloom et al., 1999; Kobolt, 1995; Kriel 2002a, Robertson, 2002).

As a holistic strategy Williams and Sommers (1999) outline the following essential components of dealing with vicarious traumatisation: (a) a strong ethical sense and ethical principles of practice, (b) ongoing training and knowledge of theory, (c) the resolution of carers' own issues and trauma history, (d) competence in practice strategies and techniques (e) awareness of the impact of work on the carer and willingness to address vicarious impact.

Catherall (1999) argues that the use of a professional peer group is invaluable in dealing with vicarious trauma. A peer professional support system offers (a) emotional support, (b) information, (c) social companionship and (d) instrumental support. For further information on group interventions see Catherall (1999).

Rudolph and Stamm (1999) argue that although practitioners in the field are becoming increasingly aware of the negative impact of vicarious trauma, the implementation of most of the interventions needed to combat this stress lie in the hands of administrators and policy makers that direct the organisations in which these trauma workers work. However, administrators and policy makers seldom have the experience and knowledge of the consequences of working with trauma. In particular, they may be unaware of research indicating the negative impact of vicarious trauma or the suggested interventions that could minimise the impact on the staff and clients. Rudolph and Stamm (1999) also argue that administrators and policy makers face problems unknown to the trauma workers. Rudolph and Stamm (1999) argue for the need for greater cooperation between trauma workers and policy makers to implement strategies to combat vicarious trauma that satisfy the needs of the trauma workers and fall within the constraints faced by administrators.

Conclusion

Figley argues that although there is recognition that the carers are also traumatised by their contact with traumatised people, most of the emphasis of research has been on those directly affected by trauma (Figley, 1999). Understanding the process of vicarious traumatisation makes us able to prevent further trauma for the supporters as well as improving care for the trauma survivors. Kassam-Adams (1999) believes that we have an ethical duty to promote quality services to our clients by carefully evaluating the effectiveness of specific coping and self-care efforts by carers, and the value of institutional responses and structures may lessen or ameliorate the effects of vicarious traumatisation in carers. In addition, potential positive effects of working with trauma victims (personal growth, spiritual connection, hope and respect for human resiliency) need attention. These are the factors most likely to retain effective and talented carers into this important work who are very much in demand (Kassam-Adams, 1999; Rosenbloom et al., 1999).

Conclusion

This focus on this chapter was on all the factors which have impact on the supporters in their work with children testifying in court. These all need to be taken into account when considering their responses to working with children in this context.

CHAPTER THREE: METHODOLOGY

In this chapter I will outline the methodology that was used in this research. I start by outlining the differences between methodological paradigms, research methods and techniques used in research and then use these categories to describe and justify the research process that I used. I will give a brief overview of the theoretical frameworks that I am using as a lens to understand my results. Being explicit about my perspective increases validity of my research. I also discuss possible sources of error in the methodology and address issues of reliability and validity.

Paradigms, Methods and Techniques

Mouton (1996) makes an important distinction between methodological paradigms, research methods and techniques used in research. He outlines the difference as follows: (i) Methodological **paradigms**, for example: quantitative or qualitative paradigms are based on certain assumptions and values regarding their use in specific circumstances. (ii) Research **methods** refer to the means required to execute a certain stage in the research process, for example: data collection methods or data analysis methods. (iii) Research **techniques** refer to the tools that the researcher uses to execute specific tasks, for example: face-to-face interviewing (Mouton, 1996). Mouton (1996) argues that although certain research methods and research techniques may be more applicable to certain methodological paradigms, no technique or method is for the exclusive use of a particular methodological paradigm.

I will use these three levels to describe and justify the methodology that I have used in my research.

Methodological Paradigm and Methodology

It is clear that a variety of different research methods can be used in the social sciences (Yin, 1993). The difference between qualitative and quantitative research is a matter of emphasis,

according to Stake (1995). Stake (1995:37) outlines the differences between quantitative and qualitative research as follows: “(1) the distinction between explanation and understanding as the purpose of inquiry (2) the distinction between impersonal and personal role of the researcher and (3) a distinction between knowledge discovered and knowledge constructed”. The choice between qualitative and quantitative methodology is not based on a fundamental judgement of the value of the one versus the other, but rather on the usefulness in particular circumstances, in addressing a particular research question with the available data (Mouton, 1996; Silverman, 2001). Qualitative research uses a wealth of rich descriptive data and the research strategy is contextual in nature (Mouton, 1996).

My research was conducted using a qualitative methodological paradigm, which according to Silverman (2001) gives a deeper understanding of social phenomena than could be gleaned from quantitative data. The nature of the phenomenon under study (the difficulties faced by the Child Witness Project supporters) is one which cannot be easily separated from the context within which it occurs, that is, the current criminal justice system and the socio-political context of South Africa. In fact the context plays a critical role in the understanding of this issue. Thus a method which is able to take these important contextual features into account and is able to draw on the all data sources was seen as the most suitable method.

There are no other organisations in the Western Cape offering support to child witnesses in sexual abuse cases in the way offered by the Child Witness Project. Thus the sample of available cases was too small to use quantitative methods, which would require large numbers of cases or instances for statistical significance. My research was exploratory in nature and as such qualitative research is used to understand the setting before further quantitative research is attempted (Silverman, 2001).

Qualitative research has an emphasis on one case or a small number of cases in its specific context of meanings and significance (Mouton, 1996). Qualitative research treats the uniqueness of a case or context not as an error, but as important to coming to a comprehensive understanding of the phenomenon being studied. Knowing the particularity of a case is often the aim, above that of generalisation (Stake, 1995). I decided to use a case study approach in my research. The use of this approach was seen to be most suitable for my study, since my question was broad and exploratory in nature, the phenomena studied were deeply embedded in the current context and a wealth of data was available to me through various sources of information.

Yin defines case studies as “an empirical inquiry in which the number of variables exceeds the number of data points” (Yin, 1993: 32). This means a study where the number of variables (i.e. the things that can change or impact on the phenomenon under study) is more than the sample on which you base your study. In this instance the case is the Child Witness Project which will be described in detail in Chapter Four. Yin (1993) argues that the case study is a method of choice when the phenomenon being studied is not readily distinguishable from its context. This is clearly the case with the Child Witness Project, which although funded and run by an NGO, is based in a Cape Town Magistrates Court and operates within the constraints of the South African criminal justice system. Yin (1993) argues that it is imperative to be clear about the major unit of analysis for the case study. For my study the major unit of analysis was the Child Witness Project. However the difficulties faced by the volunteer supporters working with the child witnesses, were the focus of my research question.

Case studies can either be single or multiple and can be exploratory case studies, descriptive case studies or causal case studies (Yin, 1993). Exploratory case studies are aimed at defining the questions and hypotheses of subsequent study or at determining the feasibility of the desired research procedures. They are thus needed as a prelude to any form of social research. A

descriptive case study presents a complete description of a phenomenon within its context. An explanatory case study presents data bearing on a case-effect relationship, explaining which causes produce which effects (Yin, 1993).

My research was exploratory. As such I wanted as much detailed information about the difficulties faced by volunteer supporters to develop an understanding of their situation. For this reason a holistic look at the organisation in question, understood from the insider's perspective (Mouton, 1996), was useful. Qualitative research is characterised by interpretation and the empathic understanding that is established for the reader (Stake, 1995). The researcher is expected to be in the field, making observations and exercising subjective judgement, analysing and synthesising and emphasises holistic treatment of phenomena (Stake, 1995). The qualitative case-study methodology thus gives an in-depth description of the difficulties faced in the work as understood by various members involved in the project. The research method and wide range of data collection techniques were designed to gain as much detail in the description as possible. An exploratory case study framework was the most suitable to achieve such depth and detail.

Research Methods

Case Screening

Stake (1995) indicates that we may have intrinsic interest in a case and that we may want to study it in order to understand it for itself. He calls such a study an intrinsic case study and contrasts it with a case we study in order to understand a general question, which he calls an instrumental case study. The choice of the Child Witness Project as a case reflects an intrinsic case study. It was chosen so that it may be better understood and recommendations could be made to those managing the program to improve the service to the child witnesses by overcoming some difficulties faced by the supporters, thus making a relevant contribution to service providers in

the community. These same recommendations may be useful to improving the service of similar organisations, but this is not the primary aim of the research.

Data Collection

Yin (1993) argues that the case study method does not imply any particular method of data collection, which could be qualitative or quantitative, however he does argue that the inclusion of the context as a major part of a study is important.

Stake (1995) points out that the data gathering process capitalises on ordinary ways of getting acquainted with things. It involves looking at, thinking about and considering what information leads to significant understanding, recognising good sources of data and consciously and unconsciously testing out the interpretations. The study cannot rely on a single data collection method, but will most likely need to use multiple sources of evidence. Since my research was qualitative in nature, I used a selection of the four distinct techniques of data collection commonly used in qualitative research outlined by Silverman (2001), namely observation, analysing texts, interviews and recording and transcribing naturally occurring interactions. I gathered data from a variety of sources. These were (1) attendance at an annual program evaluation meeting, (2) notes written by the volunteer supporters in preparation for this evaluation meeting, (3) interviews with informants within the project, (4) documentary evidence about the program and (5) observation of support offered to the two children chosen as illustrative cases, (6) anecdotal evidence and naturally occurring interactions and (7) data gleaned from a questionnaire designed by the NGO to assess court officials' attitudes towards the Child Witness Project.

Evaluation Meeting

I attended a one hour long meeting in October 2002. It was held to evaluate the work of the previous year, which had been the first year of operation of the program. It covered the following aspects:

- The service supplied to the parents and the children
- Interaction with the court
- What the impact of the work was on the supporters
- Interactions with other agencies
- How the service can be improved
- A discussion of the job description

I obtained permission to attend this meeting and to tape record it. During the meeting I also took extensive notes. I paid particular notice of discussion around the difficulties faced by the volunteer supporters in fulfilling their function. After the meeting I was also given a copy of the notes written by one of the supporters in preparation for the meeting.

Interviews

I interviewed the director of the NGO, the co-ordinator and the social worker of the Child Witness Project and six of the seven supporters. I set up appointments to interview all the members at the evaluation meeting. One of the members could not make the initial time that was set, and we were unable to find another suitable time within the time frame. For a list of the supporters see below (For purposes of confidentiality I have not used their real names.)

- Thandeka a 59 year old, unmarried African¹ woman with one employed child aged 26. She is Xhosa and English speaking, living in a township and working at the suburban Sexual Offences Court and a township Magistrates Court.
- Siphokazi, 47 year old, married African woman with two children, aged 17 and 10. She is Xhosa and English speaking, living in a township and working at the suburban Sexual Offences Court and a township Magistrates Court.
- Evelyn, a 47 year old married Coloured woman with four children, who are all adults. She is Afrikaans and English speaking, living in a suburb and working at the suburban Sexual Offences Court.
- Elizabeth, a 52 year old divorced African woman, with two children aged 28 and 21, of which the younger is still in school. She is Xhosa and English speaking, living in a township and working at the suburban Sexual Offences Court and a township Magistrates Court.
- Colleen a 72 year old married Coloured woman with two adult children and four grandchildren. She is Afrikaans and English speaking, living in a suburb and working at the suburban Sexual Offences Court.
- Zimbini, a 47 year old married African woman with three school going children. She is Xhosa and English speaking, living in a township and working at the suburban Sexual Offences Court and a township Magistrates Court.

All supporters are retrenched teachers who also work as intermediaries at the suburban Sexual Offences court.

In designing the interview questions, I used the general categories of difficulties that emerged at the evaluation meeting to steer the interviews and to cover all relevant areas. I asked each interviewee about the following aspects of her work:

- Role definition in relation to other court role players

¹ I have used the terms African, Coloured and White to distinguish between ‘racial’ categories previously enforced

- Communication between supporters and other court role players
- Resource allocation and use within the court
- Role definition with regard to the NGO
- Attitudes of other court role players
- Available resources in the Child Witness Project
- Interpersonal relationships within the Child Witness Project
- Emotional difficulties in working with sexually abused children and their parents

I planned to hold the interviews as open-ended and informally as possible. For this reason I wrote a number of questions for each of these categories which would serve as prompts for my interviews, but would not necessarily be rigidly followed. Each interview was scheduled to last for approximately one hour. The interviews were all individual. During each interview I took detailed notes and tape-recorded the interview. Interviews were held over the period of one month.

Documentary analysis

I analysed documentary evidence from the Child Witness Project. I looked at funding proposals and brochures explaining the service of the project to parents and other interested organisations.

I also analysed recordings made in the 'daily record book' of 2002. The 'daily record book' records all noteworthy occurrences that happen in the day and is a communication method between supporters and the manager of the project who is not based at the court. As such it sometimes simply stipulates requests, but mostly its purpose is to highlight significant events in the day. More often than not the highlights are negative as opposed to positive. Since this form

by the state. Such use does not indicate acceptance of such categories.

is completed on a daily basis it is a good record of day to day problems, that may be omitted from descriptions in interviews after the fact.

I scanned the 225 folders of all cases of child witnesses seen in 2002, noting how many times they were seen at the Child Witness Project, whether the children had been seen in therapy before presenting as witnesses at court and the difficulties expanded by the supporters with regard to each case.

Observation of Support Work

I observed the work that the volunteer supporters did on two separate occasions. These days were arbitrarily chosen according to my availability and with permission from the supporters who would be on duty that day. During these days I observed a few court preparation sessions conducted by the supporters. The decision of which children's court preparation to observe was based mainly on the availability of a child that was attending the court for the first time during the two observation days that I set aside. There were also language considerations, since I do not understand Xhosa, I observed only those preparation sessions conducted in either English or Afrikaans.

Anecdotal Evidence and Naturally Occurring Interactions

I took note of naturally occurring interactions between all role-players, including the supporters, the social workers, the manager, other court officials including the social worker employed by the Provincial Administration of the Western Cape, police officers, prosecutors and witnesses.

Child Witness Support Services Evaluation questionnaire

The Child Witness Project also gave me access to the responses they received from court personnel in the evaluation of the impact of their services. These questionnaires enquired about the impression court personnel had on the effectiveness of the Child Witness Project service to the child witness, the parents, and the Justice department. It also asked the court personnel to stipulate any changes the project seemed to have made to the child witnesses and to make any recommendations they felt would improve the service.

Possible Sources of Error or Bias

Stake (1995) outlines some of the problems with qualitative research. Firstly he said that it is subjective, that it seldom produces answers to given problems, for example social practice and that its contribution to disciplined science is slow and tedious. He also points out that the ethical risks are substantial and that the cost in time and money are very high. However, he feels that the intention of qualitative research is to be subjective and a subjective attitude is a fundamental part of the understanding. However, in order to weed out potential misunderstanding a number of validation techniques are needed. Triangulation is one of these techniques which I have used in my research. I obtained my data from a number of different sources, including an evaluation meeting, interviews, documentary evidence, observation and questionnaires.

Stake (1995) mentions that the phenomena under study often take a long time to happen, in fact, they evolve. My research asked the participants about their experience in the past year, so I took this historical perspective into account. In addition the documentary evidence also came from different time periods, so that the evolution of the problems could be observed.

Stake (1995) also warns that in qualitative research the researcher may pose ideas that the interviewee has not considered yet. Often behaviour that may seem acceptable when discussed in

the interview becomes more problematic when reported in the findings of the research. This leads to ethical problems which are of concern to my research. For example, it seems that emotional difficulties faced by the supporters were not something that they would routinely discuss and think about. The fact that they do not discuss these difficulties may not be indicative of the fact that they are not troubled by these experiences, but may be more related to organisational culture of not talking about these areas. However, since I based my interview questions on areas that had emerged in the evaluation meeting, I do not feel that I raised new concerns for the supporters.

Mouton (1996) outlines further possible sources of error in data collection. Assumptions on the part of the informant about characteristics such as the affiliation of the researcher may impact on the data collected. In my case, I had a dual role: that of researcher, but also that of a former training manager of the NGO which funds and manages the Child Witness Project the previous year (2001). In this capacity I had had only indirect contact with the supporters in informal contexts. Thus the supporters may still have seen me as part of the management structure of the NGO. My ambiguous position may have made some participants wonder to what use I would put the information I gathered. This may have led them to have unrealistic expectations, for example, believing that I had more power to implement change than I in fact have. Or they may have felt that I was allied with management and been reluctant to disclose their difficulties honestly. The resistance that supporters had to my coming to observe the court preparation work they conducted supports this idea, which will be further considered in the discussion section.

The image of the researcher may impact on the data offered by informants. Mouton (1996) explains that the investigative paradigm is pervaded by profound conflicts of interest, values and feelings and actions. Mouton cites Douglas (1976) who found that suspicion and mistrust were the rule rather than the exception. Mouton (1996) argues that a researcher is often seen as an

outsider and an intruder. This was also my experience in my research. The supporters were relatively reluctant to talk to me. For example at the initial evaluation meeting, I was asked to wait in the waiting room to be called when the meeting was to start. However when I went to check on the meeting a while later, they had started without informing me. In addition the evaluation part of the meeting that was scheduled, was postponed due to apparent miscommunication and lack of preparation on the part of the volunteer supporters. I was not informed of the re-scheduled date and found out only by phoning to check again. However in individual interviews all participants seemed less reserved and more at ease talking to me. The possible meaning of this resistance will be considered in the discussion section.

The perceived distance between the researcher and participants may impact on the quality of data collected. Mouton (1996) refers to research, which shows that when the race of the interviewer is different from that of the participant, the participants' responses are often biased in favour of the race the interviewer belongs to. In my research most of the informants I interviewed are 'black', while I, the researcher, am 'white'. This is likely to have influenced both mine and my informants' perceptions.

Prejudices, expectations, attitudes, opinions and beliefs held by the researcher often influence the data collected and how it is understood. It is possible that the interviewer provides positive feedback to the interviewee, which has a definite effect on subsequent responses. An interviewer's systematic approval of a response could have a biasing effect on the information obtained (Mouton, 1996). Although I embarked on this research without specific hypotheses that I wanted to test, my own opinion may have influenced the information that the informants gave me.

The level of motivation of the participant is one of the most important variables influencing the validity of the data collection process. This relates to the level of interest that the interviewee has in the topic and the level of perceived threat. The supporters seem to have high level of interest in getting more support for the work that they do, but may have felt threatened by what I may do with the results that I obtained.

My research was not covert, I explicitly stated that I was doing research, what the aim of the research was and also why this was of interest to me. I informed the participants that I would feed the information about their difficulties and my recommendations back to the management of the NGO. In this way I tried to make my interests explicit. While this kept me alert to my own possible biases, it may have influenced the types of responses I received from participants.

Mouton (1996) argues that a number of strategies can be used to minimise the sources of error, which are possible in each form of data collection. In my study I ensured anonymity of the informants by making sure that none of the informants' opinions gathered in the individual interviews was discussed with any other member of the program. In reporting the difficulties faced, I also made sure that no one could be recognised by what I had written about them. Although there were requests from some participants that they be told what others had said, I kept that information confidential. I was not able to keep the identity of the informants confidential from myself. However to counter any anxieties, I tried to establish good rapport with the informants. This was possible in some cases, but in others the level of reservation did not decrease significantly during the interview.

Data Analysis

Yin (1993) argues that distinctive strategies are needed for data analysis in qualitative research. Mouton (1996) outlines that the analysis of data in qualitative approaches focuses on

understanding rather than explaining social actions and events. It strives to remain true to the natural setting of the participants and the concepts that they use to describe and understand themselves. It aims to construct an understanding that retains the internal meaning and coherence of the social phenomenon rather than breaking it up into its constituent components. It aims to generate contextually valid accounts of social life rather than formally generated generalisable explanations. Therefore methods of data analysis are more holistic, synthetic and interpretative (Mouton, 1996).

Once I had completed all the interviews I returned to the categories that had been generated by the evaluation meeting. I coded the information according to these categories. Some of the categories were consolidated to reduce the number of categories, some were no longer useful, while some further categories which emerged from the data were added.

The final list of categories that I used as a way of understanding the supporters experiences of the work are:

- Practical
- Interpersonal
- Emotional
- Organisational

Theoretical Underpinnings

Whilst I had no specific hypotheses with regard to my research question, I did use specific theoretical frameworks in my data analysis. Since transparency is such an important feature of qualitative research, it is important to be clear about the theoretical frameworks that underpin my understanding of the data I gathered. For this reason I outline in detail the theoretical

underpinnings of psychoanalytic and other frameworks which I use in my analysis of the organisational and group processes of the case.

Psychoanalytic approaches to organisations are based on ideas developed in individual therapy to understand unconscious emotional processes at play in institutions (Halton, 1998). The contributions to psychoanalytic theory made by Freud, Klein and Bion relevant to the organisational process, will be described below.

Freud was the founder of psychoanalytic theory and two of his greatest contributions to the field were the existence of the unconscious and psychological defences against neurotic anxiety. He suggested that hidden aspects of human mental life, which he called unconscious processes, influence conscious processes. All individuals have subjective, frequently unconscious feelings and memories that can cause intense feelings which Freud called neurotic anxiety. Each individual has a number of ways of dealing with this neurotic anxiety called the ego defences, which include repression, regression, sublimation and projection (De Board, 1995).

Collectively in institutions we also install defences against difficult emotions, which can originate as a result of either external threats or internal conflicts or as a result of the nature of the work of the organisation (Mawson, 1989). Defences allow the organisation to cope with stress, but some organisational defences, like individual defences can obstruct contact with reality, damage the staff and hinder the organisation in fulfilling its task and adapting to changing circumstances. Denial is a central defence, which operates by pushing certain feelings, thoughts and experiences out of conscious awareness because they have become too anxiety provoking. Denial can be detrimental if it prevents the organisation from acknowledging certain destructive features of the reality (Halton, 1998). However, Jacques (1955 in De Board, 1995) argued that defence mechanisms was one of the strongest mechanisms of binding individuals together in

organisations. He argues that defences also determine an organisation's structure, culture and mode of functioning. These organisational defence mechanisms require the collusion of each member of the organisation in these shared defence mechanisms (De Board, 1995).

Melanie Klein also contributed to the understanding of group behaviour. Klein's detailed theories of the earliest mental processes in the life of an infant, which she called the paranoid-schizoid and the depressive positions, can be used to explain adult behaviour (Halton, 1998). Normal adults, when experiencing situations of persecutory anxiety, or are in distress and cannot deal with overwhelming emotional pain revert to the earliest pattern of behaviour – the paranoid-schizoid position - and use projective and introjective identification as a defence against their anxieties (De Board, 1995). As soon as the internal threat becomes externalised, it feels easier to deal with. However since the real anxiety is still internal to the individual the effort and mental energy resolves nothing (De Board, 1995; Moylan, 1989).

This is the case in both in individuals and in organisations. In the organisational context the client group can project many and possibly conflicting emotional aspects onto the supporters (Halton, 1998). However, even in the organisational context, this method is ineffective in dealing with pain. Projection blurs boundaries between what is internal and what is external and distorts reality. To be effective, a group needs to be in touch with reality and know the boundary between what is inside the group and what is outside. If this does not happen, energy is wasted and the group or individual remains unchanged (De Board, 1995). A shift to the depressive position is a more effective manner to operate in a real world. This shift is achieved through recognising the difficult feelings inherent in the work and containing the anxieties they stir up. That which was unbearable needs to be made bearable so that the projections can be re-owned and splitting can decrease. This promotes integration and co-operation within and between groups. In the depressive position every view can be valued, and a full range of emotional responses can be

tolerated. The group will be able to encompass the emotional complexity of the work that they all share and no member will be left to carry their own fragment in isolation. However, the depressive position is never attained once and for all. Whenever survival or self-esteem is threatened there is once again a tendency to return to a more paranoid-schizoid position (Halton, 1998).

These theoretical constructs of Melanie Klein are the core of the unique theory of group and organisational behaviour developed by Wilfred Bion. Bion argued that individual psychology is essentially the same as group psychology since the behaviour of one member of the group is influenced by others. His theory of groups was based on his observations that sometimes in groups the whole group operated as if an assumption held by the members of the group were true. He called these 'basic assumption' groups which he distinguished from a work-group. In a work-group, all the members are intent on carrying out a specifiable task and want to assess their effectiveness in doing it. In 'basic assumption' groups the behaviour is directed at attempting to meet the unconscious needs of the group by reducing internal anxiety and internal conflicts (Stokes, 1998).

'Basic assumption' groups are based on regression and result in stagnation. They are a closed system, ignoring the external reality or defending themselves against it. The members' willingness to enter into combination with the group in acting on the basic assumptions is spontaneous and instinctive. Bion described three 'basic assumption groups'. The 'basic assumption dependency' group behaved as if it met in order to be sustained by a leader on whom it depended for nourishment (material and spiritual) and protection. The leader is expected to sustain the members of the group, and not confront them with the real purpose of the group. In this mode group members act as if they are immature, knowing nothing and having nothing to

contribute. Bion showed that in such a group the leader must fail and be rejected by the group, since he or she would eventually fail to meet their expectations.

In the 'basic assumption pairing' group, the group operated as if they have met together to pair and create a new, as yet unborn leader. This group is characterised by hope that some future event will solve the problems of the group. But this hope can only be sustained by the hoped for event not happening. In this lies the potential for disappointment, since the hoped-for person will fail them. In the 'basic assumption fight/flight' group the group acts as if it has met in order to fight or flee from some external threat. These are the only two forms of self preservation known to the group. The leader must lead the group against a common enemy or create such an enemy. This leadership is based on the paranoia of the group and as soon as the perceived danger is averted the leader is no longer important to the group (De Board, 1995, Stokes, 1998).

In contrast to the 'basic assumption' groups, Bion described a 'work' group. By this he is referring to that aspect of the group functioning that is the real task of the group. This is a reality based group and is equivalent to the concept of ego in psychoanalytic terms. Bion characterises the difference between the basic assumption groups and the work group as follows. The work group allows for growth, and it is in touch with reality. It is an open system and it mediates between the external reality and that internal to the group. People realise that a conscious effort needs to be made by each member of the group to understand other people as they work together. In summary the work group is able to function as a group in which members co-operate and achieve a common task, they are in touch with reality, and they develop and change as necessary (De Board, 1995; Stokes, 1998).

It is essential to realise that the basic assumption group and the work group are not different groups, but the same group operating in different modes, however Bion argued that the group

could only be in one mode at a time. If we accept that the working group corresponds to the ego, we see that just like the ego, the work group can be overwhelmed by emotions arising from unconscious processes, which can lead to regression to infantile mechanisms characteristic of the paranoid-schizoid positions described by Klein. If the group uses all its energy to defend itself from its own internal fears and anxieties, it will not be able to develop or achieve any effective output. However, when the group realises that the good group and the bad group are the same, the good and bad behaviour located inside each member, the basic assumptions become impossible and the work group re-emerges (De Board, 1995; Stokes, 1998).

In addition to psychoanalytic theories, there are other theories of group behaviour. For this study systems theory presented a particularly helpful approach. Systems theory takes into account the contextual features of a situation. Although much of the dynamic in groups may be intra-psychic, these intra-psychic dynamics play themselves out in contexts which determine the manifestation of these dynamics.

The organisation is a complex system of interrelated departments, processes and people, with a clear boundary between what is internal and what is external. It is also an open system in that it interacts with the environment. The inputs are used to produce the outputs which are transported back out to the environment, with added value. In the management of this system it is important to maintain the dynamic equilibrium and the ongoing life of the system (De Board, 1995, Roberts, 1998).

Systems theory emphasises the importance of a well defined primary task. The primary task is that task which the group has been created to perform. In systems theory it is believed that a primary task has the capacity to generate co-operation between members and the organisation to perform it. If completed, it can also provide a great source of satisfaction. It is argued that

organisations are most effective when task is organised so that it is a complete task, for example that it includes what happens at the end of the court case. Those engaged in it should be able to control their own activities, tasks should be arranged so that people can form satisfactory relationships (De Board, 1995; Roberts, 1998).

Systems theory argues that a person coming to work is not only selling his labour, but arrives as a total person who also has emotional needs and a complete range of feelings. The individual has complex personal needs, which are played out at work. If the work situation takes this into account, the individual is able to gain many psychological benefits, which are distinct from economic returns. These correspond with Maslow's (1970, in De Board, 1995) concept of a hierarchy of needs of all humans, from physiological needs, safety needs, social needs, ego needs to self actualisation. Herzberg (1959, in De Board, 1995) argued that there were two levels of needs, namely the need to avoid pain and discomfort and the need to grow and develop psychologically which both seek satisfaction in the work context.

In this section I have given an explicit overview of the lenses that I have used to understand the data gathered in my research. By making theoretical assumptions transparent, the validity of the research is increased.

Reliability and Validity

Yin (1993) argues that it is preferable for researchers to emulate the scientific method in case studies. By this he does not mean that case studies are the same as doing science, merely that if the same procedures of scientific method are used, one is likely to have better quality research. These procedures are the posing of clear questions, the development of a formal research design, the use of theory and reviews of previous research to develop hypotheses and rival hypotheses, the collection of empirical data to test these hypotheses and rival hypotheses, the assembling of a

database - independent of any narrative report, interpretations and conclusions - which can be inspected by third parties, and the appropriate choice between quantitative and/or qualitative analysis, depending on the topic and research design.

Yin (1993) argues that in case study designs reliability and validity (construct, internal and external) need to be considered. Construct validity deals with the use of instruments and measures used to operationalise the constructs of interest of a study. It is recommended that more than one measure be used for a construct. This means that one needs to use multiple sources of evidence (Yin, 1993). In my research I used triangulation of data collection.

Internal and external validity are addressed by the appropriate use of theory. Theory is important in case studies in order to: select the cases to be studied in the first place, specify what is being explored in exploratory studies, define a complete and appropriate description when doing descriptive case studies, stipulate rival theories in explanatory case studies and generalise the results to other cases (Yin, 1993). Theory is not only helpful in designing a case study, it later becomes a vehicle for generalising a case study's results (Yin, 1993). By using the relevant literature to guide my exploration, I was able to compare some of what I found in my case studies, to the literature. By specifying the theoretical frameworks from which my deductions were being made, I enhanced external validity.

Qualitative methods may be criticised with regard to validity since it is possible to use data selectively to give substance to certain claims without reference to contradictory data (Silverman, 2001). It is very important to include data, which does not fall so easily into the analysis offered.

Yin (1993) argues that case studies can be improved by having data presented as disentangled as possible from interpretation. Reliability is achieved through following formal case study

protocols and the development of a case study database. The database separates the evidence from the interpretation of the evidence (Yin, 1993). It was very difficult for me to present my data without simultaneously interpreting it. In fact even at the level of interviews my own interpretation has impacted on my notes or on asking follow up questions. This is one of the shortcomings of case studies noted by Yin (1993). I have reported my findings separately from my discussion and recommendations within this report.

Although it is argued that the strength of qualitative research lies in its validity, attention needs to be given to reliability as well. It is argued that the way to do this is by giving an accurate description of the procedure used (Kirk and Miller, 1986 in Silverman, 2001). This I have done by a detailed description of my methodology in all its stages in this chapter.

CHAPTER FOUR: RESULTS

The information collected through the evaluation meeting, interviews, documentary analysis and observation of the support work, is summarised under the following headings:

- Description of the context
- The role of the Child Witness Project supporters
- Emotional problems faced by the Child Witness Project supporters
- Interpersonal problems faced by the Child Witness Project supporters
- Practical problems faced by the Child Witness Project supporters
- Organisational problems faced by the Child Witness Project supporters

Description of the Context

Physical Description

The Magistrates Court is an imposing building next to a large police station. The building is very busy and chaotic with a great number of people milling around outside and in the entrance foyer and elevator foyer. There is no central reception and no clear procedure for finding out where to go if unsure. On arrival the public is instead met by the security personnel, and compelled to walk through the security systems, where bags are inspected and people too may be subject to a search. In the one corner of the entrance hall is a small stand advertising food sales, but it is rarely occupied. The rest of the entrance hall is occupied by the elevators, which transport people to the various courts. Next to the elevators is a notice board indicating what floors the various courts occupy. The fifth floor, which houses the Sexual Offences Court for child victims, however, is not listed on this board at all. The fifth floor has been decorated by the NGO and the walls are filled with posters outlining children's rights and signposts to the Child Witness Project. Despite being recently painted, the walls themselves, are very scuffed and dirty. This gives the impression that despite a lot of effort to decorate the floor for the children, the underlying decay

cannot be hidden. The corridors are lined with doors, marked for the various officials who work at the court. However it is not clear to whom any of the child witnesses and their families should report on arrival. Waiting areas for the accused and their supporters are near the entrance, while the children's waiting rooms are further down the corridor, behind a door clearly marked: 'Entry for child witnesses only'. The Child Witness Project has an office in the corridor beyond this door. The office is next door to the office of the Provincial Administration of the Western Cape social worker. It is a neat, well-equipped and cheerful room. It has colourful curtains, child friendly furniture and some books and toys. In addition it has a small kitchen sink, a fridge, microwave, kettle, large desk and filing cupboard. It also has a phone, fax and photocopying machine. The children's waiting room is across the corridor from the office and consists of three inter-leading rooms. The first one off the corridor was intended for the parents of the child witnesses. It is a large room and has chairs lining the walls. It has a large television mounted on the wall near the door. The next room is as large as the parent's waiting room. It has a very beautifully painted mural on the wall. There are a number of child-sized chairs as well as a few normal sized chairs. There are lots of toys and drawing materials. There is another television mounted on the wall. A bathroom leads off this room. The bathroom has three cubicles with toilets and a basin. This bathroom is for the use of the child witnesses only. Another small room leads off the children's waiting room. It is much smaller than the other room and has a desk inside and a shelf on the wall with a number of children's books and magazines. This room is used to interview children and their parents. Despite the intention to keep these waiting rooms for child witnesses and their parents only, the demand on the courts has made this ideal impossible. Many other witnesses waiting for other courts are now using this waiting room which was originally intended for child witnesses only. Thandeka explains: "when we started at [the court], the 5th floor was very quiet. There were children only. But now both J and L court and the maintenance court started operating from the 5th floor and it's become very busy ... Although the spirit is still there of the floor being for children only, there is a lot of chaos."

Relationship between Child Witness Project Supporters and Criminal Justice Department

Intermediaries

The Child Witness Project supporters were recruited through their involvement as intermediaries at the Sexual Offences Court. The intermediaries are managed by the Provincial Administration of the Western Cape social worker allocated to the Sexual Offences Court and they are paid by the Criminal Justice Department. At the moment their fee is R50 per day, regardless of how many court cases they are the intermediaries for. The duties of the intermediaries are to sit with the child in an adjacent room to the courtroom which is connected to the courtroom by closed circuit television and ask the child the questions asked of the child by members of the court. (For a full description see the literature review chapter of this research and Appendix 2.) Due to their involvement in this process the intermediaries already had a good idea of the working of the court cases that they would be supporting the children through. The NGO recruited them as supporters when they were unemployed because the Criminal Justice Department had placed a moratorium on using retrenched teachers as intermediaries. However after a few months of pressure from civil society the moratorium was lifted and the supporters were re-instated as intermediaries. By this time all the training was done and they were already employed as supporters. Thus these women fulfilled the dual roles of supporters for the Child Witness Project and intermediaries for the criminal justice system. Currently all the supporters are working as intermediaries. However one of the intermediaries is not a supporter. There is an arrangement between the NGO and the Provincial Administration of the Western Cape social worker to allocate the shifts so that these two duties do not clash.

The Role of the Child Witness Project Supporters

Data gleaned from the files of all the children seen by the supporters in 2002 reveal that in that year the Child Witness Project supporters saw 225 children. The vast majority of them were seen

once only (169), with significantly fewer being seen twice (35), even fewer three times (19) and two children being seen four and six times respectively. The average time that a child was seen was 1.33 times. Of the children seen by the Child Witness Project 121 children had already been seen for prior counselling. The children had been seen by a range of practitioners, including school counsellors, social workers (at day hospitals, Red Cross Hospital, Child Welfare), ministers, lay counsellors at non-governmental organisations (Rape Crisis, Ilitha Labantu, Safeline, Childline, Cape Flats Development Association (CAFDA)), psychologists and psychiatrists. Information in the files indicated that the children tended to have been for very few counselling sessions, most often once only but in one instance up to six times. A further 26 were referred for counselling by the Child Witness Project. These referrals tended to be to Safeline or Childline, organisations at which some of the supporters are also employed on a contract basis.

Discussion with the Child Witness Project manager, the supporters and direct observation of the work of the supporters revealed the following about the running of the project. Two supporters are on duty every day. Their day starts at eight o'clock by seeing which cases are on the court roll at the various courts that deal with child victims of sexual violence. Although the court case is referred to by means of the name of the accused, the court role also reports the names of all the witnesses. The abused child's name is usually listed first on the form, followed by any other witnesses that may be called. Some of these additional witnesses may also be children. The supporters then ascertain which child witnesses and their families are present for which cases. Next they offer the child witnesses some breakfast. After that they will interview the parents who have accompanied the child witnesses to court to ascertain their anxieties about their children appearing as witnesses and about any behavioural changes that the child may be experiencing as a result of the sexual abuse or the court appearance. The child witnesses are then informed about the process and asked about their fears of the process. The supporters are expected to avoid talking about the actual facts of the case. In this way they protect themselves from being accused

of coaching the child in any particular way. At eleven o'clock the parents are offered some tea. One of the parents is usually asked to help with this. Food donated by a local food store is brought to the project every day. This food varies and can include anything from meat, to vegetables, bread or confectionery. Children are offered lunch if they are still waiting by one o'clock. In the meanwhile the supporters keep the parents informed as to the progress of the court process. They also act as informal information sources for all court personnel, for example, prosecutors wondering whether a particular child has arrived to testify, court staff wondering where the social worker is, police looking for a particular prosecutor. Thus there is a lot of administrative activity and the general feeling in the office is one a great urgency, despite the fact that very little of the activity relates to the court preparation or emotional support for the children.

In the afternoon, the waiting room is mostly empty as most cases have been postponed or dealt with by that time. The supporters use the time to complete all the necessary administrative forms and details about the cases they have seen. Their shift ends at 16:00.

Problems Facing the Child Witness Project Supporters

The results of analysing the problems faced by the supporters fall broadly into four categories, namely emotional, interpersonal, practical and organisational. However it is clear that problems in all these categories inter-relate and impact on each other. For the purposes of clarity I will summarise the findings in these four categories, and will discuss these overlaps more fully in the discussion section.

Emotional

Emotional problems related to the impact on the Child Witness Project supporters of hearing the details of the sexual abuse perpetrated against the child witnesses. It also related to the impact of hearing about the hardships and challenges faced by the families of these children in dealing with

the abuse as well as other problems. The emotional problems faced by the supporters also related to trauma the legal process caused for the child witnesses. It is clear however that the supporters were able to tolerate listening to distressing stories if they felt that they were being helpful. However when they felt that they were powerless to help, or were in fact exacerbating the child's trauma, it was more difficult to deal with.

Exposure to Children's Trauma

The emotional difficulties faced by the supporters in their work are immense. Both the children's behaviour and the stories of abuse that the supporters hear contribute to their trauma.

The children's behaviour is an obvious display of their emotional distress. Children were often described as tired or withdrawn. This is difficult for the supporters to deal with. For example, Siphokazi comments that "it is difficult when children are not free to disclose". An incident is described in the daily record book in February 2002 of a child who became so attached to a particular toy in the playroom that she screamed and cried when she had to leave without it: "We had a two-year old girl who did not want to let go of the push car and doll. She was screaming." This was clearly stressful for the supporter who made that entry. Some children indicate their emotional distress by means of their disruptive behaviour. The daily record book for March 2002 has an entry which reads "... [a child witness] required lots of attention, her loud singing and talking were very disruptive." This challenging behaviour is stressful for the supporters who are often do not have the necessary time to devote to these disruptions.

All the supporters acknowledge that they are emotionally affected by what they hear from the children. Elizabeth responds to question about how the work impacts on her by saying that "there are some very sad cases". In addition to feeling sad, they report feeling hurt or upset. Evelyn

reports that "...you carry the load, and although you push it into your subconscious, it's still there". The manager of the project comments that "you can't do this work and not get affected and maybe if you're not affected, you shouldn't be in this line of work." This refers to the need for empathic connection with the child witnesses if they are to feel supported. Thus the very thing that is needed for the work, makes the supporters vulnerable to vicarious trauma.

Different cases affect different supporters more severely. Thandeka comments that "some cases are mild, some are strong and some are traumatising." Difficult cases include those when it is clear that the parents or the child are lying, when a child is sexually abused by her father or stepfather, or when the witness is a very young child and when the child does not feel able to talk.

One of the supporters mentioned that not being affected by the stories of the children is a reflection of the supporters' emotional strength. Thandeka says "whether we become traumatised by what we hear from the children depends on how strong we are in ourselves ...". Although in general the supporters see themselves as strong and able to cope, a belief like this places blame on the supporters if they are unable to cope.

Dealing with the Parents Reactions to the Abuse of Their Children

There were also many references in the daily record book and in interviews with the supporters to mothers who are traumatised. These included some mothers who wanted to withdraw cases due to emotional difficulties for them or their children. "Mrs. X was severely traumatised. We spent much time with her. She decided to withdraw the case. She took so much time from us" – extract from the daily record book, March 2002. In addition there was reference made in the daily record book to a mother who was too fearful to talk to the supporters, but cooperated after good rapport was established. Disruptive and demanding parents, including those under the

influence of alcohol, are also described in the daily record book. Parents are also distressed by what their children tell them about court procedure. Zimbini comments that “parents become angry when the child has testified and comes out to tell them what the defense lawyer had said. We calm down the parents and tell them that this is just the procedure.”

The supporters described parent’s emotional distress on hearing the sentences imposed after a conviction. The daily record book in March 2002 records that “X’s mother [was] upset and disappointed because accused [was] sentenced to three years. She was sitting with us and crying.” In this case it is not clear whether the mother is upset by the short length of the sentence or by the fact that the accused was sentenced. In the context that the accused is often the partner of the abused child’s mother either scenario is possible. In addition, when the accused is found ‘not guilty’ or when cases are dismissed due to a lack of evidence, the supporters also have to support the parents of the child witnesses. In May 2002 there are two entries related to the accused being found not guilty: “[a child witness]’s perpetrator was let off.” and [a child witness]’s perpetrator was let off. Very disappointing.”

In addition to the lack of support offered by the criminal justice system to the child witness, there is no support for the families of the child witnesses. The families are bewildered by the criminal justice process and also by their children’s reaction to the abuse and the court process. This makes them more difficult to deal with for the supporters. The supporters acknowledge that although it could be difficult to work with the parents of the children, they do not find this work too emotionally draining, if they can be supportive and helpful. Coleen explains that she has “no difficulty working with parents. Sometimes parents unburden themselves and cry. I just stroke her hand, put my arm around her shoulder and explain the problem away.”

The Legal Process

It is difficult to separate the trauma that the child is suffering due to the sexual abuse from the trauma related to the legal process. However there were many direct references to children being traumatised by the prospect of having to testify. As Zimbini explains: “ Often the children start crying when we do the court preparation. When we tell them that they should just tell the truth, they realise that they will have to tell the story.” There are reports in the daily record book of children were so traumatised that they were deemed unable to testify by the prosecutors and their cases had to be postponed to later dates. An entry in March 2002 reads as follows: “... [a child witness] very traumatised, unable to testify today.” Another entry from April 2002 reads “one child from Witbank vomited and therefore her case was postponed.”

Court procedure also sometimes causes emotional distress. An entry in April 2002 reads as follows: “ In one case it was found that there was not a case because lack of evidence. This is disappointing.” The daily record book records examples of when children are not allowed to make use of special facilities because they are over 16. An entry in May 2002 reads as follows; “[a child witness] had to testify in court as she is 17 years old.” Postponements and long delays in the cases cause distress. Zimbini comments: “The way the cases are running is also a problem. The child and the parents are sitting the whole day and then the case is postponed... They have been told what they are going to do in court, but what they come for does not happen. They go home because the case is postponed.” This is particularly difficult when parents are scared of intimidation by the accused either at home or in the court building. The daily record book in July 2002 has the following entry: “The parent was stressed as the case was running for a long time and the fact that the accused was looking at them through the window when they came to court.”

Supporters are also more affected when the criminal justice process is seen to traumatise the child. Elizabeth commented on how difficult it was for her to see the impact on the child when

her father, the accused, refused to be represented by a lawyer, but insisted on talking to the child himself in court. There was no way that this child could be protected from this trauma. Sipokhazi comments that the children do not like it when the intermediary is a man. She believes that children feel more comfortable talking to a woman. Cross-examination is another situation that the children are traumatised and this has a negative impact on the supporters. Sipokhazi comments that “this is especially during cross-examination, the child cries a lot and I feel the pain.” Sometimes the mothers of child witnesses wanted to withdraw the cases to shield their children from thinking about the abuse. This is difficult for the supporters to deal with. On the one hand they do not want the crime to go unpunished, but on the other hand, they know what trauma the child will be exposed to during the testifying.

Feeling helpful versus Traumatizing the Child

In many ways the level of emotional trauma caused relates directly to how helpless or helpful the supporter feels. Being able to provide something tangible to the children and the parents offers great relief to the supporters. For example, they offer the toys in the playroom or tea for the parents. The supporters like the fact that the children like the playroom as Elizabeth indicates “the playroom really makes them forget. They know they are in court, they are prepared, but playing in the playroom they can be relaxed.” Due to the impoverished economic circumstances of the children that testify in the Sexual Offences Court, these children often do not have as many toys at home as are available at the Child Witness Project. Two supporters mentioned that the children sometimes prefer to come to court than to go to school or to go home.

Thus feeling helpful makes the supporters feel more positive about their work. “I am happy with what I am doing. It is in the best interest of the child and I can pat myself on the back for it.” The feelings of helpfulness in the previous statement can be compared with the hopelessness of

the next statements. “These sad stories also come from the mother ... [but] there is nothing you can do for her”, “ The work is very emotionally draining, listening to the stories, and there is little that you can do”. Zimbini indicates that ‘ another problem is that the parents are struggling [financially]. It is not clear whether we can refer them to Child Welfare or just leave them. Sometimes the child comes with torn clothes and the parents are not working. What can we do about that?’

Although all the supporters indicate that they are clear between the different roles they play as supporters for the Child Witness Project and as intermediaries for the Justice Department. The work that they do as the one definitely impacts on how they do the other. In the role of an intermediary the person hears a full account of the abuse suffered by the child. As Evelyn said: “The work as an intermediary is more difficult, because you hear the whole story.” In addition the intermediary gets a hands on experience of how traumatising the court process can be for the child. This knowledge makes it more difficult to send a child into the process and makes them less naïve about the success of preparing a child for court in their role as supporters in the Child Witness Project. The close relationship that they develop with the children and their parents in their role as supporters makes it more difficult to distance themselves from the children they work with as intermediaries. Even if this is the first time that have met that particular child, their experiences with other children in similar circumstances make them more empathic than they may have been if they were not also supporters.

In their role as intermediaries the supporters are more concerned about traumatising child witnesses. When the supporters feel that they are participating in the traumatising of the child, they experience more trauma themselves. This is indicated very clearly by the fact that all the supporters indicate that the work they do as intermediaries is more difficult than work as supporters. Thandeka says, “working in the camera room is worse.” The intermediaries act as the

voice for the court and have to ask questions that the child does not want to answer. The intermediary is faced with both prosecutor and defense lawyer who are seen to have no sympathy for the position of the child and who are only concerned with completing the case. This is particularly difficult during cross-examination. Elizabeth reports that “the lawyers have no empathy, they just ask the questions any way, and you have to repeat and can’t change it.” When the child is upset by these questions the intermediaries feel responsible. Thandeka explains: “when the child starts crying [and] we have to console the children. It’s difficult for the child. We are not supposed to show our feelings to the child, but deep down we are hurting.” Coleen reports how difficult it was for her in a case where “the prosecutor kept asking questions using the phrase ‘put his penis into your vagina’ over and over again. She said that “eventually it was too much for me. I was about to cry, but I couldn’t let the court or the child see I was crying”. In this case she actually stood up and pretended to do stretching exercises to enable her to face away from the camera and the child to prevent them seeing the tears in her eyes.

There is a lot of overlap between the feelings generated by the two roles of supporter and intermediary. The Child Witness Project manager confirms that this overlap is evident in supervision and debriefing meetings where the supporters will talk interchangeably about their work as intermediaries and supporters. However, as outlined above, the supporters all indicate that the intermediary work is worse. They are more affected by what they experience in direct work with the child in the court.

The emotional distress that they feel as a result of their work manifests in a variety of ways. The manager of the Child Witness Project reports that all the supporters suffer from physical ailments like high blood pressure, diabetes, epilepsy and weight problems, which could be related to the stress of the work. Although some of these ailments were present before they started working as

supporters, these type of illnesses tend to worsen with stress and may indicate the level of cumulative stress that each of the supporters is dealing with.

All five of the supporters interviewed mentioned that it is difficult to separate their emotions from the work even when they go home. Evelyn reports that “although [I] try and be objective and not take the work home, it is sometimes so bad that you can’t help it”. Elizabeth finds that although “we try to forget these things, [but] it is impossible.” Some report becoming less affectionate with their families, and more moody and aggressive towards their children. Evelyn commented that “even with your partner in a sexual relationship, some of these things are so bad, they put you off.” Thandeka indicated that she sometimes “cannot show that love at home and become aggressive to your children as a parent.” Some are more vigilant towards their own children fearing that they too could be sexually abused. Sipokhazi commented that she worries “about my older daughter, when she is late home.” She fears that she will be raped. Some isolate themselves from their families to protect their families from the trauma. Three of the interviewees mentioned sleep disturbances, for example, not being able to fall asleep or having nightmares.

The supporters all have different ways of dealing with the emotional distress caused by listening to the stories of sexual abuse told by the child witnesses. They use de-stressing rituals like having a bath, doing exercise, or reading books unrelated to work. The social worker mentioned that she speaks to family members, including her children, about her work. Thandeka states that she can simply “phase it out” and not think about it when she is at home. The project manager reports that most of the supporters also have other personal problems, like being evicted from their homes, children in trouble, financial difficulties and being single parents and lack the support that they could gather from their personal lives. In fact, she has been told that some feel more supported at the Child Witness Project than at home. Colleen in particular commented in

the interview that her stress is less related to her work in the project, than to other areas in her life.

Three interviewees mentioned that their experience as teachers gives them special skills with children, which enables them to deal with the traumatic reports of the children. They also acknowledge the training given by the NGO has equipped them to deal with the traumatic material. The Child Witness Project social worker felt that her length of experience of working with child sexual abuse survivors is protective of her emotional health.

All the supporters, the social worker and the manager see supervision as a means to ameliorate some effects of the trauma. All the supporters report having a good relationship with the manager of the project. In the past she had offered individual supervision as well as group supervision. This was found to be very useful. However divisions between group members and suspicion about what was being discussed in the individual sessions caused the supporters to request that all supervision is done in the group format. Evelyn commented that she feels that this is a great pity since she felt more supported by individual supervision than by group supervision.

All of the supporters agree that they need further emotional support. However most of them do not know what such additional support could be. Siphokazi suggests that “trauma debriefing once or twice a week would be good. I am not sure how it works, but it would be good.” It was clear from discussions at the evaluation meeting that the supporters are not sure what debriefing is. Although it was said that they have been offered debriefing, they are not in agreement when this happened. Suggestions of possible further support included counselling, therapy, trauma debriefing, supervision (possibly fortnightly from an external supervisor), an entire therapy centre or a holiday.

Interpersonal

Although the manager indicated that interpersonal issues impacted on motivation and morale in the past, only two of the supporters reported any interpersonal problems. These were the two coloured supporters. Three of the African supporters interviewed reported that there were no interpersonal difficulties at all. Thandeka explained her view: "There have been no problems interpersonally. Conflict is necessary and inevitable in a group setting. We have always managed to deal with it and it has always been around minor things". Siphokazi made a similar comment: "I have no interpersonal problems with my colleagues. We have monthly supervision meetings and we discuss our problems. If one has done anybody something, they should tell each other". The fourth African supporter interviewed reported that there had been difficulties, but that the person who was responsible for this conflict had left; Elizabeth: "There are no interpersonal problems – we are together and support each other. There was someone who was always fighting with everyone ... but now she is gone and we are helping each other."

Coleen related the interpersonal difficulties to people simply not getting along or different ways of working, for example, the ability to tolerate untidiness or noise, personal competitiveness, jealousy and frustration. However, she also commented on theft of groceries, pens and Christmas parcels meant for the children. She brought these complaints into the open, and claims that there has now been a reduction in the level of theft. Evelyn mentioned inter-racial problems, indicating that it may well be a matter of different values which center on honesty, lack of open communication (for example, suspicion about gossiping in the individual supervision). She reports an "us and them" feeling between members of the group. Language plays a part in this because only the African supporters are able to understand Xhosa. When African supporters speak Xhosa, the coloured supporters feel excluded from conversation. In addition Evelyn reported that there have been times when people will privately agree with a particular view, but

when the issue is discussed in a group, the members tend to side with their racial group, rather than with the view expressed earlier.

The manager of the project commented that it was difficult to deal with these interpersonal problems when they arose. She found that it was not possible to prove allegations that were made by one supporter against other supporters. She felt that the group supervision was the best place to address these issues. One concrete consequence of the interpersonal difficulties however was the stopping of individual supervision. Supporters were anxious about what was being said about them in private. However for others this was a great loss of support. This would be particularly difficult if people did not feel free to talk about their problems in the larger group.

The view of the group as tight-knit, supportive of each other and very attached to their manager is held by the director of the NGO.

Practical

The most commonly reported problem is simply being very busy, especially in the mornings. This is particularly difficult when only one supporter is on duty. Sometimes they feel that they are unable to cope with the demands. They have many new children every day and have to do all the necessary administrative work in addition to the support and court preparation, keeping an eye on the children and their use of the toys in the playroom. It is sometimes not possible to keep an eye adequately on what all the children are doing. For example, in one instance a child which they were supposed to be keeping an eye on walked into the room another child was testifying in.

One of the supporters and the social worker noted that it would be useful to see the child before she is scheduled to appear in court. On the day of his/her court appearance the child witness is

very busy, with consultations with the prosecutor, the social worker, the supporters and appearing in court.

Other problems are lack of food and drink to give to children and parents. For example, if the milk goes off. In some instances there is also a lack of money to buy these essentials, like tea, milk, sugar and bread or toilet paper and tissues. In one instance one of the parents was HIV positive, and needed to eat in order to take her medication, but there was no food to give her. The quantity of food being donated by the food store fluctuates daily and is not always appropriate for the children. On some days they get too much food, other days it is simply bread or day-old confectionery. There were 16 references to lack of food in the daily record book in 2002. The following quotes sum the situation up: “No bread, no food, we opened two tins of soup and one packet of Marie biscuits for the kids”, “The tea finished today. There was not much food other than the horrible olive rolls. I am sure that the children do not like it either.”

Supporters also face maintenance problems, such as leaking water; blocked basins; rooms not cleaned; faulty locks, doors or fridges. There were nine instances noted in the daily record book in 2002. In addition they face other disruptions, e.g. bomb scares, police escorting awaiting trial prisoners or witnesses under police protection, other court staff wanting to use Child Witness Project facilities. They have to accommodate children with special needs, in 2002 they dealt with a child in a wheelchair, a child having epileptic seizures and a child who soiled herself.

Administrative difficulties cause a lot of difficulty for the supporters. This includes a shortage of stationery and necessary forms or faulty office equipment. All supporters indicate that the NGO has been very good at supplying necessary resources to the project. All, however, commented that computers are needed since they feel that all the cases need to be computerised and this would help with the follow up of cases. In addition two of the supporters commented that the

photocopier was broken, and they would like to get a new one. The supporters noted that although they have many toys, more toys would be useful. Colleen felt that there is a lack of space to talk confidentially to the parents of the child witnesses. Siphokazi who also works at the office in the township pointed out that the same resources that are available at suburban office should also be supplied at the office in the township court, such as a fridge and microwave.

Organisational

The supporters are very clearly affected by the structure of the law affecting sexual abused children. Zimbini comments that “often the children start crying when we do the court preparation. When we tell them just to tell the truth, they realise that they will have to tell their story.” The inefficiency of the Criminal Justice System and its inability to protect the child witnesses also causes distress for the parents of the child witnesses and for the supporters. An entry in the daily record book reports in August, 2002 that “a mother broke into tears because her daughter’s case was postponed. Her daughter is being intimidated and threatened in the township.” The Child Witness Project manager believes that “people have lost faith in the justice system. They read horror stories in the newspapers”. The complaints from the supporters range from the difficulty children have with cross-examination, cases not starting on time, to cases that are postponed. The daily record book in July, 2002 notes “ all cases were postponed, which was a bit disappointing.”

The court often postpones cases for a variety of reasons (38 references to postponed cases in the daily record book for 2002), either the witnesses for the prosecution do not arrive; the accused does not have a lawyer or the defense lawyer does not arrive or the court cannot proceed due to the absence of a magistrate or equipment needed in court. The reasons that the cases are postponed seem to favour the accused. If he is ill, or his defense lawyer is not available or he is dissatisfied with his lawyer, the case is postponed without due regard for the impact this might

have on the child witness. These postponements are very inconvenient for the parents of the child witnesses, in particular when the children come from afar, e.g. Umtata in the Eastern Cape. Since the supporters explain to the families how the court process works, they are often the ones who have to explain these postponements and delays. Sometimes the witness and her parents are told only very late in the day that the case had been postponed. This wastes their time and increases their anxiety. In addition, cases are still sometimes heard in the afternoon, which means that the child witnesses and their families must wait the whole day. The supporters are concerned that the children are missing school time and the parents are missing time at work, for which they are mostly not paid, or have to take leave. Often the employers do not believe that the parents have to come to court so many times. The supporters are then asked to write a letter to that effect.

In one instance a case which had already started had to be re-heard since the court record could not be found. In another case a 17-year-old child was expected to testify in the adult court, since the children's court is only used for children under 16. Sometimes cases are dismissed due to lack of evidence or if the witness does not arrive at court on the court date.

The supporters also deal with people who want to withdraw cases, for example, due to emotional distress or transport difficulties. Their frustration lies in the fact that some cases are withdrawn, while others are forced to continue, with apparent lack of consideration for the needs of the child witnesses and their parents.

The supporters also have to decide what to do in a variety of other problems. For example, the instance when the prosecutor refused to pay transport costs for a subpoenaed witness because the witness was deemed to have lied in court.

Lack of cooperation between different role players in the criminal justice process causes difficulties for the supporters. Even within the Criminal Justice System there are three departments, with administrative, prosecution and magisterial staff all reporting to different people. Interpersonal difficulties between court staff and the supporters of the Child Witness Project have been a problem for some supporters. All the supporters mentioned some problems with the court personnel. Three mentioned that the prosecutors do not treat the supporters as professional people and do not treat them with respect. Zimbini mentioned that the other court officials undermine the work of the supporters. She said that “people think that we are tea-girls.” Evelyn argued that “they do not understand the work we are doing with children.” However Thandeka argues that “you must also remember that everyone has their own problems. I don’t mind whether people don’t greet me on a particular day.” In addition the manager of the Child Witness Project believes that court personnel are in need of training and debriefing and their level of trauma sometimes impacts on the work that they do with child witnesses.

All seven court role players (including the social worker, prosecutors, magistrates and intermediaries) surveyed by the NGO reported improvements in the child witnesses as a result of the Child Witness Project intervention. Four indicated that children were more relaxed, while others commented on longer concentration spans, and greater confidence while giving evidence which results in better performance as witnesses. Other role players also indicate that the staff are supportive, and accommodating, highly competent and very professional, and that they help others perform their duties better. There did seem to be a close working relationship between the supporters and the social worker and other intermediaries. There were comments from one of the prosecutors that there was not a close relationship between what they did and the work of the supporters. One of the shortcomings of the project, as seen by prosecutors, was the lack of communication between the supporters and them.

Four of the five supporters interviewed complain about a lack of clarity amongst the court personnel about the role of the supporters. Many feel undermined by the assumptions of the court staff about their roles. They feel that they are not treated as the professionals that they are. The court personnel inaccurately believe that the supporters simply give the children food, or just make tea for the parents. The cleaning staff of the Justice Department refuse to clean the Child Witness Project offices or waiting rooms arguing that this is the role of the supporters, while the supporters do not feel that this is their role. Sometimes they are in the middle of their work with a child witness or her parents when they are taken away by another court staff member, either a prosecutor for consultation, the social worker for assessment or to testify in court. This makes them feel that the court does not value what they are doing. They are expected to fit their work around the 'real work' of the court. Even the manager of the Child Witness Project recognises that this is an ongoing battle; noting that "They are still trying to establish a role for themselves". The role of the Child Witness Project supporters was explained to all court personnel at the opening ceremony. In addition, a meeting was scheduled between the Child Witness Project and the Court personnel, but this meeting has been postponed so many times that the supporters are convinced that the court personnel do not want to meet with them.

However, in other circumstances it is clear that the prosecutors appreciate what the supporters do. They bring children to the Child Witness Project office when they get too distressed during the testimony. Or they will ask that the supporter sit with the child whilst they are in court. In addition, there are some prosecutors who value the work done by the supporters. One of the prosecutors wrote in the survey that he or she sees that the children are more relaxed and they perform better in court. He or she argued that the Child Witness Project "helps me to perform my duties better". The staff turnover in the Justice Department also impacts on the work of the supporters. Even if some prosecutors know and value the role of the supporters, the supporters

have to keep explaining their purpose and build relationships with new staff, especially prosecutors and magistrates.

Although they feel well supported by the social worker allocated to Sexual Offences Court, there was a feeling that the role overlap between the Child Witness Project supporters and the Provincial Administration of the Western Cape social worker has given rise to difficulties. The project was set up at a time that the social worker was on study leave. During this time all the negotiations about the project were concluded without consulting her. When the social worker returned to her work, there was some uncertainty about how the project would impact on her job description. This is still an ongoing process, which is being negotiated. However the social worker's anxiety was probably well founded, since another social worker in another court was moved from her work, due to the fact that the Criminal Justice Department felt that the intermediary work could be more appropriately done by contracted intermediaries as in Sexual Offences Court.

Lack of communication between court role players and the Child Witness Project supporters also impacts negatively on the supporters. Elizabeth comments that "the prosecutors have communication problems with their clients and parents of the witnesses." Sometimes children are taken into court before the supporters have had time to prepare the children for court as was recorded in the daily record book November 2002: "children taken into court before we could see them." Thandeka comments that "sometimes we do not even get a chance to see the children. The prosecutors take the children away and the case is postponed and the children leave and we have not yet had a chance to see them".

The supporters would like to know the outcome of a case. Similarly it is useful for the supporters to know what cases are being heard in which courts, but these court rolls are not always made

available to them. They would like to know whether the accused has been found guilty and what the sentence was. In some instances the parents are unclear and come to ask the supporters what happened. In other cases the supporters would like to know for their own sense of resolution after supporting a child through the process.

Inappropriate use of the Child Witness Project resources, particularly human resources is also a cause for concern for the supporters. This includes the use of Xhosa speaking supporters to interpret for prosecutors who cannot understand Xhosa, when the court interpreter is unavailable. It is difficult for the supporters to refuse, since they know that it would not be in the best interest of the child, if she were not able to communicate with the person who is prosecuting her case. However, they are clear that this is a role that the Justice Department should be responsible for. The Child Witness Project supporters sometimes are expected to do the work of the court social worker when she is not available. In addition when the court is open on Saturdays the intermediaries who are paid by the justice department are also expected to act as supporters but they are not remunerated for this double responsibility.

The Child Witness Project is better resourced than the Justice Department in terms of having equipment like a fridge and a microwave. Child Witness Project resources are used inappropriately by court personnel and the public. Court personnel regularly ask whether they can use the Child Witness Project kettle, fridge, toaster or even be given some of the food meant for the children. All these requests are very disruptive for the supporters. In the light of the less than satisfactory communication between supporters and court staff, the supporters feel under pressure to accommodate these requests. Colleen explains that “the kitchen for the court is often unavailable. We don’t want to be in the bad books of the other staff. We need to work with them, so they take advantage of us.” In addition the supporters have been asked to make tea for

other witnesses and court staff, and also to look after the child of a prosecutor when childcare was not available at home.

Witnesses who are not involved in child sexual abuse cases or criminal justice personnel (e.g. police) also want to use the waiting room with the television and demand the services reserved for that group, e.g. tea. At one stage other people had access to the office of the Child Witness Project after hours and were helping themselves to the provisions meant for the child witnesses and their parents.

There are also some concerns about the organisational link with the organisation that funds and manages the project. The Child Witness Project is not based at the same offices at the NGO and some of the supporters also worry about how they are seen by the NGO. They sometimes have the feeling that they are not very important to the NGO. Evelyn asks “are we just somewhere out there doing ‘good work’ for [the NGO] or are we part of [the NGO]?”. The supporters also worry about the fact that they are not entitled to any benefits such as sick or annual leave from the NGO. The manager commented that they have had problems relating to being paid on time in the past. Their status as contract workers is also a cause of concern for the supporters as they do not have very good job security.

There is some indication that the supporters felt emotionally neglected during the transition phase when a new social worker was employed to manage the project and the old manager took a less active role. Evelyn comments that “we have seen little of [the Child Witness Project manager] since the beginning of the year and that makes me insecure.” One supporter mentioned feeling somewhat isolated from the NGO. Evelyn states that “there was a time that I felt very alienated from [the NGO] ... We just have to do whatever we think, but there are times when you are not

sure”. All supporters however report positive feelings towards the NGO. Elizabeth comments that “I have no problems with [the NGO]; they love us and treat us as one of the staff”.

Conclusion

The problems faced by the Child Witness Project supporters fall into four broad categories. This includes emotional, interpersonal, practical and organisational.

The emotional difficulties relate to the difficulty of listening to the traumatic stories told by the child witnesses and their parents, and feeling powerless in the face of this. Feeling able to help mitigates against these emotional difficulties. The interpersonal difficulties relate to conflict and lack of trust. There was also some indication of racial conflict, with supporters reporting a feeling of separateness between groups speaking different languages. The practical problems relate to being very busy, administrative difficulties, lack of access to provisions for the children and parents, maintenance problems and other disruptions.

Organisational problems in the criminal justice system become problems for the Child Witness Project supporters since they tend to be the interface between the court processes and the child witnesses and their parents. Any failures within the court process are keenly felt by the supporters. In addition there is a lack of role clarity and poor communication between the court personnel and the Child Witness Project. The supporters feel undermined by the assumptions of their roles by court personnel. There is inappropriate use of Child Witness Project resources, both material and human resources. The relationship between the Child Witness Project and the NGO is also not clear and sometimes causes anxiety for the supporters.

These four categories all interrelate but have been presented here separately for clarity. A full discussion of the interrelationships between these areas follows in the Discussion chapter.

CHAPTER FIVE CONCLUSION

Sexual abuse in South Africa

There is an increasing awareness of the very high rate of child sexual abuse in South Africa. Child Protection Services are seeing increasing numbers of children and all service providers are overworked. In general there is a diminished sense of trust of the public in the efficacy of the criminal justice system to deal fairly with perpetrators of all crimes, especially those perpetrated against children. This chapter uses the psychodynamic and systemic lens – described in the methodology section - to understand how the Child Witness Project functions in dealing with supporting sexually abused children in the criminal justice process.

The Political Context

The Child Witness Project operates within a unique political and social context. The Western Cape has a particular political context in which divisions between African and Coloured people were historically emphasised by the apartheid system which set up a hierarchical system, which privileged Coloured people over African people, in terms of resource provision. Both Coloured and African people however were less well resourced than White people. This political context and history is relevant to understanding the dynamics of the Child Witness Project, since the political dynamics of the context will inevitably be played out within the micro-structures of the organisation and within the interpersonal relationships of both staff and clients. Gibson (2003) argues that all participants in any organisation – both staff and clients – emerge from a particular social and political history, which serves as a background for their experience within that organisation. The reality of living within this political context may be the source of anxiety for those working in the organisation. Within the Child Witness Project the high numbers of black (Coloured and African) children seen at the project and the levels of deprivation in the communities from which these children come, are clearly related to historical forces from the apartheid regime. This is likely to exacerbate the difficulties faced by the families of the sexually

abused children and increase feelings of frustration for the supporters who are aware of the material and social difficulties faced by these families.

However Gibson (2003) also argues that the political experience of those involved in organisation can be used to structure defences against anxiety, which may or may not be related to the political circumstances. For example, racism can be used in an attempt to manage pain through mechanisms that deny or distort the underlying cause of the anxiety, by displacing an internal conflict which is felt by all onto an objectified 'other'.

Race

Gibson (2003) argues that cultural and political realities in broader society may be co-opted into defenses adopted by institutions. The emotional life of an organisation may reflect prevailing social discourses which carry particular political implications.

There is a noticeable split between African and Coloured supporters. This is understandable given the historical context of South Africa in which race has been such a salient indicator of difference and privilege. In addition African people are historically the most disadvantaged group in the South African society and this historical dynamic of powerlessness plays itself out in the project. The African supporters feeling powerless even within the project use a variety of mechanisms to indicate their feeling of powerlessness or to hold onto some power. One of the most obvious mechanisms to hold onto power is speaking in Xhosa to each other which the coloured supporters do not understand. From the interviews it emerged that the Coloured supporters experienced this as exclusionary and created paranoia since they were not sure what the African supporters are talking about and assumed that the African supporters were talking about them.

In interviews two of the supporters commented that whilst agreement with other supporters could be established in private, informal meetings, as soon as decisions are made in more formal contexts, the opinions were clearly split along racial lines. In this way the group loyalty in the Child Witness Project is still more centered on racial identification than the identification with the group as a whole. In addition, the Coloured supporters commented that the African supporters tend to keep their emotional problems to themselves or possibly speak to other African supporters in Xhosa, but do not share them openly.

A further split which emerged as a way of dealing with internal tension is the scape-goating of one of the supporters, who had left the project as the cause of all interpersonal tension amongst supporters. It is not clear why she left, but there were some suggestions that she caused difficulty within the group. While Coloured supporters held her up as a racist stereotype of the untrustworthiness of 'African values', African supporters agreed that she had been a problem. By expelling her from the group the rest of the group has been able to function better by projecting all that was bad in terms of interpersonal difficulties or even ethical dilemmas onto her and feeling that she was all bad, leaving the remainder of the supporters as all good.

Splits between the supporters reflect broader political context of the Western Cape. However for the group to work together and achieve their objectives as supporters of child abuse survivors, this split needs to be addressed. However, the function of the split is to render the group unable to deal with the work at hand, thus avoiding the anxiety being evoked by the nature of the work. The source of this anxiety is linked to the multiple and overwhelming levels of deprivation and trauma which the supporters are forced to confront in their work.

Levels of deprivation

The Criminal Justice System

The criminal justice system is grossly under-resourced and even dedicated staff are often unable to satisfy the needs of the children. In addition the Child Witness Project is well resourced relative to the Criminal Justice system. The project has a regular staff component and facilities that seem luxurious compared with the Criminal Justice system. It is in this context that the supporters feel compelled to extend their tasks to include those that are outside the limits of their job descriptions, for example helping with translating for prosecutors when Xhosa-speaking children are being interviewed prior to a court appearance. The supporters feel that they cannot refuse since they are bound by a principle of doing what ever is in the best interest of the child witness. But the pressure to help may also be exacerbated by their feeling of relative wealth compared to the Criminal Justice System. This pressure to help is also seen in the demands placed on the Child Witness Project to use their facilities like the microwave, fridge or even providing food which is meant for the children.

The Child Witness Project

Despite the relative material wealth of the Child Witness Project, the work done at the Child Witness Project tends to be undervalued and the skills needed to do this work are denied. This is reflected in the description of supporters by other court personnel as the 'tea-girls' or 'nannies'. In this way it becomes the unseen 'women's work' in the same way as this happens in other contexts where women's work remains unseen and undervalued, as in the home. The professional qualifications held by the supporters and specific skills needed to do this work is denied by other role players, while the court supporters tend to try to emphasise this in their description of the work. The supporters actively resist this by emphasising their professional qualifications in interviews. However given the power dynamics in the system, it is unlikely that they are able to do the same in interactions with prosecutors and magistrates. This feeling of powerlessness in relation to the professional court personnel impacts on the supporters' inability to refuse doing inappropriate work. One instance in particular, where a court staff member

brought her child to be looked after by the supporters, has more in common with a middle class employer relating to a domestic workers than two professionals who work together.

The supporters

There is an imbalance of power between the supporters and the organisation that employs them, due to the supporters financial and emotional dependence on the organisation. This dependence mirrors the dependence that many of the mothers of the children feel toward the men that have abused their children, but from whom they cannot separate. It also mirrors the dependence felt by the children toward their mothers, whom they rely on for material and emotional sustenance. The supporters are teachers who have been retrenched and as such have very little opportunity for employment other than this support work. The amount that they are being paid by the organisation is double what they are being paid as intermediaries and the resources at their disposal in this role are also much more. It is likely that they feel the need to support the organisation and give no indication of any possibility that they are unable to cope emotionally with the work.

Even in terms of the food available for the children there are some ethical dilemmas facing the supporters. Sometimes there is food left over after the children have all had enough for the day. One of the supporters complained that it was unethical for the other supporters to take this food or other material things (the Christmas parcels) home for themselves. It is the policy of the Child Witness Project to send such excess food home with families of the child witnesses. However this raises difficult questions when the supporters themselves are the breadwinners of the family, with children at home. In fact the home circumstances of the supporters are very similar to the children and their families seen at the Sexual Offences Court.

The families and children

The families of the child witnesses most often come from very deprived environments. As such there is a clear reality-based reason for supplying the children with food prior to testifying. However food can be symbolic of a number of different needs. Most clearly food is symbolic of nurturance. The food offered by the Child Witness Project fulfils this need in addition to the stated need of nutrition for adequate performance in court. The children are given breakfast on arrival and also lunch if they are still waiting by midday. The food is offered to the child witnesses only whilst the family members who have come to support them are offered tea only. This is justified in terms of the fact that the project is for the children and they are the ones who will be testifying in court that day. However it underestimates the need for systemic support for the child. Parents need to feel acknowledged and contained in order to provide a container for the child (Winnicott, 1978).

In addition it is interesting to think about the symbolism surrounding the nature and source of this food. The food is donated by a upmarket local food retailer, which is not a shop likely to be used by any of these families. In this way the food is seen as somewhat luxurious, but it is essentially foreign, for example the olive bread. The food donated is not considered in terms of the nutritional needs of children, but is the excess which is no longer needed by the shop. Thus it may be day-old confectionery. As such it is that which is no longer wanted by wealthy customers and thus suitable for donation. This gives a contradictory message to the children, on the one hand the food is luxury food and thus it is a privilege to eat it, while on the other hand this is the left-overs from the rich. In addition the strangeness of the food may well prevent the children from feeling comforted by it. The way in which the children are given the food also speaks to the supporters wish to be able to give something concrete to the children. They call the children into the office and supervise the eating of the food. Presumably this is to ensure that the children's food is not eaten by the adults who accompany them. However the portions of food served to the

children are generally too large for the children to eat comfortably. The tumbler holds almost half a litre of mixed cooldrink and the plate is piled with food. The children are expected to eat all the food, with little recognition that they may have diminished appetite due to their anxiety about the impending court appearance or being separated from their families for the meal. In fact the children may feel guilty about the fact that they are being offered breakfast when they know their parents have not eaten either.

Toys similarly are symbolic of comfort. It is clear that the supporters enjoy being able to provide toys for the children and striking that it is said that sometimes the children prefer to come to court than to go to school, because they enjoy the toys so much. The children who are seen at the Child Witness Project are very unlikely to have as many toys at home as are available at the Child Witness project. This raises a dilemma in that it seems that they have to go through a trauma to have access to these toys. In some instances this level of deprivation causes stress for the supporters. In one instance a girl screamed and would not let go of one of the toys that she had been playing with during the day. The supporters are aware that the child is unlikely to have access to these kinds of toys at home, and this makes it very difficult for the supporters to refuse the child the toy.

In the parents' waiting room there is a television, which is constantly on. This too is a luxury that most parents would be unable to afford. Again the resources being offered here at the court are more than the families would be used to at home. What is striking about the supporters interviewed was that they felt that there could be more toys and even more videos (even though they admit that do not use the videos they have). This gives us some indication that the supporters feel contained when they have something concrete to offer the children and their parents in the face of such trauma and powerlessness.

The Impact of Sexual Abuse on the Child and Others

The children and their families

The children being seen at the Child Witness Project are overwhelmed by a feeling of powerlessness, which is inherent in the experience of abuse and is continued in the experience of testifying in a legal system which does not prioritise the needs of the children. However parents also feel powerless within the criminal justice system to a greater or lesser extent and sometimes are financially and emotionally dependent on the perpetrators of the abuse. In this way a system that is already fragile, fragments even further by literally splitting families by divided loyalties.

The supporters

Despite that fact that the work is clearly complicated and there are many frustrating cases to deal with every day, the supporters are reluctant to talk about their feelings about this. The supporters tend to minimise the difficulties they face in their work, emphasising how strong they are or the ways in which they are specifically suited to this work by virtue of their previous experience and the training they were given. This may have been because they felt it too dangerous to admit, due to their dependence on the work for income or a denial of their levels of distress in an attempt to continue doing to work.

However based on the interviews and other sources of information, it is clear that the supporters do find this work emotionally overwhelming. They are faced not only with the nature of the abuse, but the social and institutional powerlessness that face all those who try and assist these children. In addition we can understand that their feelings mirror those of the children who are unable to manage their overwhelming feelings. In this way we expect that the central difficulty facing the supporters will resemble closely the difficulties of the clients. The central aspect of sexual abuse is a feeling of powerlessness and violation and indeed this is the central difficulty

that the supporters must overcome. The supporters feel powerless within the criminal justice system which marginalises them and sees them as adjuncts to or even intruders in the criminal justice system. In addition the supporters are continually violated by those who enter their workspace and make inappropriate demands, which the supporters are often unable to refuse. There is a strong tendency to emphasise divisions between those who are seen to be helpful and those seen to further traumatise the child. In this way there are interpersonal difficulties between the supporters and the court officials, who are seen to be part of a system which fails the children. It is most striking that the most central external enemy in the case of sexual abuse - the accused - was seldom if ever referred to in the interviews or otherwise. The bad other is much more likely to be seen as the criminal justice system and its personnel, since it is seen to traumatise the child. This tendency to see the criminal justice system as the enemy that needs to be fought corresponds with the basic assumption: fight/flight group described by Bion.

Although the work with sexually abused children does impact emotionally on the supporters, it is not easy for the supporters to acknowledge the extent of this impact. However, the effect of this trauma is played out internally, interpersonally and within the context of the supporters' families.

The difficulty that the supporters have admitting the impact of the work could be accounted for in a number of different ways in terms of their wish to overcome this feeling of powerlessness. It may be that the best way for them to deal with the overwhelming nature of this material may to deny its impact. By denying the impact, they can avoid feeling as powerless against this impact.

They are also more able to cope with this feeling if they do not feel powerless, but instead feel helpful to the child. It is noticeable that the supporters feel least traumatised by the encounters they have with the trauma of the children when they can feel helpful. When feeling helpful, the feeling of powerlessness temporarily abates. When the supporters however feel that they are

further inflicting trauma on the children they are made to identify with the perpetrator of the abuse on the child. This is the most unbearable feeling because it confronts them with their powerlessness to help the child and also highlights their role in further abusing the child.

The Child Witness Project as a Working Group

Bion described what groups do when they are overwhelmed by the emotional content of their work. He described a number of group modes in which it is impossible to function as a working group. In some instances it can be seen that the Child Witness Project functions as a Basic Assumption: dependence group, in which they rely on the manager of the project and the organisation that employs them to satisfy their material needs. In this mode the supporters see themselves as incompetent and incapable of doing anything for themselves. They had idealised their manager and were very distressed when she took a less prominent role. However they still maintained an idealised image of the organisation that employs them and had held out the hope of being cared for by this organisation. In fact the material resources have been very well provided for. However in this mode, the group sees the role of the leader as having to satisfy all their material needs. It is likely that even if the employing organisation were to increase their material rewards, the supporters would continue to demand more since they are unable to demand that which they actually need; systemic understanding of their emotional needs, addressing issues around racial splitting and development of a better power base within the legal system.

In order for the Child Witness project to function effectively, it needs the capacity to operate in the depressive position, in which there is an integration of the complexity of the situation. This includes for example the recognition of the interplay of power and control between all role-players. The supporters themselves sometimes are also inadvertently the perpetrator of abuse to the child, especially when they are acting as intermediaries and the voice of the criminal justice system. The project could operate within the criminal justice system more effectively if it can

work in an integrated manner and seeing the criminal justice system as the persecuting other inhibits this possibility. The Child Witness Project is still not systemically integrated into the services offered by the criminal justice system at the Magistrates court. As such their participation still relies on the personal connections made by the supporters and the social worker or other court personnel. These connections can only be made at times when the group does not feel persecuted by the criminal justice system as an external enemy.

Integration into a more functional approach can only occur when the supporters find a systemic way in which to metabolise all the overwhelming emotions that are inherent in this work and recognising the complexity of the work in the field of sexual abuse, and deprivation at all levels of the system. This response must resist a knee-jerk satisfaction of all the demands of the supporters which are generated from a position of dependence on the organisation which employs them, or reinforcement of the splits between the supporters and others. It requires a systemic approach to support the integration of the group members, to minimise splitting between the supporters, the criminal justice system and the parents of the child and the child. These mechanisms need to acknowledge the systemic needs in the services offered to children - which by default require greater co-operation with the criminal justice system - and the difficult emotions that accompany this work. Only then will the supporters be able to sustain themselves as a 'working group' as outlined by Bion.

RECOMMENDATIONS

Interventions to improve the coping strategies of the supporters and services offered at the Child Witness Project need to be targeted at an organisational and not personal level.

There needs to be improved role definition with regard to the organisation that employs them and the criminal justice system within which they offer their service. With regard to the organisation that employs them, there needs to be clearer sense of their relationship to the organisation, which may include access to benefits, which are offered to other employees. However increasing benefits in itself may not be sufficient to give the supporters a clear feeling of belonging which can sustain them in their work. Greater connection with the organisation could be facilitated by monthly meeting with the coordinator of the project and the director of the organisation. These meetings could be held alternately at the premises of the organisation and the court. In this way the supporters will feel that their circumstances could be seen and understood and information about the project and the needs of the supporters need to be able to be fed back to the organisation.

With regard to the criminal justice system there needs to be a clearer sense of how their role fits into the services offered to the child witnesses as a whole. They need to be fully included in the organisation of these services and not seen as an add-on. They also need to be valued and appreciated for the role they play in the holistic service provision. In addition they need to feel a sense of completeness in their job. This includes being informed of the outcome of court cases and being involved in the planning of what will happen to a child witness after the case is closed, whether the accused was found guilty or innocent. In the longer term closer cooperation between the organisation that employs the supporters in their role as supporters and the criminal justice system employing them as intermediaries would be beneficial. In this way a full time position could be created for the supporter/intermediaries which could be jointly funded and managed by

criminal justice and the organisation. This would facilitate greater co-operation and a more integrated service to children and their parents.

In addition it requires that support structures are built into the way in which the project is run. This requires that support offered to the supporters needs to be an integrated part of their work and not a separate additional service offered at periodic intervals by outside service providers. Weekly debriefing sessions offering emotional support is imperative for the supporters to feel contained.

Group dynamics especially with regard to the split between coloured and black supporters need to be addressed. A sense of group cohesion needs to be fostered. Levels of deprivation need to be addressed so that there is less of a sense of competing for scarce resources (such as shifts and material resources available in the project, but meant for the children.). Issues of racism could also be addressed directly in the weekly debriefing.

It needs to be recognised that to make these systemic and contextual interventions will require long term strategies and will need to engage the full support of the criminal justice system. The powerful organisation, in this instance the criminal justice system, needs to recognise their needs and value the service that the Child Witness Project is providing. However the criminal justice system is in itself overwhelmed and may need some organisational interventions itself before it would be able to work in an integrated manner itself or with organisations offering it services. However if the criminal justice system is expected to co-operate and comply with the needs of the service provider, the conditions for this co-operation are best put in place before the services are offered.

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APPENDIX 1: LEGAL FRAMEWORK OF CHILD SEXUAL ABUSE

Laws pertaining to sexual abuse and court processes

In South Africa there is no legal definition of child abuse and neglect and no specific crimes labeled 'child sexual abuse'. Most laws defining offences related to child sexual abuse come from general criminal laws.

The Sexual Offences Act of 1957 however, deals with sexual intercourse with children. The abuser could be charged with the crimes of 'indecent assault', or violating Section 14 of the Sexual Offences Act, sometimes called statutory rape and consists of either sexual intercourse with a girl or boy under 16 or an indecent act by a female with a girl under 19 or a male with a boy under 19 (Skelton, 1998).

In South Africa, two different laws deal with compulsory reporting of suspected child abuse. Section 42 of the Child Care Act and Section 4 of the Prevention of Family Violence Act require that all persons involved in caring for or educating children must report suspected abuse, malnourishment and ill-treatment (Skelton, 1998).

Section 165 of the Criminal Law Amendment Act 135 of 1993 allows the intermediary (instead of the presiding officer) to administer the oath and to assist in ascertaining whether the child is competent to testify (Combrink, 1994). Section 170 of the Criminal Law Amendment Act 135 of 1993 introduces the possibility of the use of intermediaries, through whom all questions are directed to the child. The child can now testify in a separate room and as such not in the presence of the accused. Section 170A is discretionary. This option is utilised only if the state applies for an intermediary to be appointed and is permissible under the following conditions: the witness is under the age of 18 and she or he would be placed under undue mental stress if she testifies in the

courtroom (Combrink, 1994; Schwikkard, 1996). Intermediaries could be psychiatrists, pediatricians, certain classes of teachers, childcare workers or social workers. Certain experience is also a requirement for intermediaries. Most courts do not have the facilities to use an intermediary, such facilities are mostly limited to urban areas. Children testifying through intermediaries must be considered the exception rather than the norm (Schwikkard, 1996).

Section 161 of the Criminal Law Amendment Act 135 of 1993 made allowance for the use of demonstrations, gestures or any form of non-verbal expression in addition to the use of verbal evidence when a child testifies, which facilitated the use of anatomically correct dolls (Combrink, 1994).

The child will testify in camera, which means that the court will exclude from the courtroom everyone except the witness, his or her guardian, and all those people who are necessary for the proceedings or who are authorised by the court. In addition Section 154 (3) of the Criminal Procedure Act provides privacy for child witnesses, by prohibiting the publication of information which reveals the identity of a witness at criminal proceedings who is under 18 years of age (Skelton 1998).

APPENDIX 2: CRIMINAL JUSTICE SYSTEM

The following section draws on Lewis (1999) and Skelton (1998) and outlines the criminal justice procedure that the sexually abused child will go through in South Africa if a charge is laid against his/her abuser.

Reporting to the Police

In the criminal justice process child sexual abuse is reported to the police. In larger towns, Child Protection Units (CPU) are the specially trained units of the South African Police, designed to be child friendly, who deal with child victims. The child will be expected to make a statement about what has happened. After a charge is laid, the police officer should investigate further and collect evidence to build the case. The docket, the official record of the charge, is then taken to the senior public prosecutor, who will decide if the case is strong enough to go to court.

The Medico-legal Examination

If a case of physical or sexual violence is reported to the police a medico-legal examination is usually necessary in order to collect medical evidence and clues as to the identity of the perpetrator. Any medical doctor can examine a child and the report and testimony can be used for court purposes. In practice these examinations tend to be done by state employed doctors, since the time spent in court is a disincentive to private medical practitioners.

Evidence is documented by the medical practitioner on a form called the J88 and all evidence is gathered and sealed and handed over to the investigating officer. In cases of sexual abuse, evidence such as tears in the hymen and bruises heal very rapidly, so it is important that the child should be examined as soon as possible after the abuse, preferably within 72 hours. In cases of sexual abuse the suspect will also undergo a medical examination, sperm samples and other DNA

material will be compared with those taken from the child victim. An identification parade is held only when no other substantial evidence is available and is the exception rather than the rule.

The Arrest and Bail Hearing

If the child can indicate who the perpetrator is, he can be arrested. Once the accused is arrested and charged he is entitled to apply for bail. His home circumstances and whether he is likely to flee are taken into account in addition to whether he is likely to pose a threat to the child. If he is a threat to the child, this should be made known to the investigating officer, who can request the prosecutor to oppose bail.

If the accused is granted bail, the child may come face to face with him in the home, neighbourhood or school. Children and their caregivers also often fear retaliation by the perpetrator for reporting the abuse. It is far more difficult to recover from trauma when the person still lives in fear of the abuser.

The Court Case

When the police finish investigating the case it is handed over to the senior public prosecutor of the office of the Attorney General (AG) who decides if the case is strong enough to go to court.

When the investigation is complete and the case is ready to go to trial witnesses are subpoenaed and a trial date is set. The accused is entitled to legal representation, which will be provided by the state if he is unable to afford this. The child abuse survivor, called a complainant, becomes a witness for the state and a state prosecutor prosecutes the case.

Procedural laws and rules of evidence govern the court procedure. The adversarial system is in use in the South African criminal justice system. The presumption of innocence is an important