

CHAPTER SEVEN
EMPIRICAL STUDY

7.1 INTRODUCTION

Chapter two of this study discussed the South African legal system and the role of the intermediary in this system (see also 5.3). From this chapter it was clear that the accusatorial system in South Africa and the court procedure are not child friendly. No specific guidelines on training for intermediaries are given, only the categories of people who are allowed to act as intermediaries. Case law was also discussed, highlighting problems children experience when testifying in court and the influence this has on the outcome of the case.

In chapter three the normal development of the child regarding cognitive, emotional, and linguistic aspects were discussed. Aspects highlighted by the literature indicating the primary prerequisites and characteristics of the developing child, were incorporated in the research study, to a lesser extent the first phase, namely the survey study (section A) and to a greater extent in the second phase namely the one-group pretest -posttest study (section B).

In chapters four and five communication and assisting the child witness in a court situation were discussed. Aspects that the literature highlighted were those of children with disabilities, the use of anatomically detailed dolls, the role of the parent, the intermediary, court preparation, and the dynamics of trauma. The influence of child development on the above topics was also explored. The literature study, discussions with experts, and the needs assessment of the first phase of the study were used to compile the questionnaires and relevant themes for the intermediary training program. Chapter six discussed the theoretical background of the development of a training program. The development and contents of the program was also described in this chapter.

The literature study and the needs assessment (section A of the research) forms phase two of the intervention research process, namely information gathering.

In this chapter the results of the data that was collected and analysed during the empirical study are presented graphically together with the interpretation thereof.

7.2 RESEARCH PROCESS

The research process has already been discussed in detail in chapter 1. A summary will be given here to orientate the reader towards the information and findings.

7.2.1 Goal

The goal of this study was:

To develop, implement, and evaluate a research based training program for intermediaries for the child witness in South African courts.

7.2.2 Objectives

The objectives of this research study are:

- To develop a theoretical framework regarding: Child development, linguistic development, court preparation, child centred communication, South African legal system, the intermediary, child abuse, anatomically detailed dolls, and trauma.
- To explore the perceptions, experiences, concerns, problems, expectations, and needs of magistrates (Appendix one) and prosecutors (Appendix two) from various sexual offences courts in South Africa, about the role and duties of the intermediary.
- To explore and gain information on existing training programs for intermediaries in South Africa.
- To develop a research-based training program for intermediaries in South Africa.
- To implement the training program for intermediaries.

- To evaluate the training program for intermediaries with the view to recommend further utilization in practice (Appendix three and four).
- To draw conclusions and make recommendations to the Department of Justice and Constitutional Development and other trainers of intermediaries for implementation of the training program.

7.2.3 Research approach and type of research

As discussed in chapter 1, the approach used in this study was the quantitative approach that was undertaken in two sections. The type of research used was applied research. The form of research was intervention research. The six phases of intervention research, as described in Rothman and Thomas (1994:28; De Vos 2002:397-399), determined and guided the procedures of this research.

7.2.4 Research design

The study was divided into two phases, namely:

- Section A: This first section used the survey design to explore present experiences and gain information on the role and duties of an intermediary to be used in a training program.
- Section B: This second section used a quasi-experimental pretest-posttest design to evaluate the impact of the training program on prospective intermediaries attending the program.

Data collection, analysis and interpretation form part of this chapter.

7.2.5 Selection of respondents

- Section A: In this study non-probability sampling, and more specifically purposeful sampling took place. The whole population was involved. All magistrates

and prosecutors attending refresher courses and child law workshops at Justice College in Pretoria during August to October 2004 were included in the study.

- Section B: In this study non-probability sampling, and more specifically purposive sampling took place. All trainees attending the training program at Justice College during November 2004 and February 2005 were included in the study.

7.2.6 Ethical aspects

- ***Informed consent:***

All respondents were informed of the nature of the research, how the measurement will take place and what can be expected by means of a letter. The goal and objectives of the study were also explained to them. All the respondents were provided the opportunity to refuse or participate in the study. Written consent was obtained from all respondents.

- ***Harm to experimental respondents:***

The researcher is aware of the ethical responsibility and protected all respondents against physical and emotional discomfort. No physical or emotional risks were taken by respondents as they:

- Section A: Filled in questionnaires.
- Section B. Attended a training course and filled in two questionnaires.

No therapy was done and no sensitive information that could cause any emotional distress was gathered.

- ***Violation of privacy/anonymity/confidentiality***

Confidentiality and privacy was at all times maintained. All information in the questionnaires was obtained anonymously and identification of respondents will not be revealed. A written explanation of the total investigation was given to each respondent as well as a written consent form that was signed by each respondent.

▪ ***Release of publication of the findings***

The research report was written as objective and accurate as possible. All shortcomings and errors were admitted. All respondents have access to the final research results. The researcher was also aware that before the research report can be submitted, it had to comply with the requirements of the Academic Administration of the University of Pretoria.

7.2.7 Validity and reliability of measuring instruments

Fouché (2002:120) held that when original measuring instruments are to be constructed, the researcher must give a detailed account of the procedures to be employed in constructing them. The researcher must give a detailed account of the procedures to be employed in constructing them. He must also discuss the validity and reliability of the instruments.

▪ **Validity:**

According to Bostwick and Kyte (1981:104) and Hudson (1981:104) a valid measuring instrument does what it is intended to do, namely measure what it is supposed to measure. Yielding scores whose differences reflect the true differences of the variable being measured – thus measure accurately.

Hudson (1981:109) suggests that a researcher take content; face-; construct and criterion validity into consideration while developing and pilot testing a quantitative measuring instrument.

With the help of the Department of Statistics of the University of Pretoria the researcher took the following into consideration whilst developing the questionnaires:

- Is the instrument really measuring the content;
- Does the instrument provide n adequate sample of items that represent that concept;
- Are the items by a scale and the indicators claiming to measure what it is meant to measure;
- Multiple measurement; and

- How well this instruments measures.

- **Reliability:**

Hudson (1981:113-120) and Delport (2002:168) held that reliability generally refers to the extent to which independent administration of the same instrument consistently yields the same results under comparable conditions. Reliability is therefore concerned with how well what is being measured, is measured (Bless & Higson-Smith, 1995:130-134). The researcher took the following into consideration:

- Can the same instrument be used on the same group of people on two or more occasions;
- Can a equivalent form of the instrument be used;
- Internal consistency of the instrument; and
- Item response analysis.

7.2.8 Questionnaires

The New Dictionary of Social Work (1995:51) defines a questionnaire as “a set of questions on a form which is completed by the respondent in respect of a research project.”

7.2.8.1 Type of questionnaire

According to Delport (2002:172) there are different types of questionnaires that can be identified, namely: Mailed questionnaires, telephonic questionnaires, personal questionnaires, questionnaires delivered by hand and group administered questionnaires. The researcher made use of group administered questionnaires that were personally distributed (delivered by hand) amongst the respondents.

7.2.8.2 Constructing a questionnaire

Delport (2002:175-176) held that the researcher must have clarity on what information is to be obtained. The questionnaire must be brief but long enough to

incorporate all relevant information. The format of the questionnaire will be influenced by what type of questionnaire it is as well as where, under what circumstances and by whom it will be completed. All questionnaires should be accompanied by a covering letter.

The researcher, with the help of the Department of Statistics of the University of Pretoria, took the aforementioned into consideration whilst constructing the questionnaire.

7.3 DATA COLLECTION AND ANALYSIS: SECTION A OF THE EMPIRICAL RESEARCH

7.3.1 Data collection

- Data collection formed part of phase two of the intervention research process and of objective two. The research question, namely: *What are the roles and duties of an intermediary?* applies to this phase and objective.

During the above phase information was collected from magistrates and prosecutors with regards to compiling a training program for the utilization of intermediaries in courts. This information was used as part of the knowledge base to develop the training program.

Data was collected by means of two self-constructed questionnaires (Appendix one and two). The questionnaires sought to gain information with regards to work and work experience of the magistrates and prosecutors, concerns and problems experienced by magistrates and prosecutors with relation to the performance of intermediaries during the court process when acting as intermediaries, and input from the magistrates and prosecutors relating to topics and issues they felt that needed to be addressed in a training program for intermediaries.

Both questionnaires were pilot tested by two magistrates and two prosecutors respectively before distribution and who did not form part of the main investigation.

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After the pilot testing, the questionnaires were implemented by using the random cross-section survey method. The questionnaires were distributed to 150 magistrates and 90 prosecutors attending various child law workshops and training programs throughout South Africa during August and September 2004. Fifty-four questionnaires from magistrates and 34 questionnaires from prosecutors were received back. Data in terms of 54 magistrates, (N=54), 34 prosecutors, (N=34) was collected.

One hundred and twenty questionnaires (Appendix one) were distributed to magistrates at two different child law workshops and two training programs for magistrates at Justice College in Pretoria. The magistrates came from all over South Africa. The facilitators of the workshops and programs distributed the questionnaires at the beginning of the workshops/programs and collected the questionnaires at the end of the workshops/programs. Fifty-four questionnaires were received back.

Eighty questionnaires (Appendix two) were distributed to prosecutors from all over South Africa, attending two child law workshops. The facilitators distributed the questionnaires at the beginning of the workshops and collected them at the completion of the workshops. Thirty-four questionnaires were returned. The completion of these questionnaires was completely voluntary.

7.3.2 Data analysis

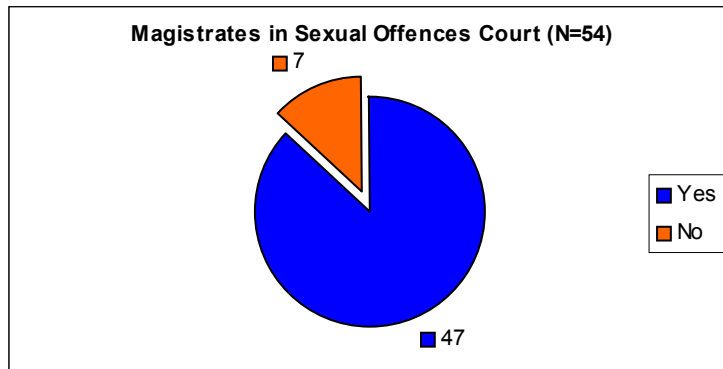
The results that were obtained from magistrates and prosecutors will now be discussed. Results obtained are presented graphically or in table format.

7.3.3 QUESTIONNAIRE 1 (Appendix 1): Questionnaire for Magistrates with reference to Intermediary

SECTION A: Experience and background of magistrates and intermediaries and perceptions of reports

- Sexual offences court magistrates

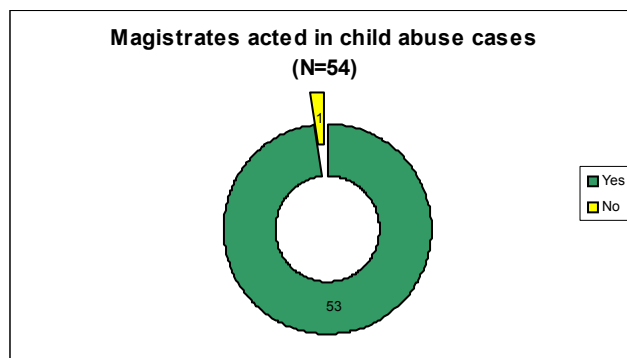
Figure 7.1: Magistrates acting in sexual offences courts



As seen in figure 7.1, 47 (87%) of the 54 magistrates that completed the questionnaire presided in a sexual offences court that has an intermediary system. Seven (13%) of the magistrates did not preside in a sexual offences court.

- Magistrates acted in child abuse cases

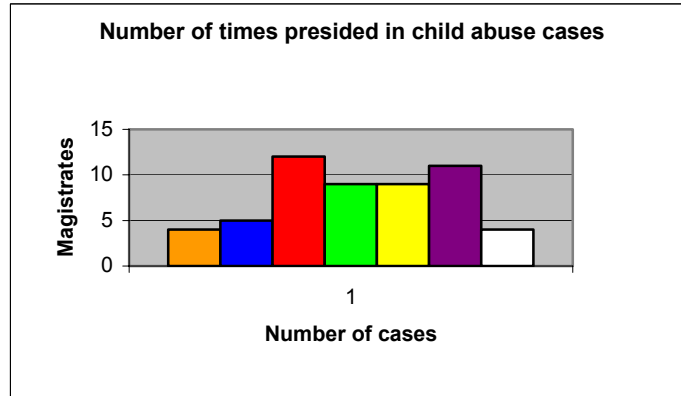
Figure 7.2: Magistrates having acted in child abuse cases



As seen in figure 7.2 of the 54 questionnaires that were received from the magistrates, 53 magistrates (98%) had acted as magistrates in child abuse cases. Only 1 (2%) had never presided in a child abuse matter before.

- Magistrate presiding in child abuse cases

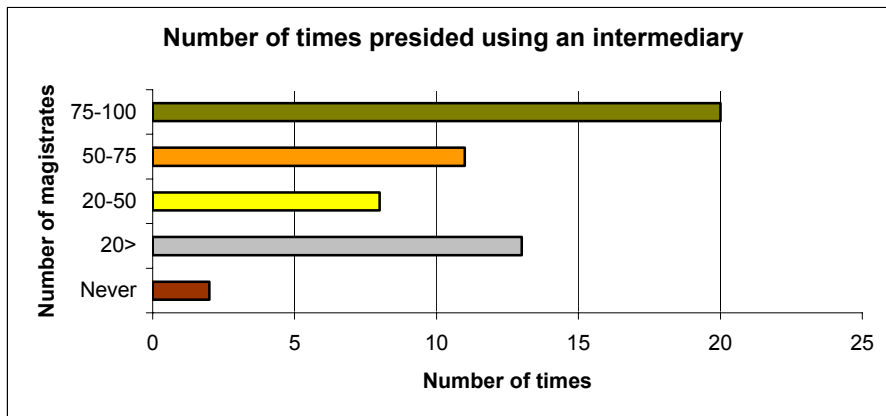
Figure 7.3: Number of cases in which acted as magistrate



As seen in figure 7.3, of the 54 magistrates, 4 (7%) had acted as presiding officers in less than 10 cases, 5 (9%) magistrates had acted in between 10 and 20 cases, 12 (22%) magistrates had acted in between 20 – 50 cases, 9 (17%) magistrates acted in between 50 – 100 cases, 9 magistrates in 100 – 200 cases, 11 (20%) magistrates acted in 200 – 1000 cases and 4 (7%) had acted in more than 1000 cases. Thus 24 (44%) of the magistrates acted in more than 100 cases.

- Number of cases where an intermediary was used

Figure 7.4: Number of times an intermediary was used when

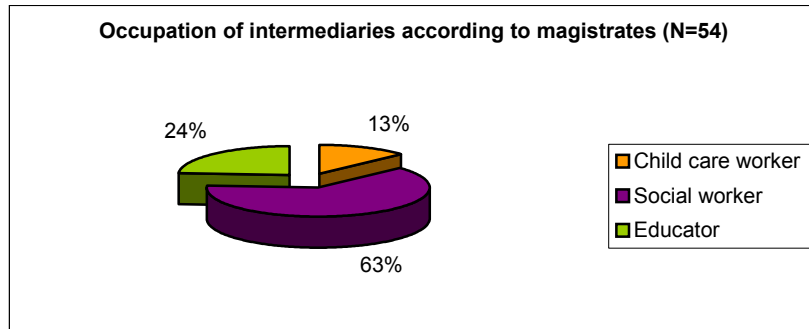


From figure 7.4, it can be seen that 2 (4%) of magistrates had never heard a case where an intermediary was used. 13 (24%) of magistrates had used intermediaries in 20% or less cases, 8 (15%) magistrates had used an intermediary in 20 to 50% of their cases, 11 (20%) magistrates had used intermediaries in 50 to 75% of their cases and 20 magistrates (37%) had used intermediaries in 75 to 100% of their cases. From the above it can be seen that

57% of magistrates used intermediaries in more than 50% of the cases and 37% in more than 75% of the cases.

- Occupational background of intermediaries according to magistrates

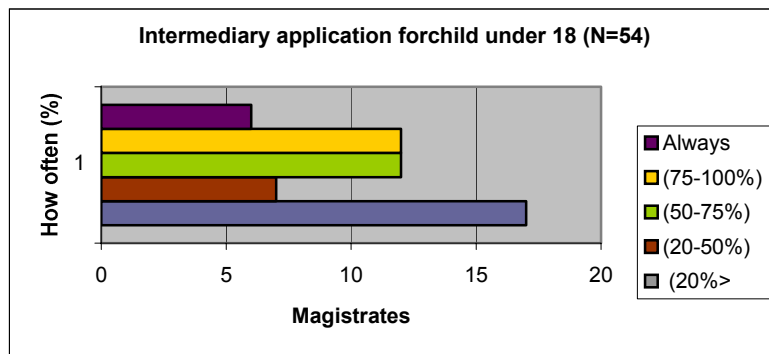
Figure 7.5: Occupational background of the intermediaries according to magistrates



From figure 7.5 it can be seen that of the intermediaries acting in their courts, 34 (63%) the magistrates said the intermediaries were mainly social workers, 13(24%) said they were mainly educators and 7 (13%) said they were mainly child care workers. It thus seems as if the social worker is the person that most frequently acts as an intermediary.

- Application for an intermediary

Figure 7.6: Frequency of application of intermediary for children under 18 years



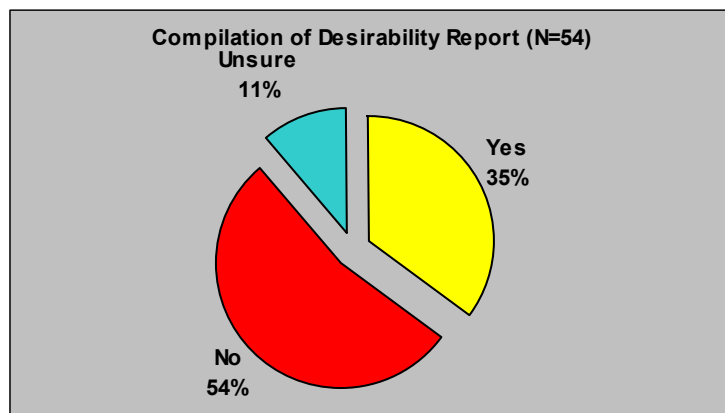
When an intermediary is to be used, an application must be brought before the presiding officer for the use of an intermediary. From figure 7.6 it can be seen 17 magistrates (32%) said that in less than 20% of the cases applications were made for intermediaries, 7 (13%) magistrates said that applications were made between 20 and 50% of cases, 12 (22%) magistrates said that applications were made in 50 – 75% of

cases, 12 (22%) magistrates said that applications were made in 75-100% of cases and 6 (11%) magistrates said that applications were made in all of the cases.

From the above it can be seen that 24 (44%) of magistrates said that applications for intermediaries were made in less than 50% and only 6 (11%) magistrates said that applications were made in all (100%) cases coming to trial.

- Desirability Report

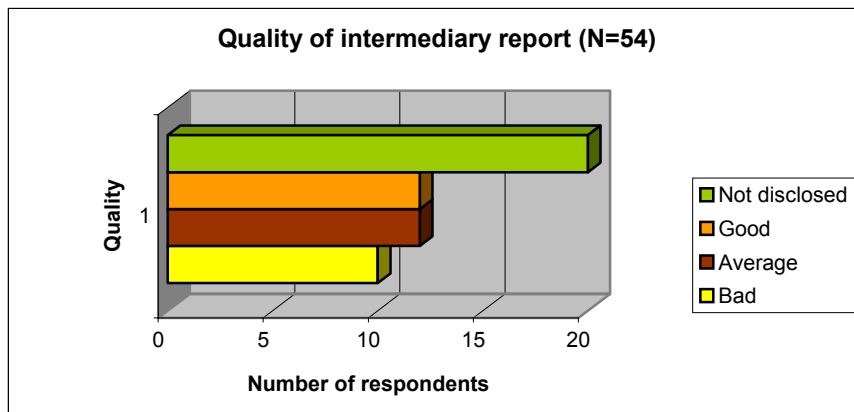
Figure 7.7: Drawing up of desirability reports when applying for an intermediary?



From figure 7.7 it can be seen that 19 (35%) of the magistrates said that reports are drawn up, 29 (54%) said no report had been drawn up and 6 (11%) magistrates did not know whether reports had been drawn up. It must be noted that the magistrate will only know that a report has been drawn up unless the prosecutor hands in the report or calls the witness in support of the report.

- Quality of intermediary reports

Figure 7.8: Quality of the intermediary report



From figure 7.8 it can be seen that of the 54 magistrates, 10 (19%) felt that most of the reports were poor, 12 (22%) felt most of the reports were average, 12 (22%) felt most of the reports were good and 20 (44%) did not disclose the quality of the report.

- Contents of the intermediary report

Figure 7.9: Contents of intermediary report

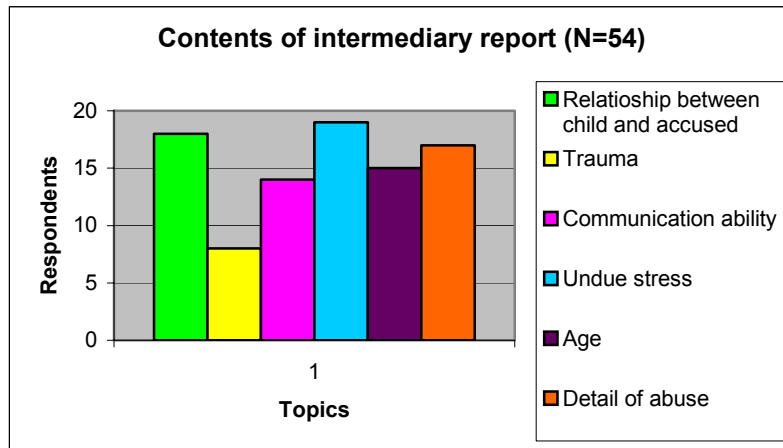
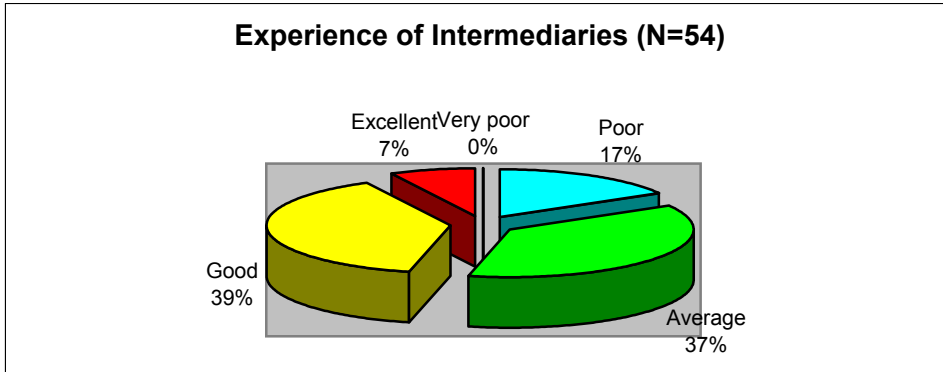


Figure 7.9 indicates that 18 magistrates felt that the report should include the relationship between the child and the accused, 8 felt the trauma of the child should be included, 14 felt that information and the communication ability should be included, 19 felt that it should include whether the child would suffer undue stress, 15 felt the age of the child should be included, and 17 felt it should include the details of the abuse. Percentages cannot be given here as some magistrates indicated more than one topic for inclusion in report.

SECTION B: Magistrates perceptions of the experience and training of intermediaries

- Intermediaries' level of experience according to magistrates

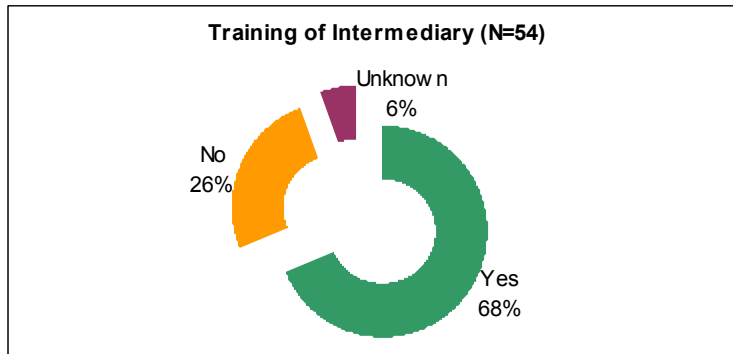
Figure 7.10: Level of experience of the intermediary



From figure 7.10 it can be seen that 4 (7%) of the magistrates felt that intermediaries performed excellently, 21 (39%) felt the intermediary was good, 20 (37%) felt they were average, and 9 (17%) felt they were poor.

- Previous training of the intermediaries according to magistrates

Figure 7.11: Previous training of intermediaries

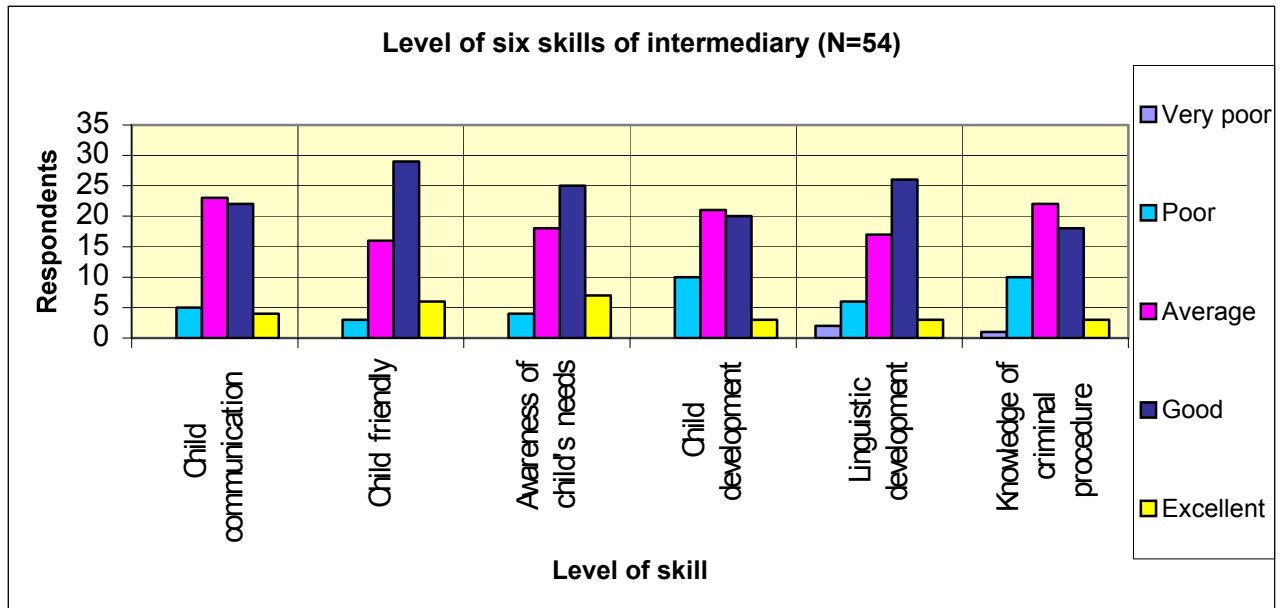


From figure 7.11 it can be seen that, according to the 54 magistrates, 37 (68%) said the intermediaries had had training, 14 (26%) said they did not have training and 3 (6%) magistrates did not know whether the intermediary had had training.

The magistrates were asked to assess the intermediaries who had acted in their courts according to six skills:

- Skills of the intermediary according to magistrates:

Figure 7.12: Knowledge of six skills an intermediary needs according to the magistrate



From figure 7.12 the following can be seen:

- **Child communication**

4 (7%) magistrates judged the intermediaries as excellent, 22 (41%) judged the intermediaries as good, 23 (43%) judged them as average and 5 (9%) magistrates judged the intermediaries as poor.

- **Child friendly and empathic**

6 (11%) magistrates judged the intermediaries as excellent, 29 (54%) judged the intermediaries as good, 16 (30%) judged them as average and 3 (6%) judged the intermediary as poor.

- **Awareness of child's needs**

7 (13%) magistrates judged the intermediaries as excellent, 25 (46%) judged them as good, 18 (33%) judged them as average and 4 (7%) magistrates judged the intermediaries as poor.

▪ **Child development level**

3 (6%) magistrates judged the intermediaries as excellent, 20 (37%) magistrates judged them as good, 21 (39%) magistrates judged them as average, and 10 (19%) magistrates judged the intermediaries as poor.

▪ **Child linguistic development**

3 (6%) magistrates judged the intermediaries as being excellent, 26 (48%) judged them as good, 17 (31%) judged them as average, 6(11%) judged them as poor, and 2 (4%) magistrate judged the intermediaries as very poor.

▪ **Criminal proceedings and etiquette**

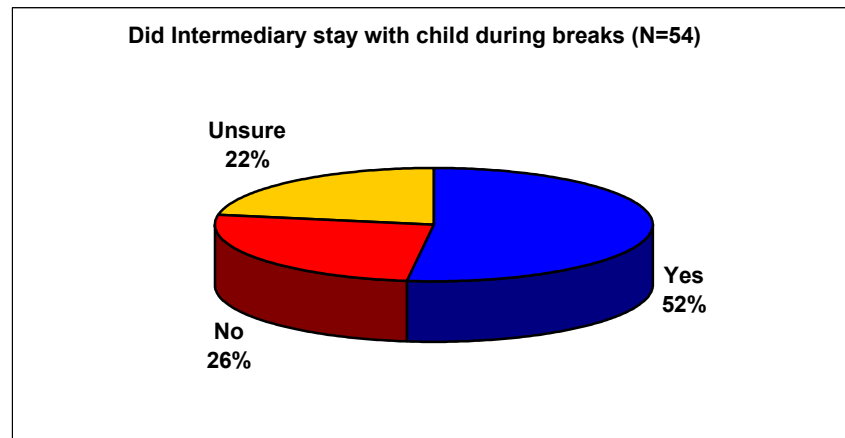
3 (6%) magistrates judged the intermediaries as excellent, 18 (33%) magistrate judged them as good, 22 (41%) judged them as average, 10 (19%) judged them as poor and 1 (2%) magistrate judged the intermediaries as very poor.

From the above data it can be seen that:

- The intermediaries faired best in being child friendly.
- The biggest problem is found in the intermediaries' lack of knowledge of child development.
- Although 37 (68%) of the magistrates indicated that most if the intermediaries had had training (figure 7.11), it would seem that this training was not sufficient and that there is a need for further training. The researcher can therefore make the finding that the problems the magistrates are experiencing with the services of the intermediaries are as a result of insufficient training. The lack of knowledge will influence the court proceedings negatively (as described in 7.19). Therefore these topics should be included in the training program.

- Duties of the intermediary

Figure 7.13: Should intermediary stay with the child during break

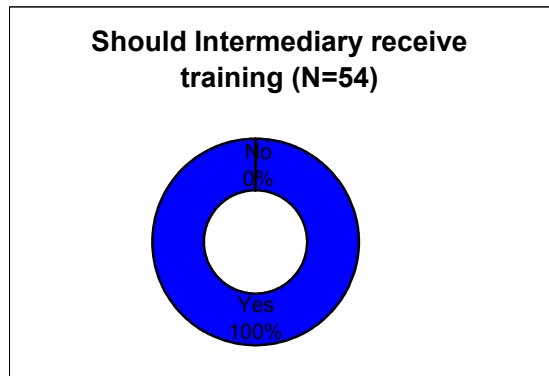


Magistrates were asked whether the intermediaries had stayed with the child during breaks and lunch. From figure 7.13 it can be seen that 28 (52%) magistrates indicated that intermediaries had stayed with the child witness, 14 (26%) magistrates indicated that the intermediary had not stayed with the child and 12 (22%) magistrates did not know.

It is important that the child is not left alone during these breaks as it causes unnecessary stress for the child (see 5.2.5). Furthermore contamination of the child's testimony can occur when the child and his parent/caretaker discuss the testimony of the child with him during breaks.

- Magistrates opinion on the training of intermediary

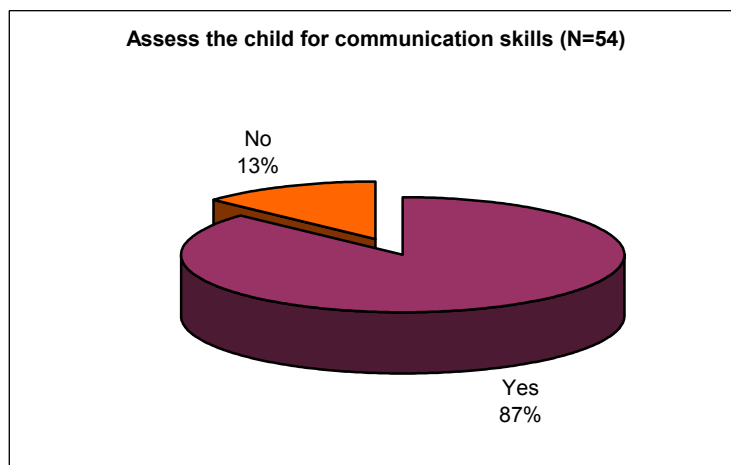
Figure 7.14: Should intermediary receive training



From figure 7.14 it can be seen that all the magistrates (100%) were of the opinion that the intermediary should receive training before acting as such.

- Assessment of child

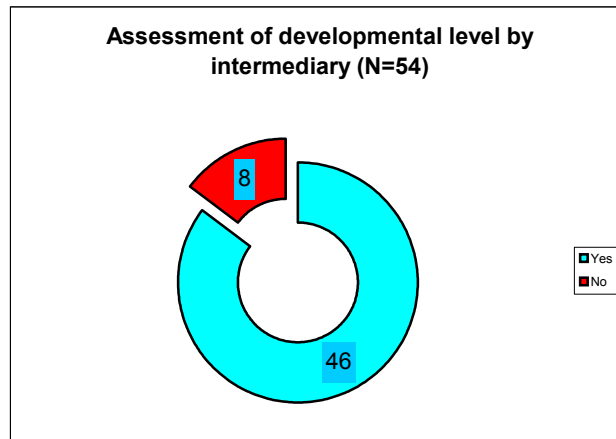
Figure 7.15: Assessment of communication skills



From figure 7.15 it can be seen that 47 (87%) of magistrates indicated that the intermediary should assess the child concerning his communication skills and 7 (13%) of magistrates indicated it was not necessary.

- Assessment of developmental level

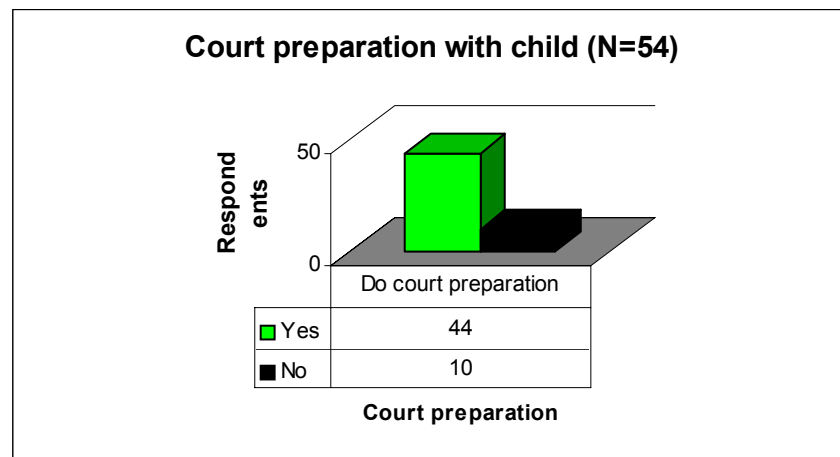
Figure 7.16: Assessment of developmental level



From figure 7.16 it can be seen that 46 (85%) magistrates said that the intermediary should assess the child’s development level whereas 8 (15%) said it was not necessary.

- Should the intermediary, according to the magistrates, do court preparation with the child witness?

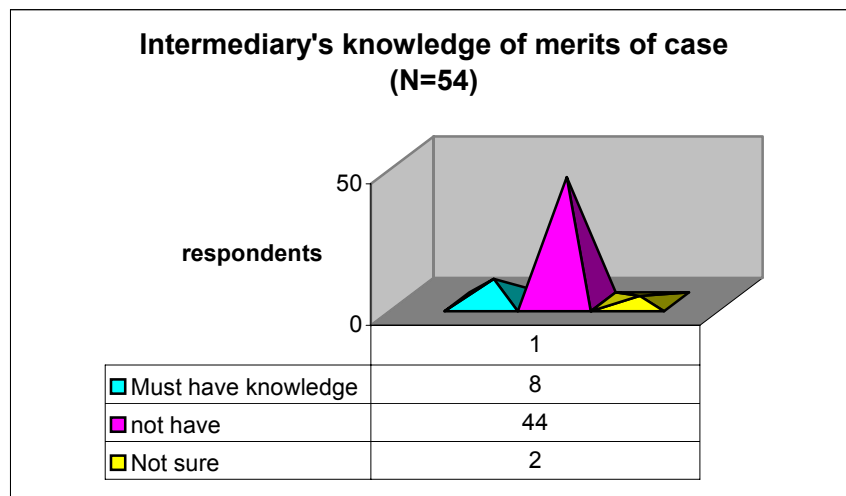
Figure 7.17: Court preparation by intermediary with the child witness



From figure 7.17 it can be seen that 44 (82 %) magistrates indicated that the intermediary should do court preparation with the child whilst 10 (18%) indicated somebody else should do the preparation.

- Merits of the case

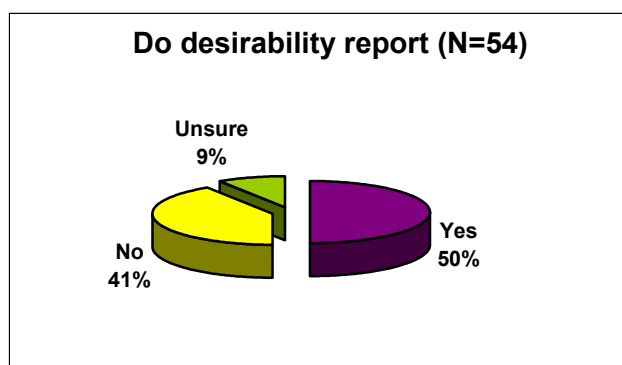
Figure 7.18: Intermediary’s knowledge of the case



From figure 7.18 it can be seen that 8 (15%) magistrates indicated that the intermediary should have knowledge of the merits of the case, 2 (4%) were not sure and 44 (81%) indicated that the intermediary should not know the merits of the case.

- Should the intermediary, according to the magistrates, do the intermediary report

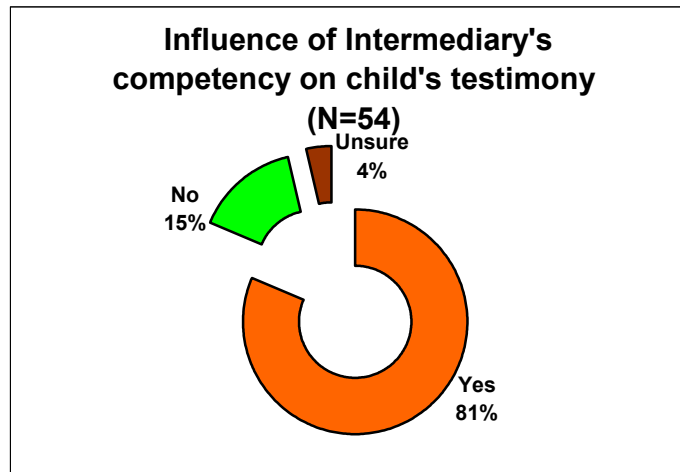
Figure 7.19: Intermediary and the intermediary application/desirability report



From figure 7.19 it can be seen that 27 (50%) magistrates indicated that the intermediary can also do the assessment/desirability reports, 22 (41%) indicated that the intermediary should not do the report and 5 (9%) were not sure.

- Influence of intermediary’s competency on child witness

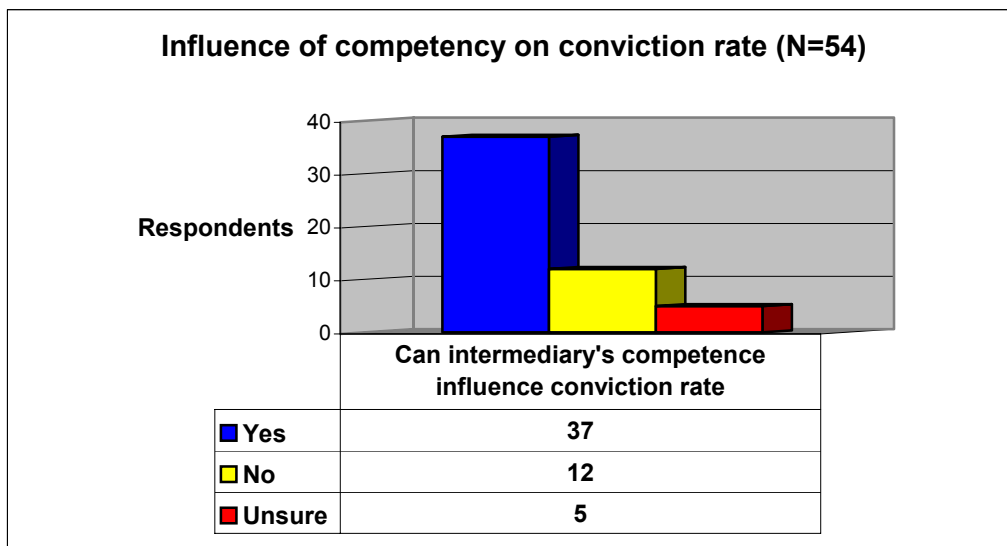
Figure 7.20: Influence of intermediary’s competency on child’s testimony



From figure 7.20 it can be seen that 44 (81%) magistrates indicated that the intermediary’s competency would influence the child’s testimony whilst 8 (15%) indicated it would not make a difference, and 2 (4%) were unsure (see 7.12).

- Influence of competency on rate of convictions

Figure 7.21: Influence of intermediary’s competency on the rate of convictions



From figure 7.21 it can be seen that 37 (69%) magistrates indicated that the intermediary’s competency would have an influence on convictions, 5 (10%) were unsure and 12 (22%) indicated that it would have no influence.

- Themes and aspects that were important when compiling the training program:

The magistrates said that when intermediaries are being trained, the following aspects and topics should be included in the training program.

Figure7.22: Topics for training program according to magistrates – graphic representation

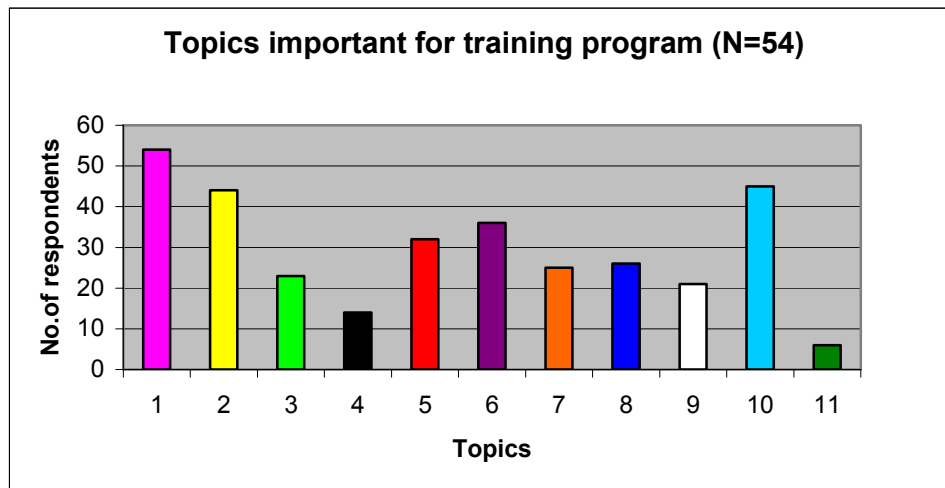


Table 7.1: Topics for training program (N=54)

Number	Topics	How many magistrates	Percentage
1	Communication skills	54	100%
2	Court preparation	44	81%
3	Court procedures	23	43%
4	Culture	14	26%
5	Child friendly performance	32	60%
6	Rapport building	36	67%
7	Trauma	25	46%
8	Listening	26	48%
9	Impartial	21	39%
10	Child development	45	83%
11	Other	6	11%

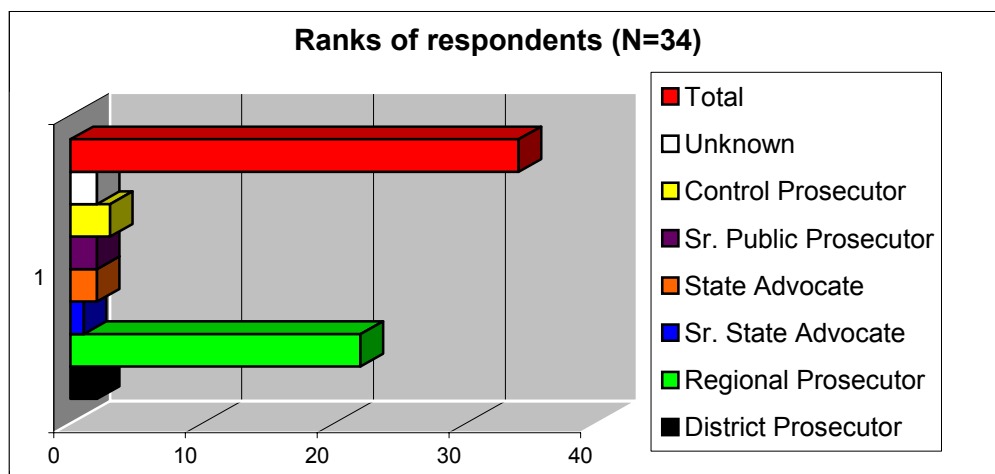
From figure 7.22 and Table 7.1 it can be seen that of the 54 magistrates, all 54 (100%) magistrates said that the training program should include communication skills, 44 (81%) said that court preparation should be included. 23 (43%) said that court procedures should be discussed and 14(26%) said that aspects of different cultures should be included. 32 (60%) of magistrates said that intermediaries should be taught how to be child friendly and 36 (67%) said that rapport building should be included in the program. 25 (46%) said that aspects of trauma should be included, whilst 26 (48%) said that listening skills should receive attention. 21 (39%) said that intermediaries should be taught to be impartial whilst 45 (83%) said that child development should be included. 6 (11%) said that other topics like practical experience and child linguistic should be included.

Question 18 and 19 were not answered or the answers given were not relevant to the research.

7.3.4 QUESTIONNAIRE 2 (Appendix 2): Questionnaire for Prosecutors with reference to the intermediary

- **SECTION A: Experience and background of magistrates and intermediaries**
- Position of prosecutors

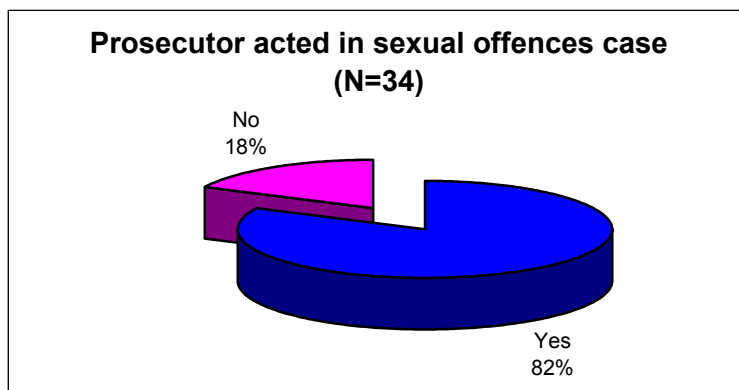
Figure 7.23: Various ranks of the prosecutors responding to questionnaire



From figure 7.23 it can be seen that of the prosecutors participating in this survey, 2 (6%) were district court prosecutors, 22 (65%) were prosecutors in the regional court, 1 (3%) was a senior state advocate, 2 (6%) were state advocates, 2 (6%) were senior public prosecutors, 3 (9%) were control prosecutors and 2 (6%) were unknown.

- Acted as prosecutor in sexual offences court

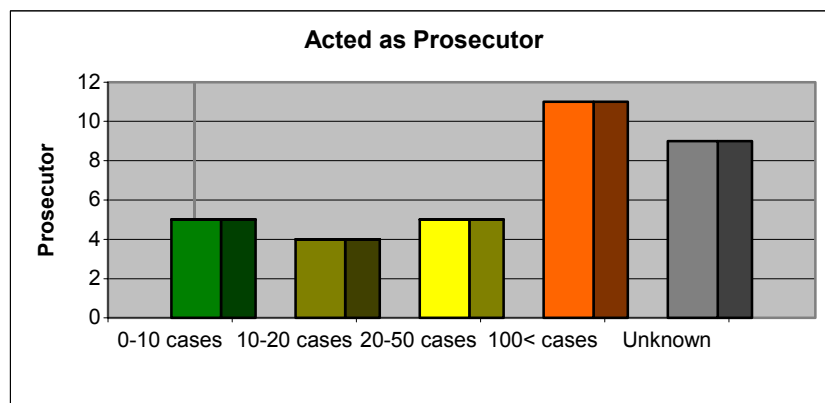
Figure 7.24: Prosecutors acted in sexual offences courts



From figure 7.24 it can be seen that 28 (82%) prosecutors had acted in sexual offences courts before and 6 (18%) had never acted as prosecutors in sexual offences courts.

- In how many cases acted as prosecutor in sexual offences

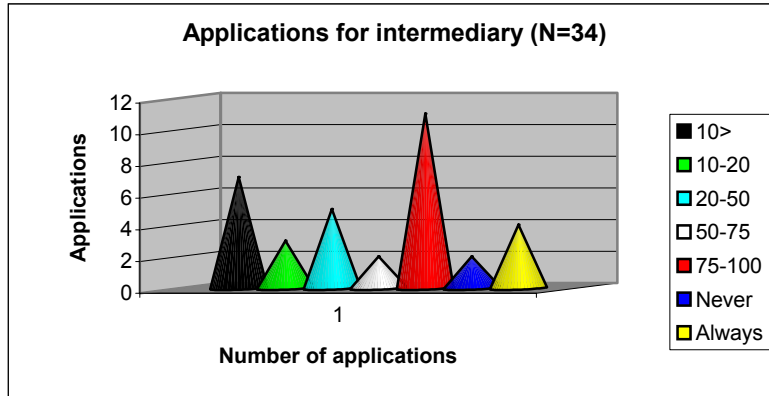
Figure 7.25: Amount of times prosecutor acted in sexual offences cases.



From figure 7.25 it can be seen that 5 (15%) had acted as prosecutor in under 10 cases, 4 (12%) in 10-20 cases. 5 (15%) in between 20-50 cases, 11 (32%) acted in more than a hundred cases and 9 (26%) said they did not know in how many cases.

- Application for intermediary

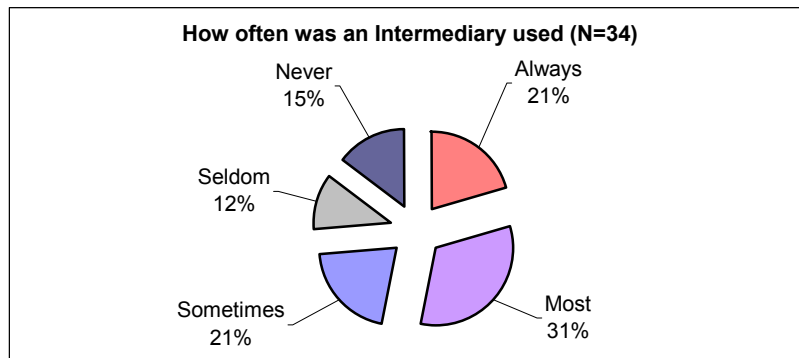
Figure 7.26: How often were applications for intermediaries made



From figure 7.26 it can be seen that 7 (21%) prosecutors said that less than 10 applications had been made, 3(6%) prosecutors had between 10 and 20 applications, 5(15%) had between 20 to 50 applications, 2 (6%) between 50 to 75 applications, 11 (33%) had between 75 and 100 application, 2 (6%) never applied and 4 (13%) said that applications were made in all the cases.

- Use of intermediary

Figure 7.27: How often was an intermediary used?

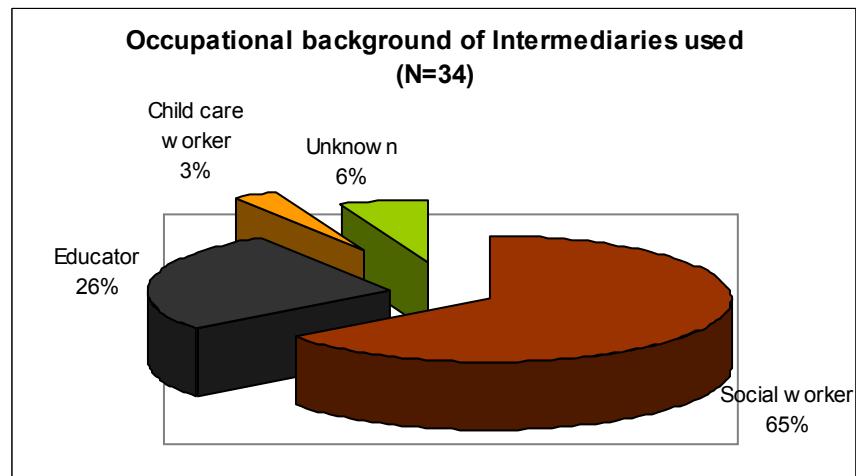


From figure 7.27 it can be seen that 7 (21%) prosecutors said that an intermediary was always used in sexual offences cases with child witnesses, 11 (31%) said that an intermediary was used most of the times, 7 (21%) said they used an intermediary sometimes, 4 (12%) said they seldom used an intermediary and 5 (15%) said that they did not use an intermediary as they prosecuted in a district court.

From the above it can be seen that only 52% of prosecutors used intermediaries frequently. The researcher is concerned with these statistics as this means that 48% prosecutors would let children testify in the open court.

- Occupational background of intermediaries used.

Figure 7.28: Occupations of intermediaries according to prosecutors



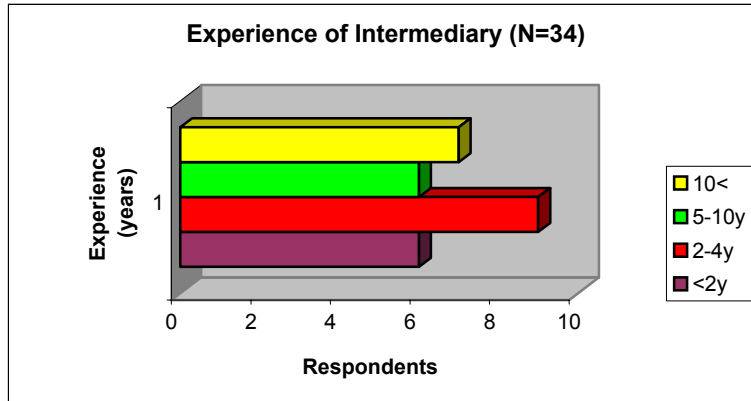
From figure 7.28 it can be seen that of the intermediaries acting in their courts, 22 (65%) prosecutors said the intermediaries were mainly social workers, 9 (26%) prosecutors said they were mainly educators, 1 (3%) said the intermediaries were mainly childcare workers and 2 (6%) prosecutors did not know. During the time of this research, South Africa only had 4 full time intermediaries employed on contract by the Department of Justice and Constitutional Development. All other intermediaries were requested to act when necessary. When intermediaries are used they have to comply with the categories of people who can act as intermediaries (see 5.3.3).

The above statistics correlate with those of the magistrates. Sixty three percent of magistrates used intermediaries that were mainly social workers whilst 65% prosecutors stated that intermediaries were usually from the social work profession (See figure 7.5).

SECTION B: Experiences and training of intermediaries

- Experience of intermediaries

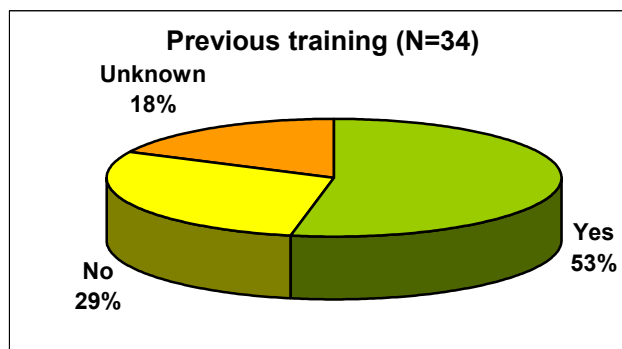
Figure 7.29: Years of experience as intermediaries



From figure 7.29 it can be seen that, according to 6 (18%) prosecutors, the intermediaries had less than 2 years experience, 9 (27%) prosecutors said the intermediaries had between 2 - 4 years experience, 6 (18%) prosecutors said the intermediaries had between 5 and 10 years experience and 7 (21%) prosecutors said the intermediaries 6 (18%) had more than 10 years experience.

- Previous training

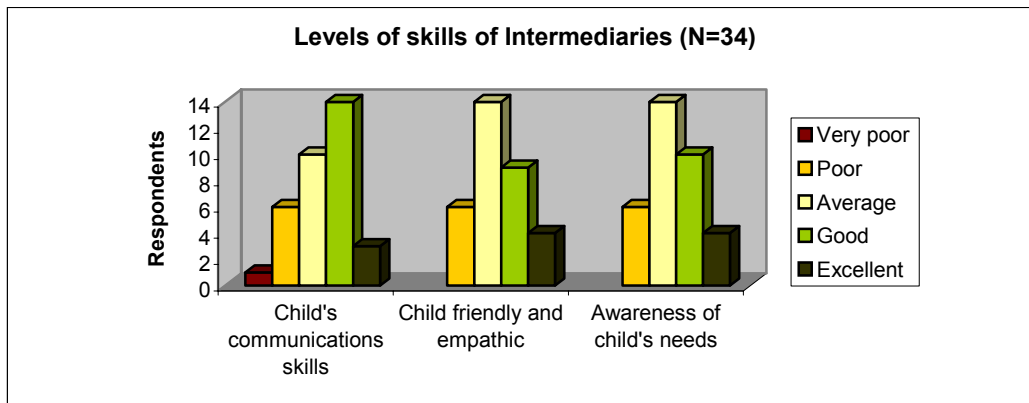
Figure 7.30: Previous training of intermediaries



From figure 7.30 it can be seen that, according to the prosecutors, 18 intermediaries (53%) had some previous training, 10 (29%) did not have any previous training and 6 (18%) were unknown to prosecutor. This correlates with the statistics gathered from the magistrates. 26% of magistrates said that the intermediaries had no training (figure 7.11) whilst 29% prosecutors found that the intermediaries had no training.

- Skills of intermediaries with reference to child communication, child friendliness and awareness of child's needs

Figure 7.31: Skills of intermediaries relating to child communication, child friendly and empathic and awareness of child's needs

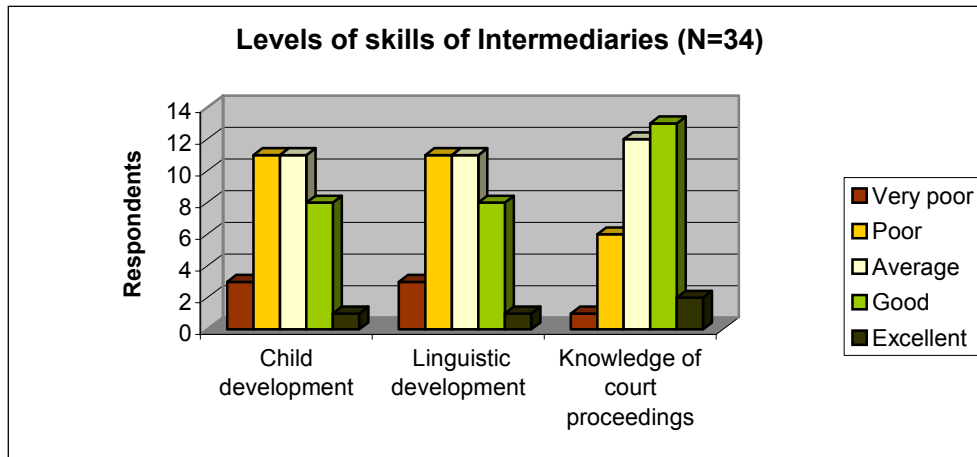


From figure 7.31 it can be seen that, according to the prosecutors, the level of the following skills of the intermediaries were:

- **Communication skills:** 3 (9%) prosecutors said the intermediaries were excellent, 14 (41%) said the intermediaries were good, 10 (29%) said they were average, 6 (18%) said they were poor and 1 (3%) said the intermediaries were very poor.
- **Child friendly and empathic:** 4 (12%) prosecutors said the intermediaries were excellent, 19(29%) said they were good, 14 (41%) prosecutors said they were average, and 6 (18%) prosecutors said the intermediaries were poor.
- **Awareness of child's needs:** 4 (14%) prosecutors said the intermediaries were excellent, 10 (29%) said they were good, 14 (41%) prosecutors said they were average and 6 (18%) prosecutors said the intermediaries were poor.

- Skills relating to Developmental level, linguistic development and criminal proceedings.

Figure 7.32: Skills relating to Developmental level, linguistic development and criminal proceedings



From figure 7.32 it can be seen that, according to the prosecutors, the level of the following skills of the intermediaries were:

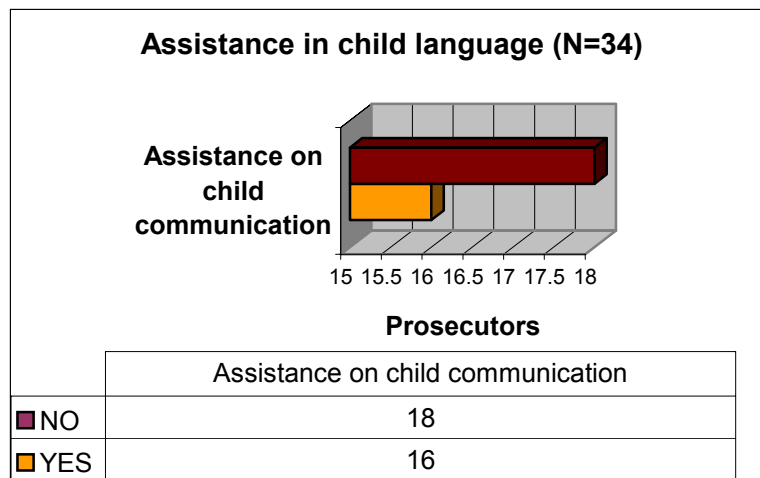
- **Child's developmental level:** 1 (3%) prosecutors said the intermediary was excellent, 8 (24%) said they were good, 11 (32%) said they were average, 11 (32%) prosecutors said they were poor and 3 (9%) prosecutors said the intermediary were very poor.
- **Child linguistic development:** 1 (3%) prosecutors said the intermediary was excellent, 8 (24%) said they were good, 11 (32%) prosecutors said they were average, 11 (32%) prosecutors said the intermediaries were poor and 3 (9%) prosecutors said the intermediary was very poor.
- **Knowledge of legal proceedings:** 2 (6%) prosecutors said the intermediaries were excellent, 13 (38%) said they were good, 12 (35%) said they were average, 6 (18%) prosecutors said they were poor and 1 (3%) prosecutor said the intermediary was very poor.

The results that were obtained from the prosecutors coincide with that of the magistrates as explained in 7.12. Child development and linguistic development are the areas where the intermediaries' knowledge lacks the most. This will have the same implications as with the magistrates, namely that the quality of the service of the intermediary will not be satisfactory. It also confirms, that, although at least 18 (53%)

intermediaries had previous training, this seemed inadequate as their competence was lacking. The researcher can once again make the deduction that, although intermediaries had been trained, they needed further training to be competent intermediaries. The above topics should therefore be included in the training program.

- Advice by intermediary giving to prosecutor

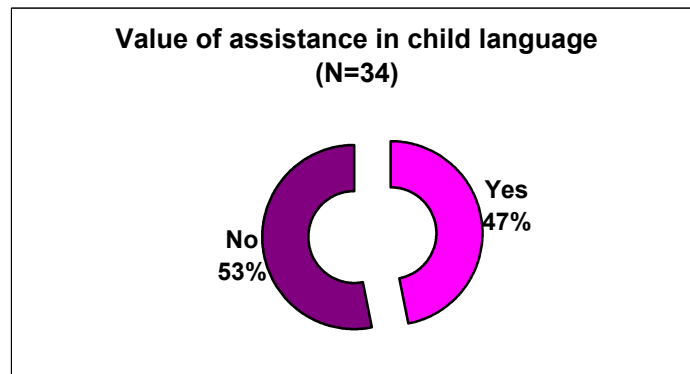
Figure 7.33: Advice to prosecutor on child language



From figure 7.33 it can be seen that 16 (47%) of the prosecutors had previously used intermediaries to assist them with child language, 18 (53%) had not.

- Level of advice by intermediary to prosecutor

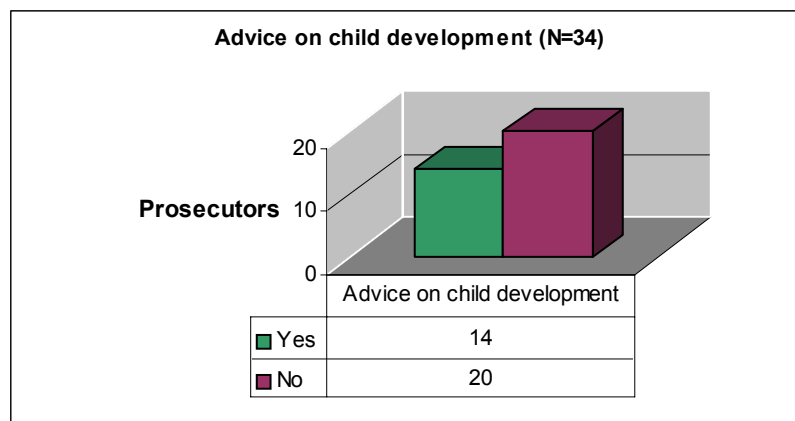
Figure 7.34: Value of advice of intermediaries



From figure 7.34 it can be seen that 16 (47%) prosecutors said the advice was of value and 18 (53%) said it was of no value. Looking at the results of figures 7.31 and 7.32, the deduction can be made that the knowledge of the intermediaries was not sufficient to assist the prosecutors. This supports the previous deduction of the researcher that the intermediaries need more training in this field.

- Developmental phase of child

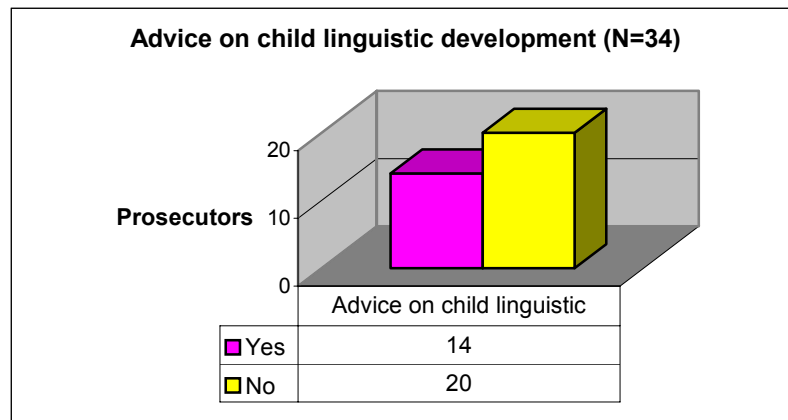
Figure 7.35: Advice to prosecutor on developmental phase



From figure 7.35 it can be seen that 14 (41%) prosecutors asked for advice on child developmental phases and 20 (59%) did not ask.

- Linguistic development of child

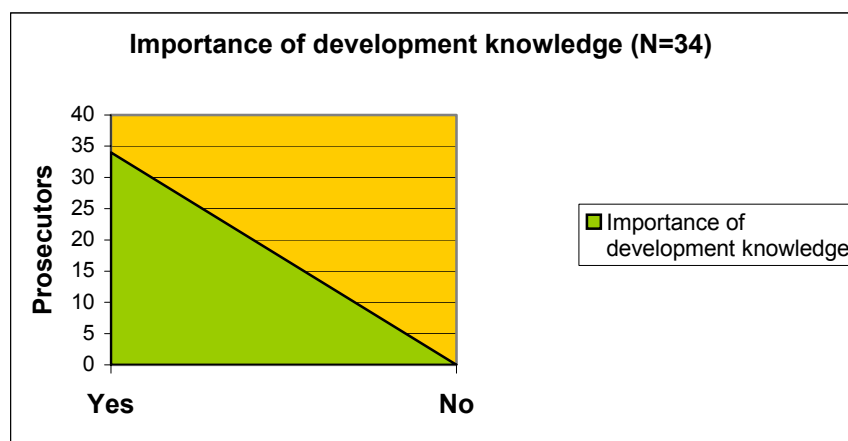
Figure 7.36: Advice to prosecutor on linguistic development



From figure 7.36 it can be seen that 14 (41%) prosecutors asked for advice on linguistic development and 20 (59%) did not ask.

- Importance of knowledge of the above.

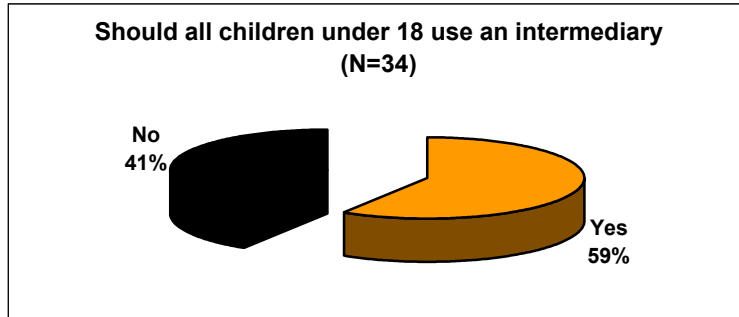
Figure 7.37: Importance of knowledge on child development



From figure 7.37 it can be seen that according to all (100%) prosecutors, intermediaries should have knowledge of the development of the child. It is therefore necessary to include this topic in the training program.

- Children under 18 to testify with an intermediary?

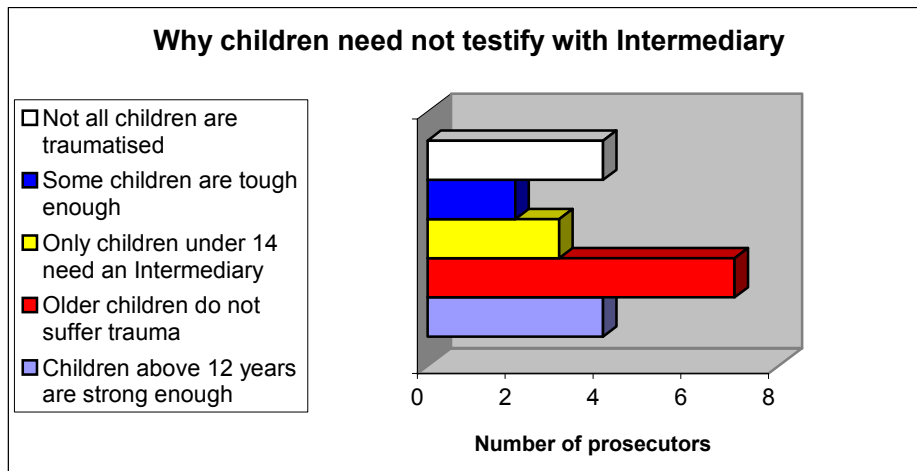
Figure 7.38: Should all children under 18 years testify with an intermediary?



From figure 7.38 it can be seen that 20 (59%) prosecutors agreed and 14 (41%) disagreed. This statistic was of concern to the researcher as this meant that 41% of prosecutors said that a child under the age of 18 could testify in the open court.

- Reasons for children not testifying with an intermediary

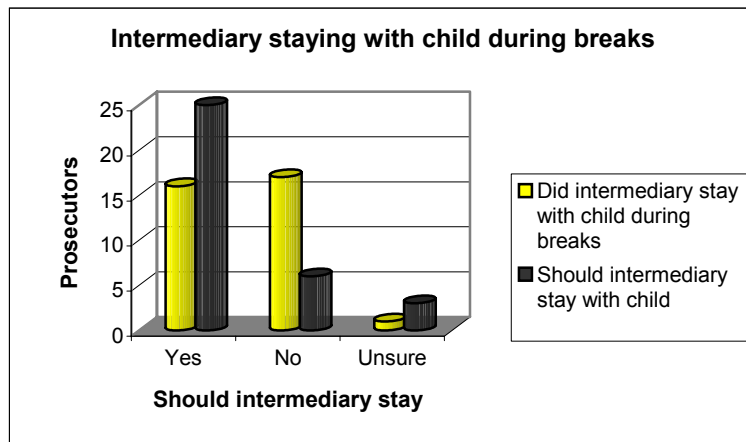
Figure 7.39: Prosecutor's reasons for children not needing an intermediary



From figure 7.39 it can be seen that 4 prosecutors said that not all children are traumatised, 2 said that an intermediary should only be used for a child younger than 14 years, 7 said that many of the older children did not suffer trauma, and 4 said that children above 12 years were strong enough to testify in an open court. No percentages can be given as not all prosecutors answered this question. It is necessary for this topic to be included in the training program. Intermediaries should know how to conduct themselves with respect to this issue.

- Assistance to child by intermediary outside court

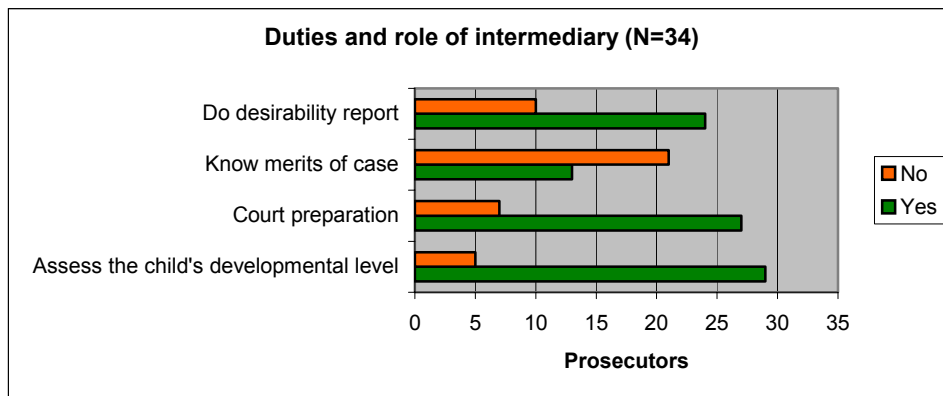
Figure 7.40: Did and should intermediary stay with child during lunch and tea breaks



From figure 7.40 it can be seen that 16 (47%) of the prosecutors said that the intermediaries stayed with the child during breaks, 17 (50%) said they did not stay with the child, and 1 (3%) of prosecutors did not know whether the intermediary stayed with the child. 25 (74%) prosecutors said that the intermediary should stay with the child, 6 (18%) said it was not necessary and 3 (9%) said unsure.

- Involvement of intermediary

Figure 7.41: Role and duties of intermediary

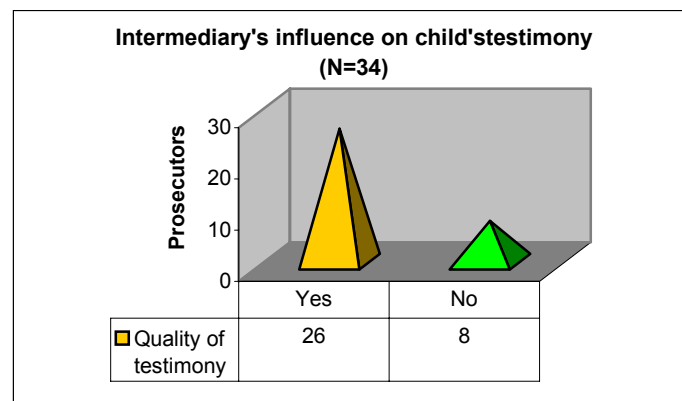


From figure 7.41 it can be seen that:

- **Developmental level:** 29 (85%) prosecutors said that the intermediary should assess the child to establish the child's developmental level before testifying, and 5 (15%) said it was not necessary.

- **Court Preparation:** 7 (21%) prosecutors said that it was not necessary. This can possibly be ascribed to that fact that some courts have separate people doing court preparation or that some prosecutors do the court preparation themselves. 27 (79%) said that court preparation should be done before the child testifies. This high percentage correlates with the literature discussed in chapter 5.
- **Merits of the case:** 13 (38%) prosecutors said that the intermediary should know the merits of the case whilst 21 (62%) said the intermediary should have no knowledge of the merits of the case. It is very important for the intermediary to know that she must not question the child or any other person about the merits of the case as this is not allowed.
- **Desirability Report:** 24 (71%) prosecutors said that the intermediary should do a desirability report on the need to use an intermediary whilst 10 (29%) said the intermediary should not do the desirability report. The intermediary should not do the desirability report as she may not know the merits of the case.
- Quality of child witness's testimony

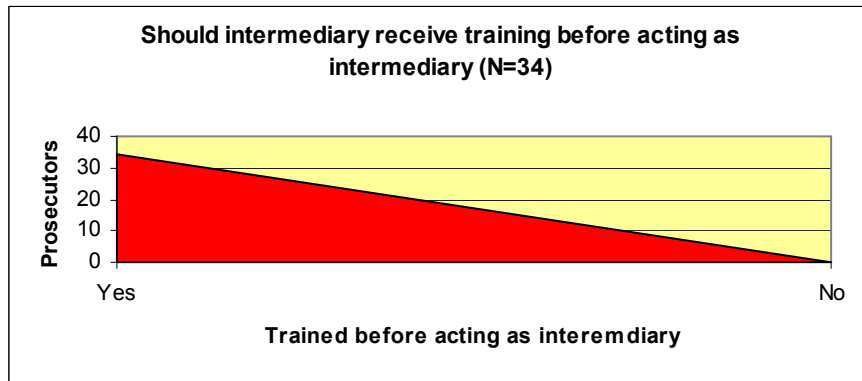
Figure 7.42: Influence of intermediary on child witness's testimony



From figure 7.42 it can be seen that 26 (76%) of the prosecutors said that the intermediary's competence would influence the child's testimony, whilst 8 (24%) said that it did not influence the child's competence. It is therefore important that the intermediary should be competent so that the child can benefit from her competence when testifying. The training of the intermediary can attain this.

- Training for intermediaries

Figure 7.43: Should an intermediary receive training?



From figure 7.43 it can be seen that all 34 (100%) of the prosecutors said that the intermediary should receive training before acting as an intermediary.

- Aspects that are important and should be included in a training program

Table 7.2: Training topics – tabular presentation

Number	Topic	How many prosecutors (N=34)	Percentage
1	Child development	28	82%
2	Communication skills	27	79%
3	Conveying questions	25	74%
4	Child friendly	24	71%
5	Court preparation	18	53%
6	Legal system	12	35%

From table 7.2 it can be seen that 28 (82%) prosecutors said that training should entail child development, 18 (53%) said that intermediaries should be trained to do court preparation, 12 (35%) said that intermediaries should have some legal training, 25 (74%) said that intermediaries should be trained how to convey questions if a child friendly language, 24 (71%) that the intermediary should be sensitised to being child friendly, and 27 (79%) said that communications skills should be in the training program. These topics were included in the training program.

Question 16 and 17 were not answered or answers were not relevant to this study.

7.3.5 Evaluation

▪ In table 7.3 a comparison of the topics suggested by the magistrates and the prosecutors will be given according to the importance that was attached to these topics.

Table 7.3: Table of comparison on topics recommended by magistrates and prosecutors

Topics	Magistrates		Prosecutors	
	Number	%	Number	%
Communication skills	54	100%	27	79%
Court preparation	44	81%	18	53%
Court procedures	23	43%	12	35%
Child development	45	83%	28	82%
Child friendly	32	60%	24	71%
Conveying questions			25	74%
Culture	14	26%		
Rapport building	36	67%		
Trauma	25	46%		
Listening	26	48%		
Impartiality	21	39%		
Other	6	11%		

From the above table it can be seen that both magistrates and prosecutors feel that it was most important for the intermediary to have knowledge of child development and communication skills. Both also said that the intermediary had to be child friendly. The magistrates also said that court preparation was very important as well as rapport building. This is also supported by the literature discussed in chapter four and five. The blank blocks coloured grey represent topics not mentioned by the magistrates or prosecutors.

Culture and legal knowledge were the topics that the magistrates and prosecutors felt the least attention should be paid to.

University of Pretoria etd – Schoeman, U C W (2006)

The fact that the prosecutors mentioned fewer topics could be attributed to the fact that they are not fully aware of what the duties and role of an intermediary is.

- Data obtained from section A was utilised with the literature study and knowledge from experts to develop the training program (objective 4 of the research).

In the following part of this chapter, section B of the empirical study will be discussed.

7.4 SECTION B OF EMPIRICAL RESEARCH

The hypothesis for the research applies to this section of the research. The hypothesis for this research is:

If an intermediary is trained according to a research-based training program, the intermediary's knowledge and understanding of his/her role in assisting the child before and during the court case will be improved.

7.4.1 Data Collection

During section B of the research a training program was presented to 69 respondents (intermediaries). Both questionnaires were divided into 2 sections. The first sections differed from each other in that the pretest questionnaire (Appendix 3) gathered information like work and work experience of the trainees (prospective intermediaries) and previous training. In the posttest questionnaire (Appendix 4), the first section consisted of questions relating to experiences of the trainees regarding the program. Questions in the second section of the questionnaires (Appendix 3 and 4) were identical and were aimed at comparing the respondents knowledge of the duties and role of the intermediary before and after the training program. The change in understanding and knowledge of the duties and responsibilities were measured to evaluate the program.

The questionnaires were distributed to all trainees attending three intermediary training programs at Justice College during August and October 2004. Trainees came from all over South Africa. 69 questionnaires were distributed and 69 (100%) questionnaires were received back from both the pretest and posttest study. The researcher personally handed out the self-constructed questionnaires before and after presenting the program. Data in terms of 69 respondents (N=69) was collected.

A one hundred percent return was obtained. Each trainee's two questionnaires had the same coded respondent number allocated, ensuring precise comparison of data. In this manner it could be determined whether the training program did address all aspects needed to train a prospective intermediary. It could also be established

whether the contents of the program was easily understandable and whether it covered all the necessary aspects and information needed by prospective intermediaries.

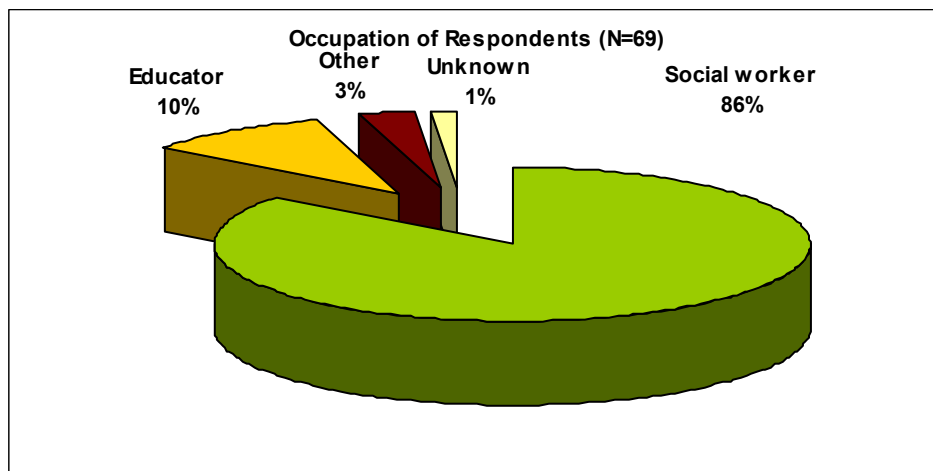
The measurements of the pretest and posttest were compared with each other to measure the influence of the training program on the trainees attending the program. The results of the above two research sections will be presented by means of graphs, tables and discussions in this chapter.

7.4.1 QUESTIONNAIRE 3 (Appendix 3)

7.4.1.1 Questionnaire for the evaluation of the intermediary training program (Pre-test)

- **SECTION A: Background information of trainees before the training program**
 - Current Occupation of trainees

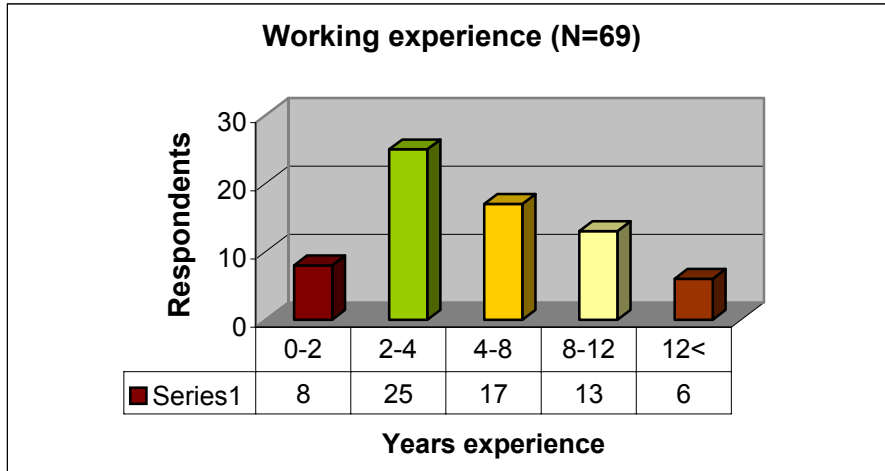
Figure 7.45: Occupations of trainees



The intermediaries can come from different occupational backgrounds such as social worker, educators, childcare workers, medical practitioners and psychologists. From figure 7.45 it can be seen that of the respondents participating, 58 (86%) were social workers, 7 (10%) were educators, 3 (4%) were from other occupations, and 1 (1%) was unknown. This data correlates with the data given by magistrates and prosecutors that most intermediaries that are used are social workers.

- Years of experience in their current occupations

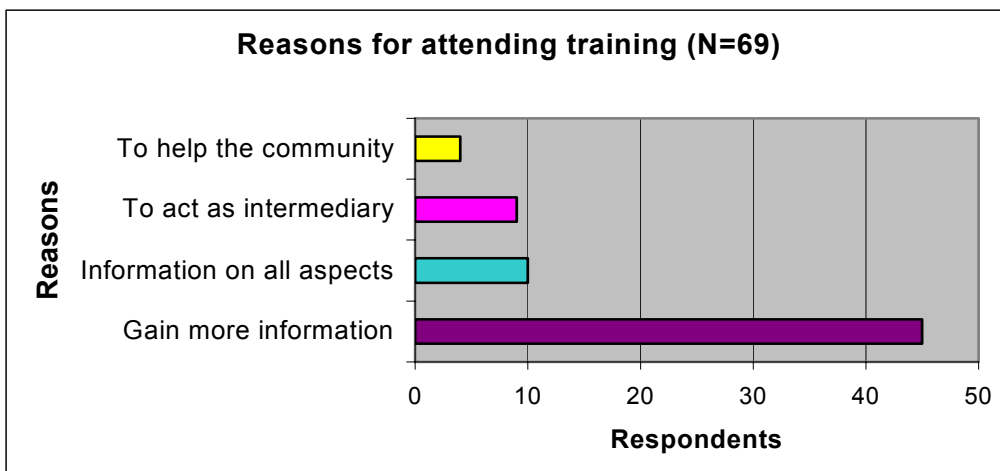
Figure 7.46: Working experience of respondents



From figure 7.46 it can be seen that of the 69 (100%) respondents, 8 (12%) had 2 years or less experience, 25 (36%) had between 2 and 4 years experience, 17 (25%) had between 4 and 8 years of experience, 13 (19%) had between 8 and 12 years experience and 6 (9%) had 12 years and more of experience. From the above it can be seen that 36 (52%) had more than five years experience. 8 (12%) of the respondents did not qualify to act as intermediary. (See chapter 5).

- Reasons for attending training program

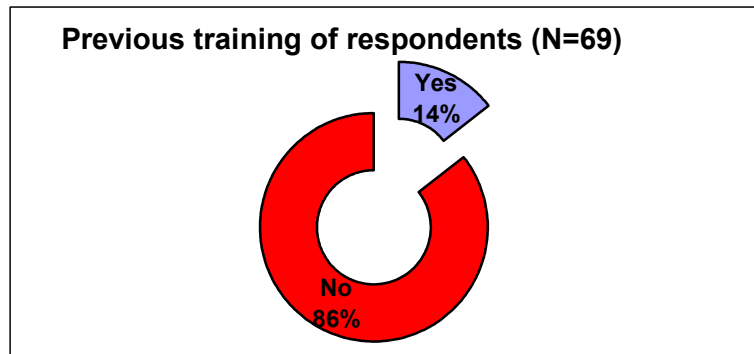
Figure 7.47: Reasons why respondents attend the training program



From figure 7.47 it can be seen that 45 (65%) respondents wanted to gain more information on being an intermediary, 10 (14%) wanted more information on all aspects of being an intermediary, 9 (14%) wanted to know how to act as an intermediary, and 4 (7%) wanted to help the community.

- **Previous training as intermediaries**

Figure 7.48: Previous training as intermediaries



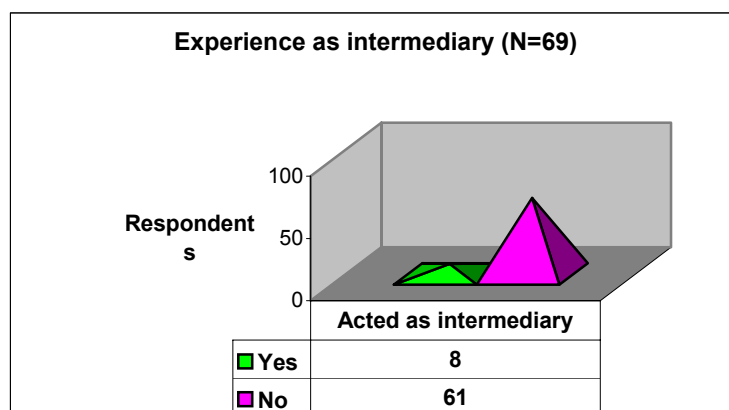
From figure 7.48 it can be seen that 10 (14%) intermediaries had previous training whilst 59 (86%) had never had any training. This correlates with the opinion of the prosecutors and magistrates that intermediaries should definitely be trained before acting as intermediary.

- **Information of training course/s attended**

Information gained from this question was not relevant and could not be used for the purpose of this study.

- **Experience of respondents as intermediaries**

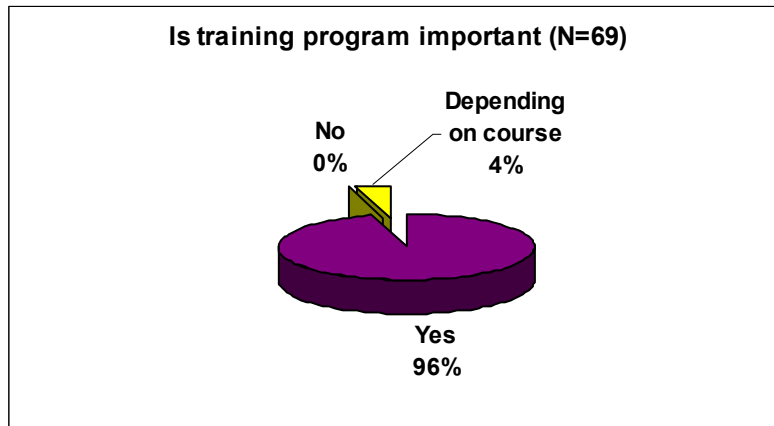
Figure 7.49: Previous experience intermediary



From figure 7.49 it can be seen that 8 (12%) respondents had acted as an intermediary before whilst 61 (88%) had never acted as intermediary before.

- Importance of training program

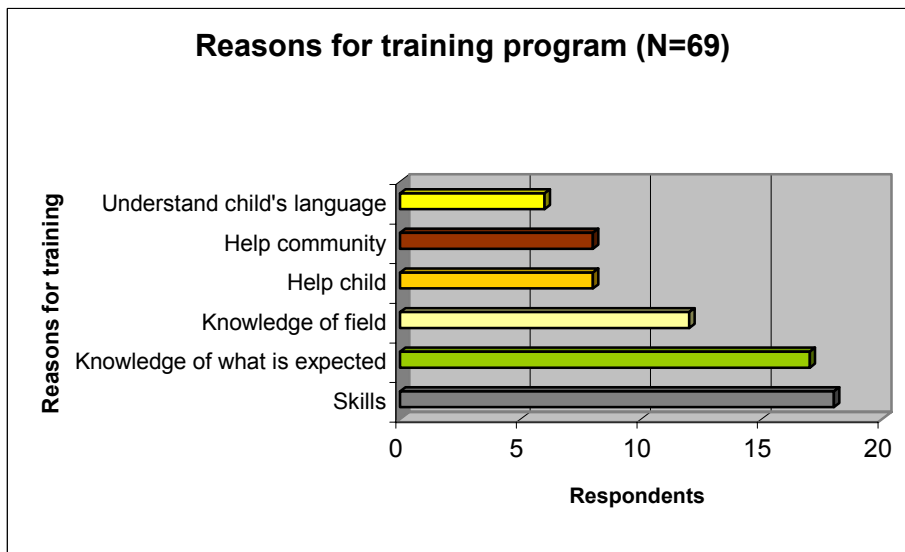
Figure 7.50: Should intermediary attend a training program?



From figure 7.50 it can be seen that 66 (96%) respondents agreed that an intermediary should attend a training program and 3 (4%) said it depended on the program.

- Reasons for attending training program

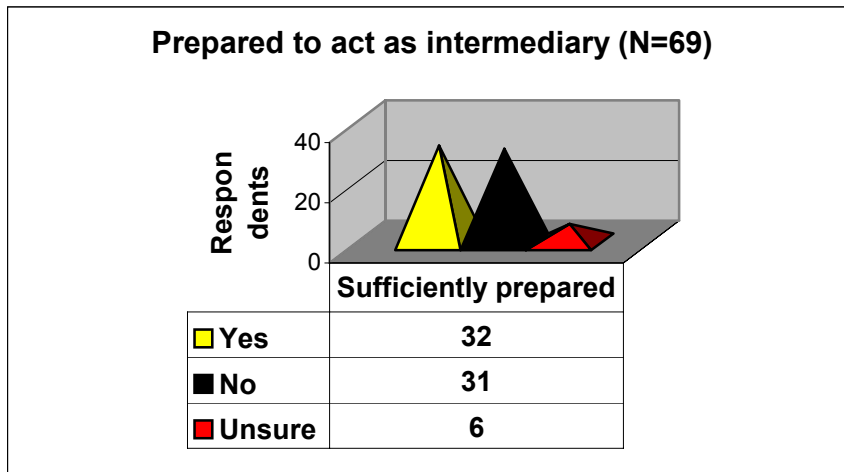
Figure 7.51: Why should intermediaries attend a training program?



From figure 7.51 it can be seen that 18 (26%) respondents felt that it was important to gain skills from the training program, while 17 (25%) felt that they wanted to know what was expected of them. 12 (17%) felt that they wanted to gain knowledge on the field of the intermediary, 8 (12%) wanted to help the child, 8 (12%) wanted to help the community and 6 (9%) wanted to understand the language of the child.

- Acting as intermediary:

Figure 7.52: Is the respondent sufficiently prepared to act as intermediary?



From figure 7.52 it can be seen that 32 (47%) respondents felt sufficiently prepared whilst 31 (44%) felt they could not act as intermediary. 6 (9%) felt unsure about acting as intermediary.

- Topics the respondents felt unsure of before the training

Table 7.4: Topics respondents felt unsure about

TOPICS UNSURE OF BEFORE PROGRAM	Respondents	Percentage
Court procedure	37	54%
Child development	23	33%
All aspects	23	33%
Role of Intermediary	23	33%
Disabilities	23	33%
Desirability Report	20	29%
Court preparation	19	27%
Practical experience	19	27%
Language in court	18	26%
Anatomical dolls	17	25%
Play therapy techniques	17	25%
Trauma	17	25%
Family dynamics	16	23%
Assessment of child	15	22%
Communicating with child	15	22%
Child centred approach	13	19%
In camera testimony	13	19%
How to protect the child	13	19%
Sexual abuse	12	17%

From table 7.4 it can be seen that the respondents felt unsure about the following topics before they started the training 19 (27%) felt unsure about the practical aspects of being an intermediary, 13 (4%) felt unsure about protecting the child in the legal system, 16 (23%) felt unsure about the role of the family, 17 (25%) felt unsure about play therapy techniques, 17 (25%) felt unsure about the use of anatomically detailed dolls, 17 (25%) felt unsure about trauma in the child coming to court, 20 (29%) felt unsure about the desirability report, 23 (33%) felt unsure about child development, 23 (33%) felt unsure about disabilities in children, 37 (54%) felt unsure about court procedures , 18 (26%) felt unsure about language in court, 5 (7%) felt unsure about communication skills, 12 (17%) felt unsure about abuse and 23 (33%) felt unsure about the duties and role of the intermediary, 19 (27%) felt unsure about court preparation, 13 (19%) felt unsure about both the child centred approach and in-camera testimony, and 15 (22%) felt unsure of assessing the child.

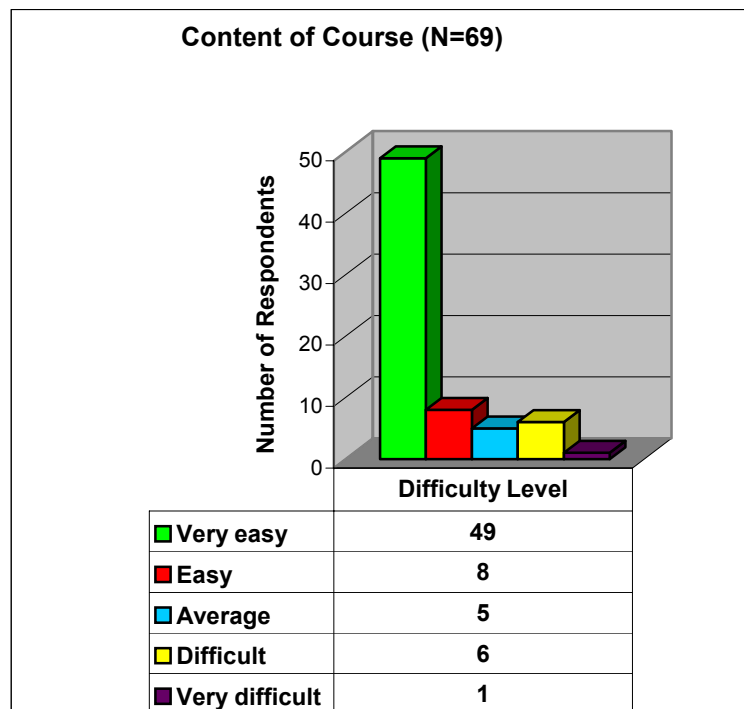
7.4.2 QUESTIONNAIRE 4 (Appendix 4)

7.4.2.1. Questionnaire for the evaluation of the intermediary training program - Post-Test

- **SECTION A: Experience of the training program**

- Understandability of the program

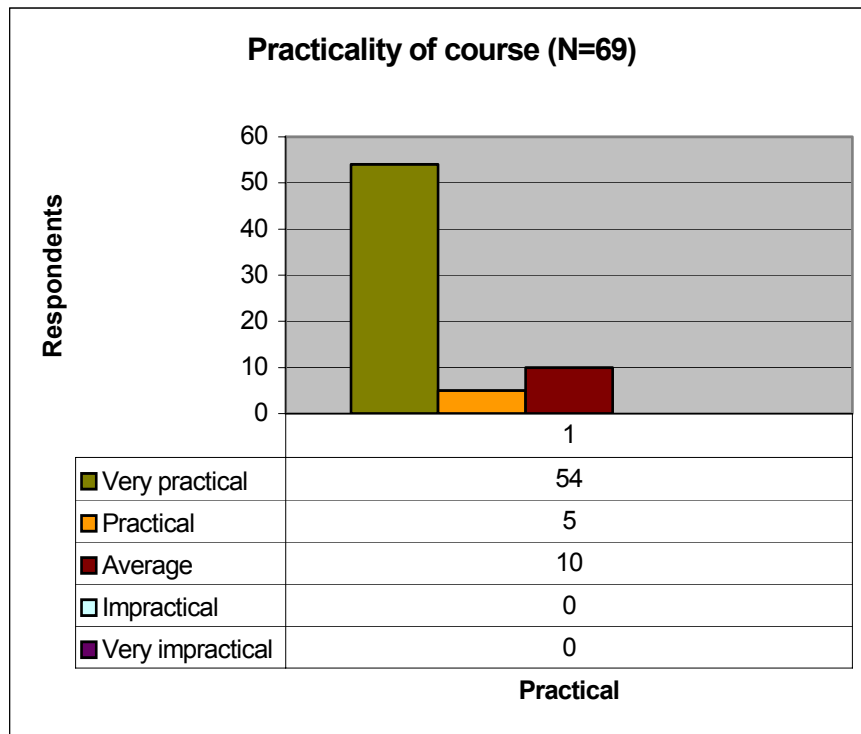
Figure 7.53: Level of understandability of program



From figure 7.53 it can be seen that 49 (71%) respondents found the program very easy to understand, 8 (12%) found the program easy, 5 (7%) found the program average, 6 (9%) found the program difficult and 1 (1%) found the program very difficult to understand. The respondent who found the training program very difficult to understand had a B.A. degree with no social work or educational background and no working experience with children.

- Practicality of the program

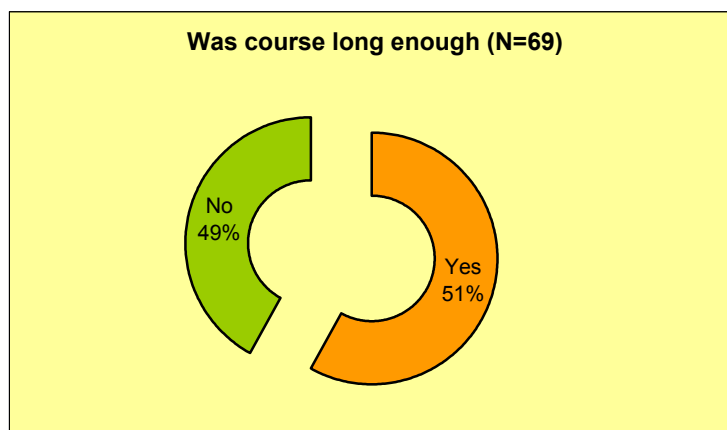
Figure 7.54: Practicality of the program



From figure 7.54 it can be seen that 54 (78%) found the program very practical, 5 (7%) found it practical, and 10 (15%) found the program average. Nobody found the program impractical.

- Duration of the program

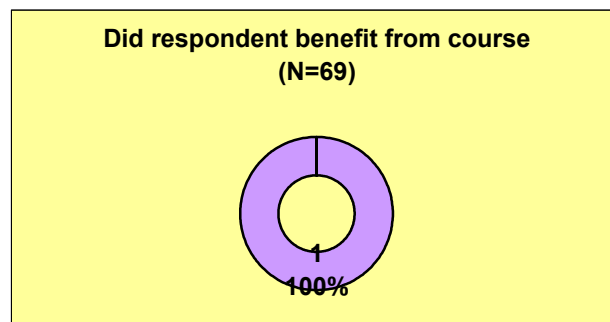
Figure 7.55: Was program long enough?



From figure 7.55 it can be seen that 35 (51%) respondents found the program long enough and 34 (49%) found the program too short and wanted more time. 20 (29%) respondents commented that they want a follow-up program (not indicated on graph).

- Degree of benefits of the program

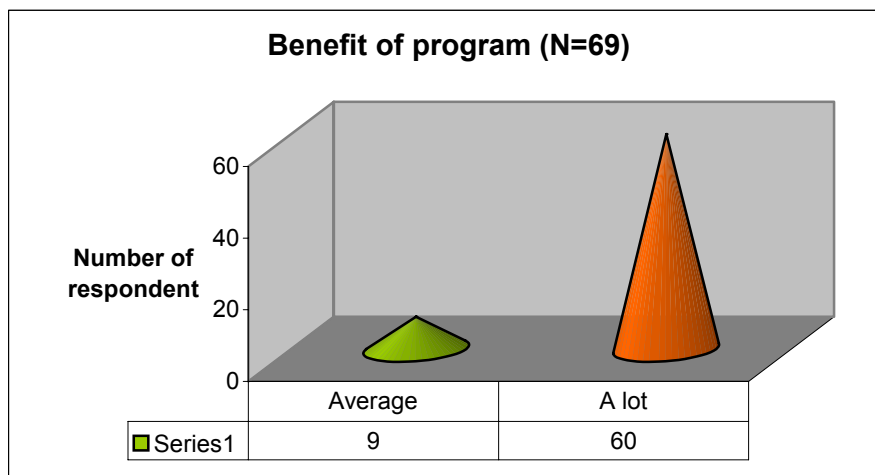
Figure 7.56: Did respondents benefit from the program?



From figure 7.56 it can be seen that 69 (100%) said that they had benefited from the program. This acknowledges what the prosecutors and magistrates indicated in that an intermediary should be trained according to a research-based program.

- Degree of benefit

Figure 7.57: To what degree did respondents benefit from the program?



From figure 7.57 it can be seen that 60 (90%) respondents indicated that they had benefited a lot from the program, 9 (10%) said that the benefit had been average.

- Which topics should less time be devoted to

Table 7.5: The topics the respondents indicated less time should be allocated to:

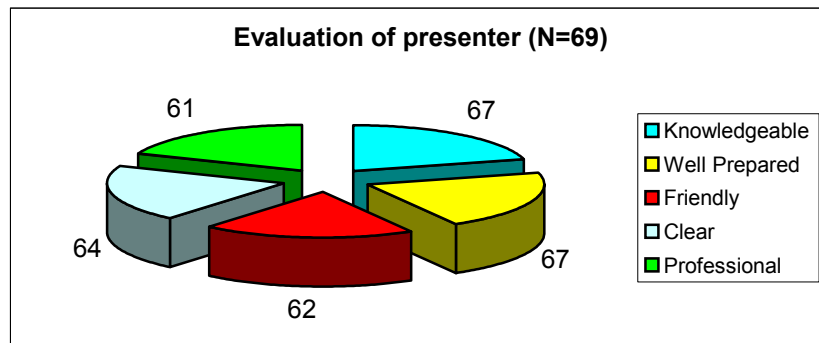
Topic	Respondents (N=69)	Percentage
S A Legal system	9	13%
Child development	6	9%
Trauma debriefing	5	7%
The trial	4	6%
Role of the parent	3	4%
Court preparation	3	4%
Anatomically detailed dolls	3	4%
Relaying questions	2	3%
Questions in court	2	3%
Child communication	2	3%
The intermediary	1	1%
Desirability report	1	1%

From table 7.5 it can be seen that 9 (13%) respondents indicated that less time should be spent on the S A legal system. 1 (1%) indicated that less time should be spent on the intermediary, 4 (6%) indicated that less time should be spent on the trial, 2 (3%) indicated less time should be spent on the relaying of questions, 2 (3%) indicated less time should be spent on child communication, 3 (4%) indicated that less time should be spent on court preparation, 5 (7%) indicated that less time should be spent on aspects of trauma, 3 (4%) indicated less time should be spent on the role of the parent, 2 (3%) indicated less time should be spent on questions asked in court, 6 (9%) indicated that less time could be spent on child development, 3 (4%) indicated that less time should be spent on the anatomically detailed dolls, and 1 (1%) indicated that less times should be spent on the desirability report.

This information will be taken into account with the finalisation of the training program before it is made available to the Department of Justice and Constitutional Development.

- Evaluation of the presenter:

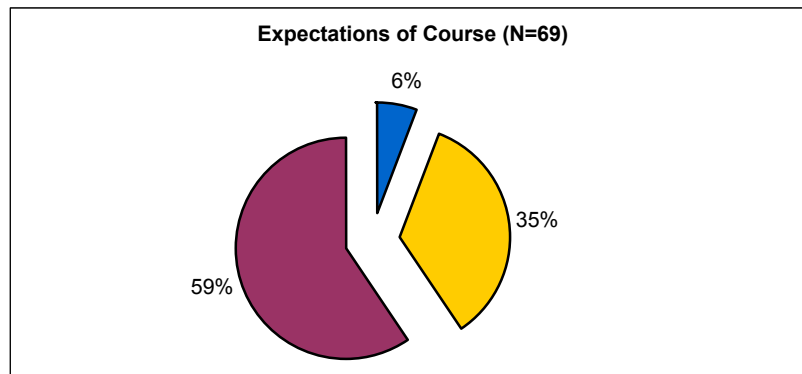
Figure 7.58: The respondents' evaluation of presenter



From figure 7.58 it can be seen that 67 (97%) respondents felt that the presenter was knowledgeable, 67 (97%) felt that she was well prepared, 62 (90%) felt that she was friendly, 64 (93%) felt that she was clear, and 61 (88%) felt that she was professional.

- Expectations of program

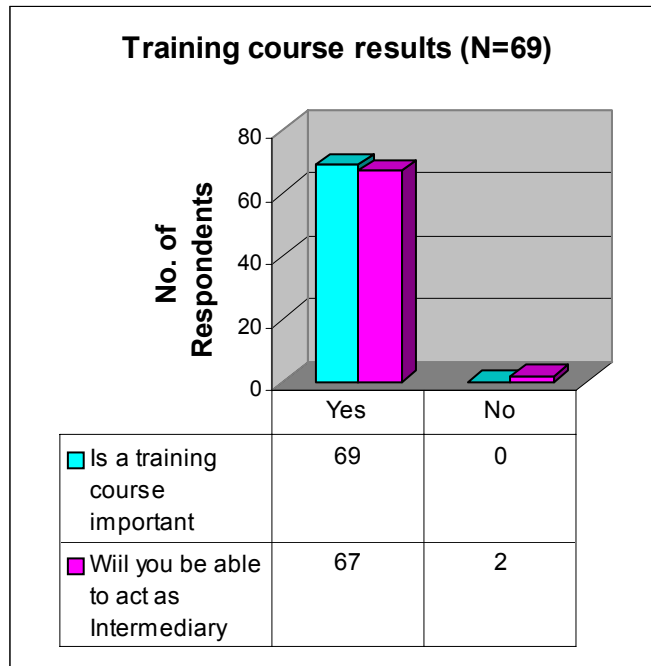
Figure 7.59: Were expectations met?



From figure 7.59 it can be seen that 41 (59%) respondents felt that their expectations had definitely been met, 24 (35%) felt that their expectations had been met and 4 (6%) felt unsure.

- Is it important to attend a training program?

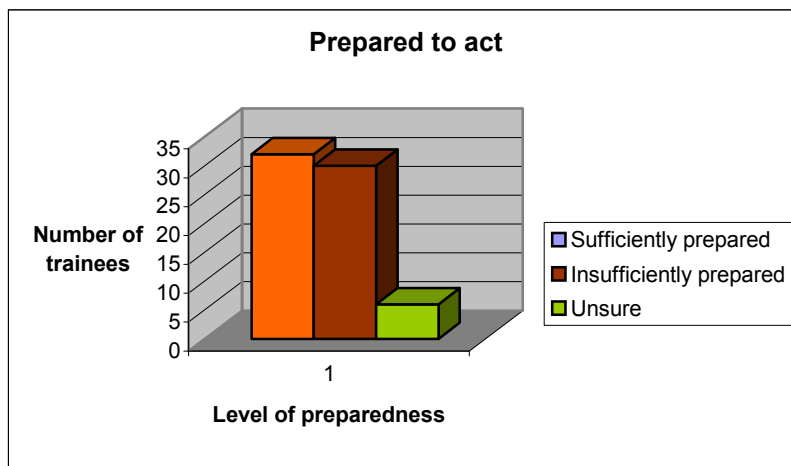
Figure 7.60: Importance of training program



From figure 7.60 it can be seen that 69 (100%) respondents felt that it was important to attend a training program. 67 (98%) respondents felt sufficiently prepared to act as intermediaries and 2 (2%) felt she was not sufficiently prepared.

- Did respondents feel sufficiently prepared to act as intermediaries?

Figure 7.61: Preparedness to act as intermediary



From figure 7.61 it can be seen that 32 (46%) trainees felt that they were sufficiently prepared to act as intermediaries, 30 (44%) felt insufficiently prepared to act as intermediaries, and 6 (9%) felt unsure.

- Topics respondents still feel unsure about

Table 7.6: Topics respondents felt unsure about

Topic	Respondents (N=69)	Percentage
Desirability report	13	19%
SA Legal system	12	17%
Trauma debriefing	8	12%
Practical questions	8	12%
Relaying questions	7	10%
The trial	7	10%
Practical court experiences	5	7%
Role of the parent	3	4%
Anatomical detailed dolls	2	3%
Child development	2	3%
Child communication skills	2	3%
The Intermediary	1	1%
Building rapport with the child	1	1%
Abuse	1	1%
Court preparation	1	1%

From figure 7.6 it can be seen that 1 (1%) respondent felt unsure of abuse, 12 (17%) felt unsure about the legal system, 1 (1%) felt unsure of the intermediary 7 (10%) felt unsure of aspects of the trial, 7 (10%) felt unsure about the relaying of the question, 1 (1%) felt unsure of how build a rapport with the child, 2 (3%) felt unsure of communications skills, 1 (1%) felt unsure of court preparation, 2 (3%) felt unsure of the anatomically detailed dolls, 3 (4%) felt unsure of the role of the parent, 8 (12%) felt unsure of trauma debriefing, 2 (3%) felt unsure of child development, 13 (19%) felt unsure of the desirability report, 8 (12%) felt unsure of the practical questions, and 5 (7%) felt unsure of the practical court situation.

7.5 COMPARISON BETWEEN PRE-TEST AND POST-TEST BEFORE AND AFTER THE PROGRAM

The data collected from the pretest and posttest were compared to determine the change that had taken place in the knowledge base as well as practical knowledge of the trainees.

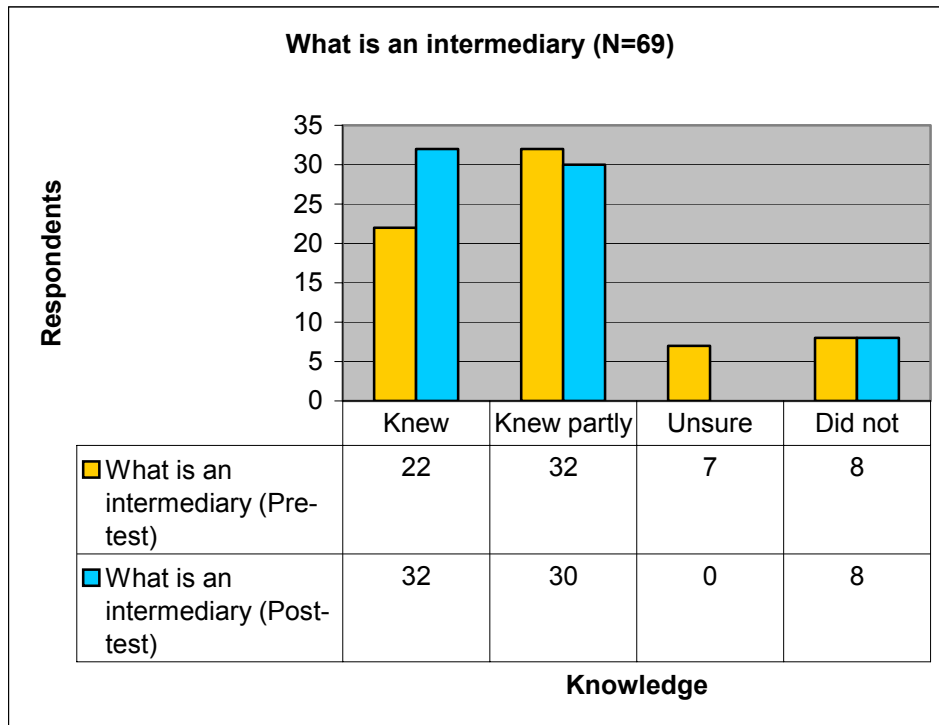
Data gathering during phase five of the intervention research process was done by means of self-constructed questionnaires, which contained open and closed questions. Each trainee's two questionnaires had the same coded respondent number allocated, ensuring precise comparison of data. In this manner it could be determined whether the training program did address all aspects needed to train an intermediary. It could also be established whether the contents of the program was easily understandable and whether it covered all the necessary aspects and information needed by prospective intermediaries.

The data gathered from Section B of both the questionnaires distributed before and after the training program will be discussed and compared with each other to see whether a change in knowledge of intermediaries has taken place. The comparison of the two results will be presented graphically.

Of the 69 respondents the following was determined before and after presenting the training program:

- What is an Intermediary?

Figure 7.62: What is an intermediary



From figure 7.62 it can be seen that:

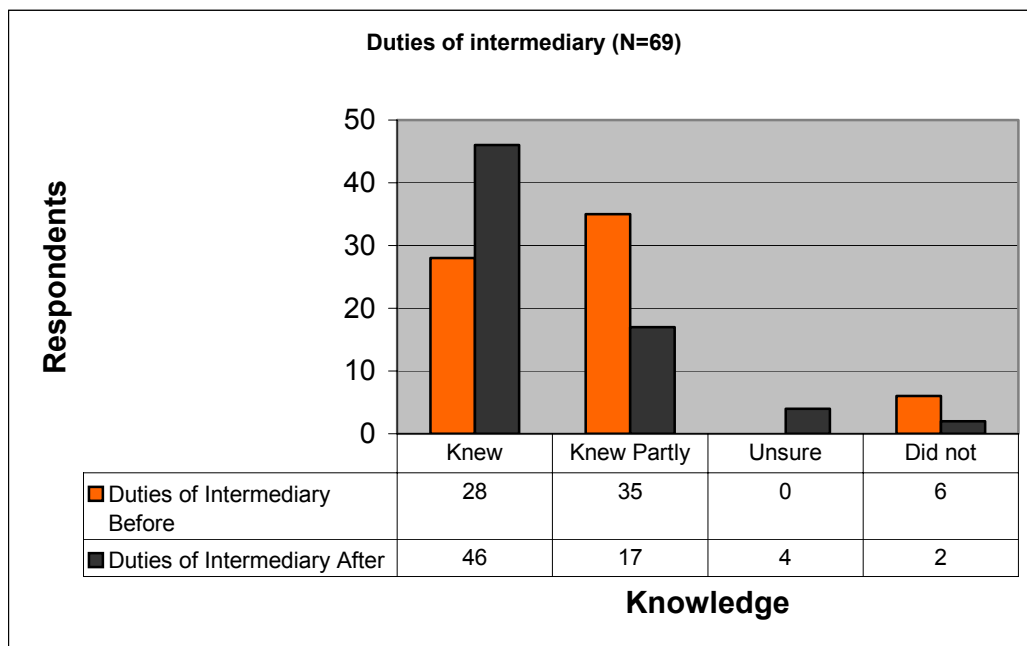
Pre-test: 22 (32%) respondents knew what an intermediary was, 32 (46%) partly knew, 7 (10%) were not sure and 8 (12%) did not know.

Post-test: 32 (46%) respondents knew what an intermediary was, 30 (57%) partly knew what an intermediary was and 7 (12%) did not know.

From the above it can be seen that the trainees knowledge of what an intermediary is increased from 32% to 46%, those that partly knew increased from 10% to 57% and 12% still did not know what an intermediary is. This lack of knowledge could possibly be because of time restraints during the training program.

- What are the duties of an Intermediary?

Figure 7.63: Duties of an intermediary



From figure 7.63 it can be seen that:

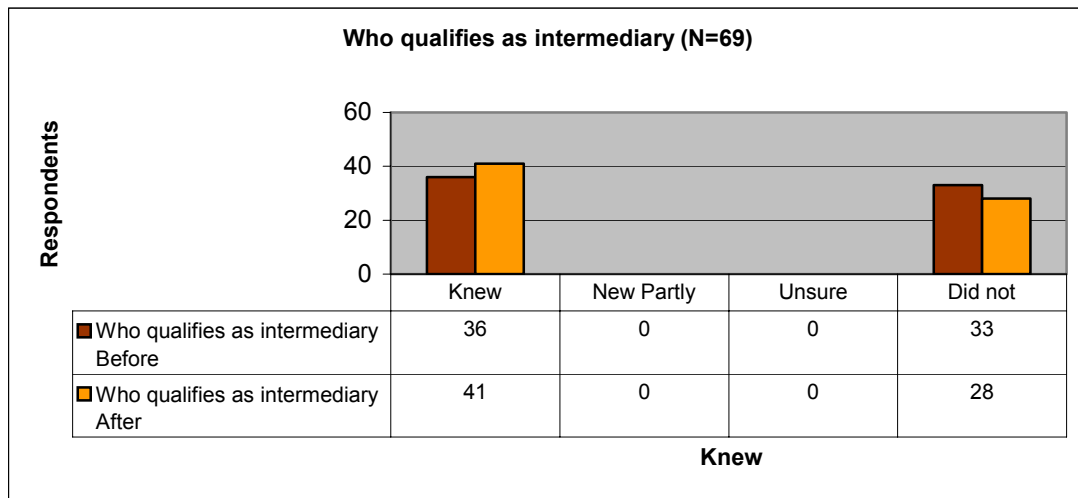
Pre-test: 28 (41%) respondents knew what an intermediary duties were, 35 (51%) partly knew what an intermediary duties were, 6 (9%) did not know.

Post-test: 46 (67%) respondents knew what an intermediary's duties were, 2 (3%) did not know and 17 (25%) partly new what an intermediary does, and 4 (6 %) was unsure.

From the above it can be seen that the trainees' knowledge of the duties of an intermediary increased from 41% to 67%, those that partly knew decreased from 51% to 25% and 9% still did not know what an intermediary is. This lack of knowledge could possibly be because of time restraints during the training program as well as a result of a lack of background knowledge of an intermediary.

Who qualifies to be an intermediary?

Figure 7.64: Qualifications of intermediary



From figure 7.64 it can be seen that:

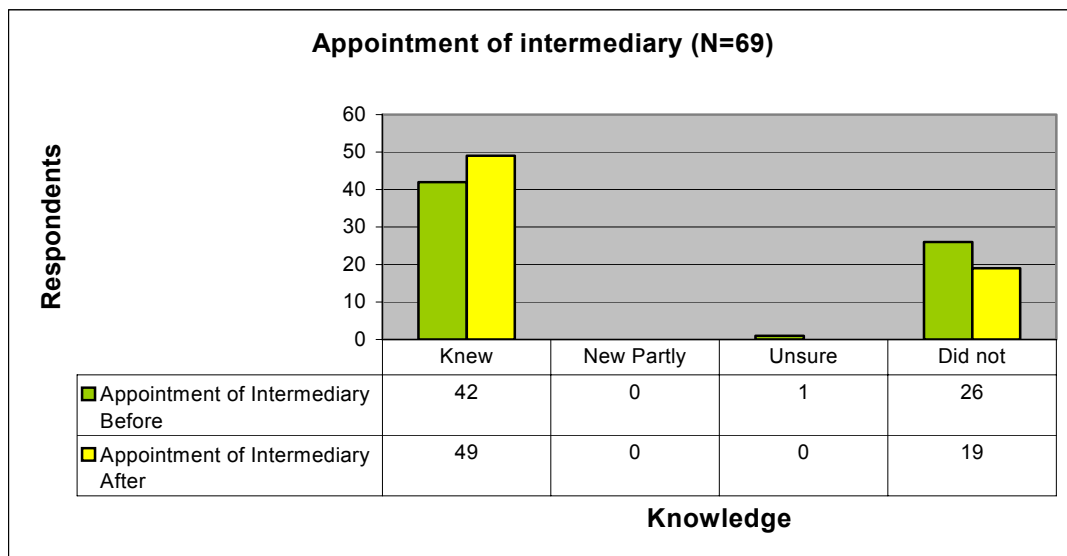
Pre-test: 36 (52%) respondents knew who qualified to be an intermediary, 33 (48%) did not know

Post-test: 41 (59%) respondents knew who qualified as intermediary and 28 (41%) did not know.

From the above it can be seen that the trainees' knowledge of who qualifies to be an intermediary is increased from 36 to 41%, those who did not know decreased 33 to 28. This lack of knowledge could possibly be because of time restraints during the training program as well as a result of a lack of background knowledge of an intermediary

- When is an intermediary appointed:

Figure 7.65: Appointment of an intermediary



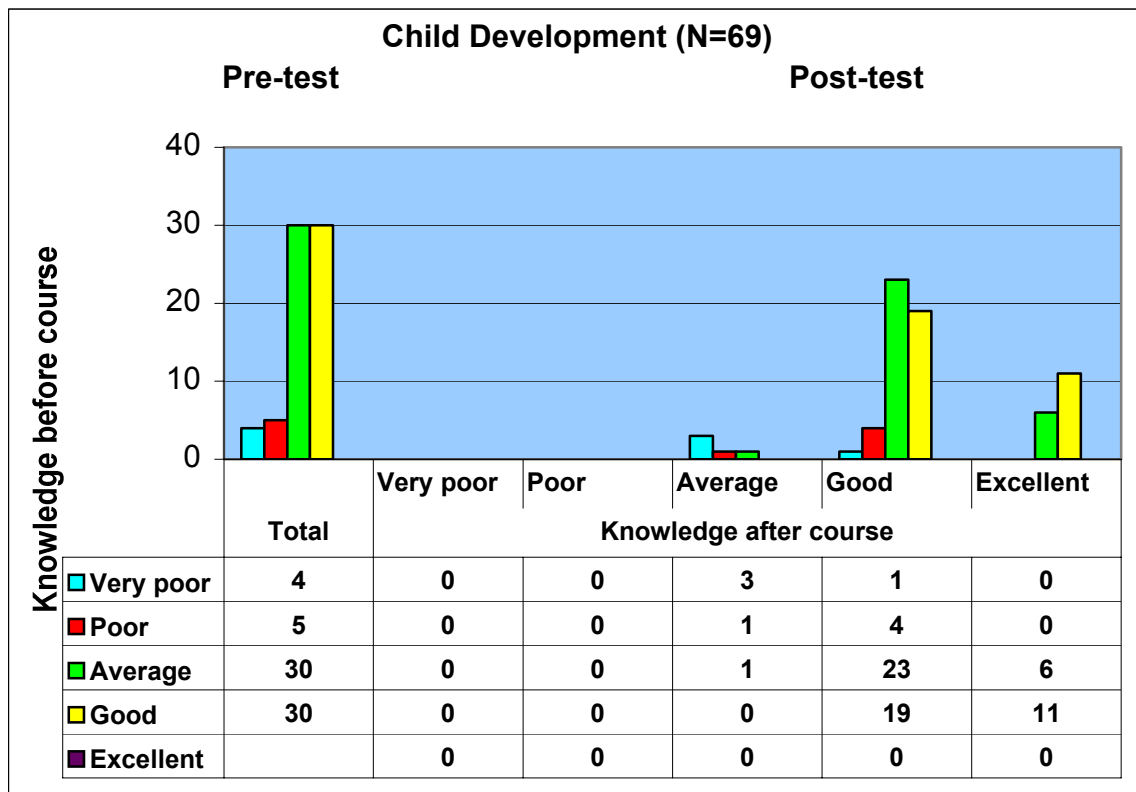
From figure 7.65 it can be seen that:

Pre-test: 42 (61%) respondents knew when an intermediary was appointed, 26 (38%) did not know, and 1 (1%) was unsure.

Post-test: 49 (71%) respondents knew and 19 (28%) did not know.

The above statistics show an improvement of 145. The Failure on behalf of the 28 trainees who did not know who qualified to be an intermediary can possibly be improved by spending more time on the relevant theme during training. This will however only be possible if the training program is extended to at least a three-week program.

Figure 7.66: Knowledge of child development



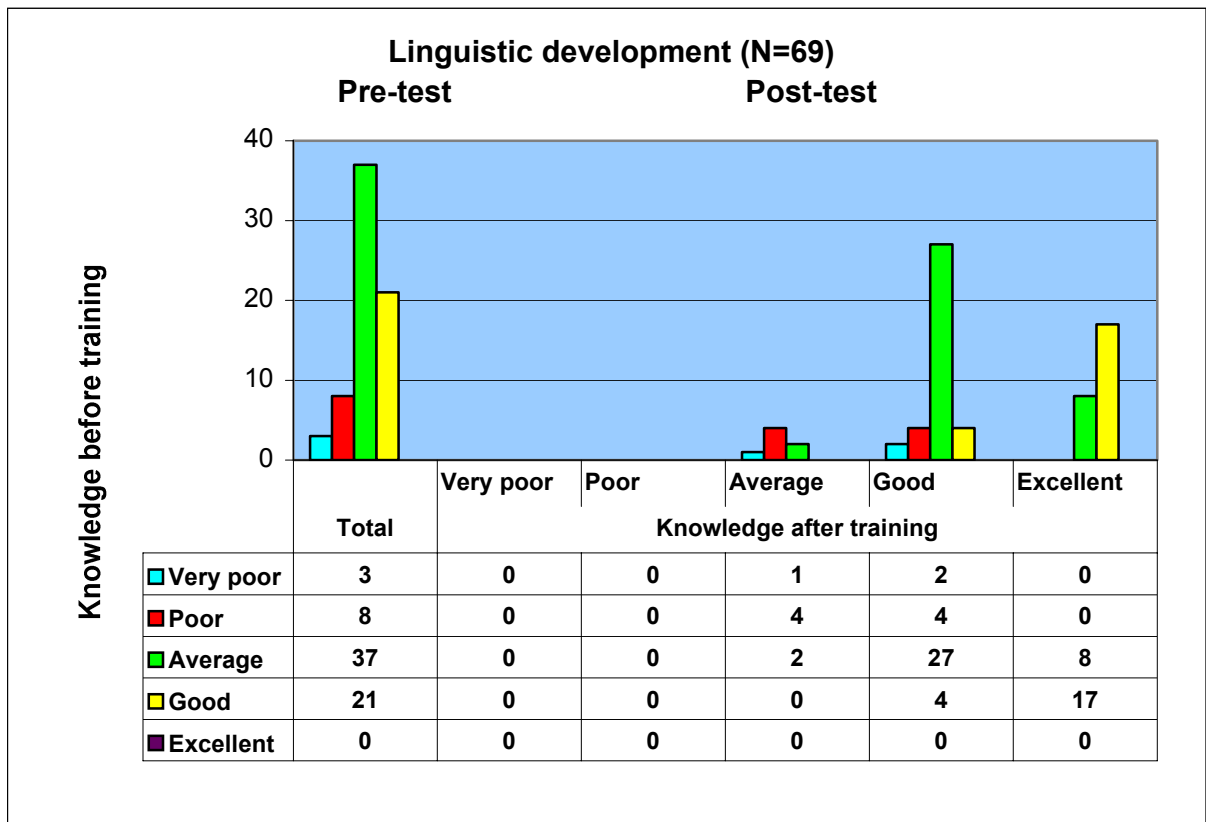
From figure 7.66 it can be seen that:

Pre-test: Before the program, 4 (6%) respondents felt their knowledge was very poor, 5 (7%) felt their knowledge was poor, 30 (43%) felt their knowledge was average, 30 (43%) felt their knowledge was good and nobody felt their knowledge was excellent.

Post-test: Of the 4 (100%) respondents that felt their knowledge was poor, after the program 3 (75%) improved to average, 1 (25%) improved to good. Of the 5 (100%) who felt their knowledge was poor, 1 (20%) improved to average, and 4 (80%) improved to good. Of the 30 (100%) who felt their knowledge was average, 1 (3%) felt their knowledge was still average, 23 (77%) felt their knowledge was good and 6 (20%) felt their knowledge had improved to excellent. Of the 30 (100%) respondents who felt that their knowledge was good, 19 (63%) remained good and 11 (37%) said their improved to excellent.

- Knowledge of Language development

Figure 7.67: Knowledge of language development



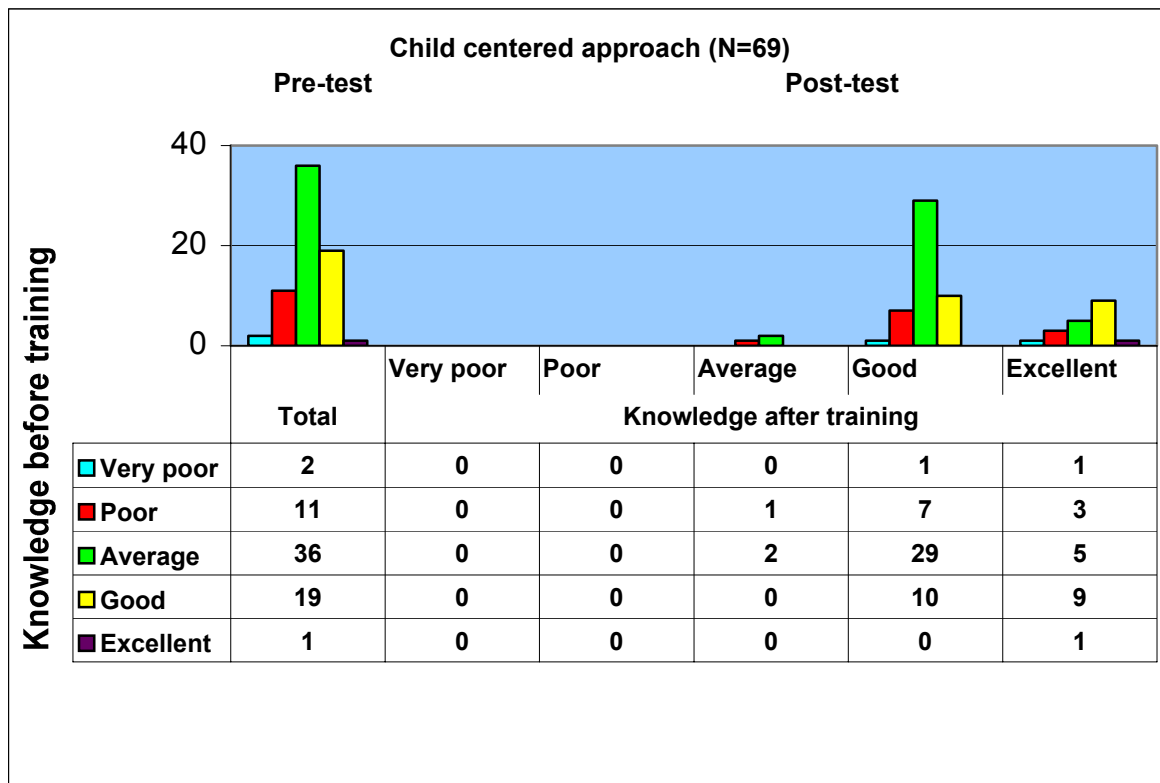
From figure 7.67 it can be seen that:

Pre-test: Of the 69 (100%) respondents, 3 (4%) respondents said that their knowledge was very poor, 8 (12%) felt their knowledge was poor, 37 (54%) felt their knowledge was average, 21 (30%) felt their knowledge was very good, and nobody felt that their knowledge was excellent.

Post-test: After the program 3 (100%) of the respondents who felt that their knowledge was very poor, 1 (33%) improved to average, and 2 (67%) to good. Of the 8 (100%) respondents who felt their knowledge poor, 4 (50%) improved to average, and 4 (50%) improved to good. Of the 37 (100%) that felt their knowledge was average, 2 (5%) remained average, 27 (73%) improved to good, and 8 (22%) improved to excellent. Of the 21 (100%) respondents who felt their knowledge was good, 4 (19%) remained good and 17 (81%) improved to excellent.

- Child centred Approach

Figure 7.68: Child centred approach



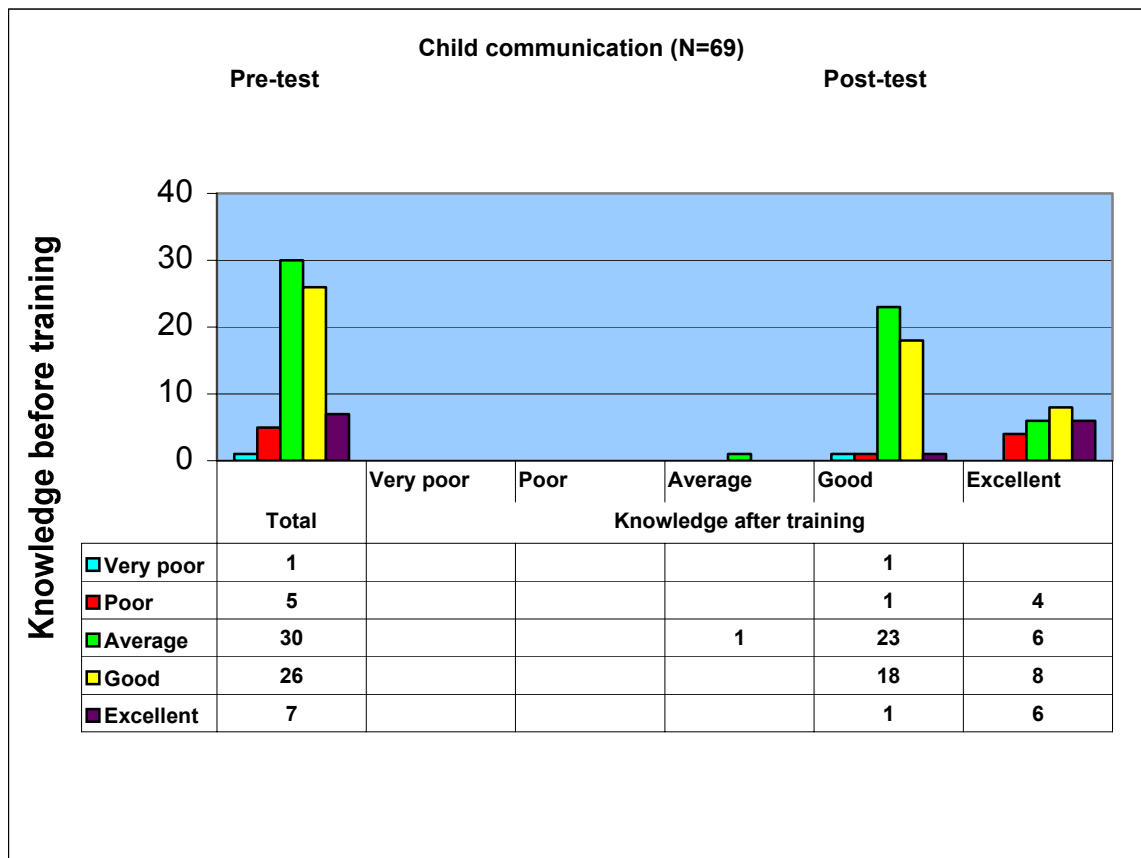
From figure 7.68 it can be seen that:

Pre-test: Of the 69 respondents, 2 (3%) felt their knowledge was very poor, 11 (17%) felt it was poor, 36 (52%) felt it was average, 19 (27%) felt it was good, and 1 (2%) felt it was excellent.

Post-test: Of the 2 (100%) respondents who felt their knowledge was very poor, 1 (50%) improved to good and 1 (50%) to excellent. Of the 11 (100%) that felt their knowledge was poor, 1 (9%) improved to average, 7 (64%) to good and 3 (27%) to excellent. Of the 36 (100%) that felt their knowledge average, 2 (6%) remained average, 29 (81) improved to good, and 5 (14%) improved to excellent. Of the 19 (100%) that felt their knowledge was good, 10 (53%) felt that it remained good and 9 (47%) improved to excellent. Of the 1 (100%) who felt her knowledge was excellent, it remained excellent.

- Child communication

Figure 7.69: Knowledge of Child communication



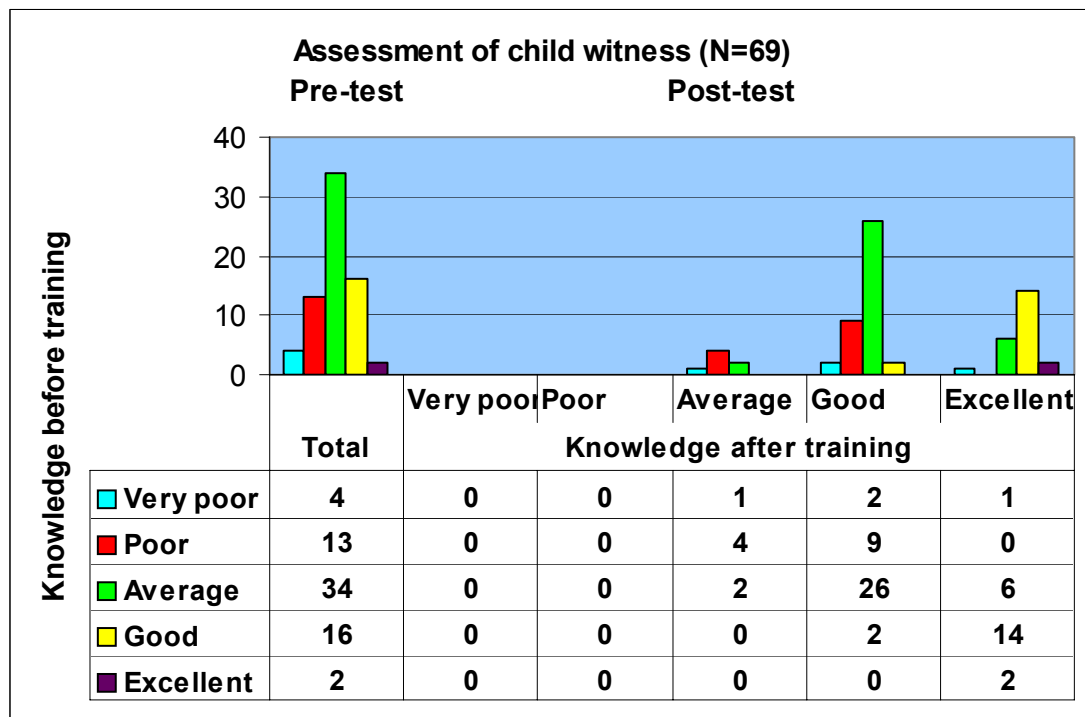
From figure 7.69 it can be seen that:

Pre-test: Of the 69 (100%) respondents, 1 (1%) felt that her knowledge was very poor, 5 (7%) felt their knowledge was poor, 30 (43%) felt their knowledge was average, 26 (38%) felt their knowledge was good and 7 (10%) felt their knowledge excellent.

Post-test: After the program 1 (100%) respondent who felt her knowledge was very poor improved to good, of the 5 (100%) who felt their knowledge was poor, 1 (20%) improved to good and, 4 (80%) improved to excellent, of the 30 (100%) that felt their knowledge was average, 1 (3%) remained average, 23 (77%) improved to good and 6 (20%) improved to excellent. Of the 26 (100%) who felt their knowledge was good, 18(69%) improved to very good and 8 (31%) improved to excellent. Of the 7 (100%) who felt their knowledge was excellent, 1 (14%) felt she had regressed to good and 6 (86%) felt their knowledge had remained excellent.

- Assessment of developmental level

Figure 7.70: Knowledge of assessing the developmental level of child



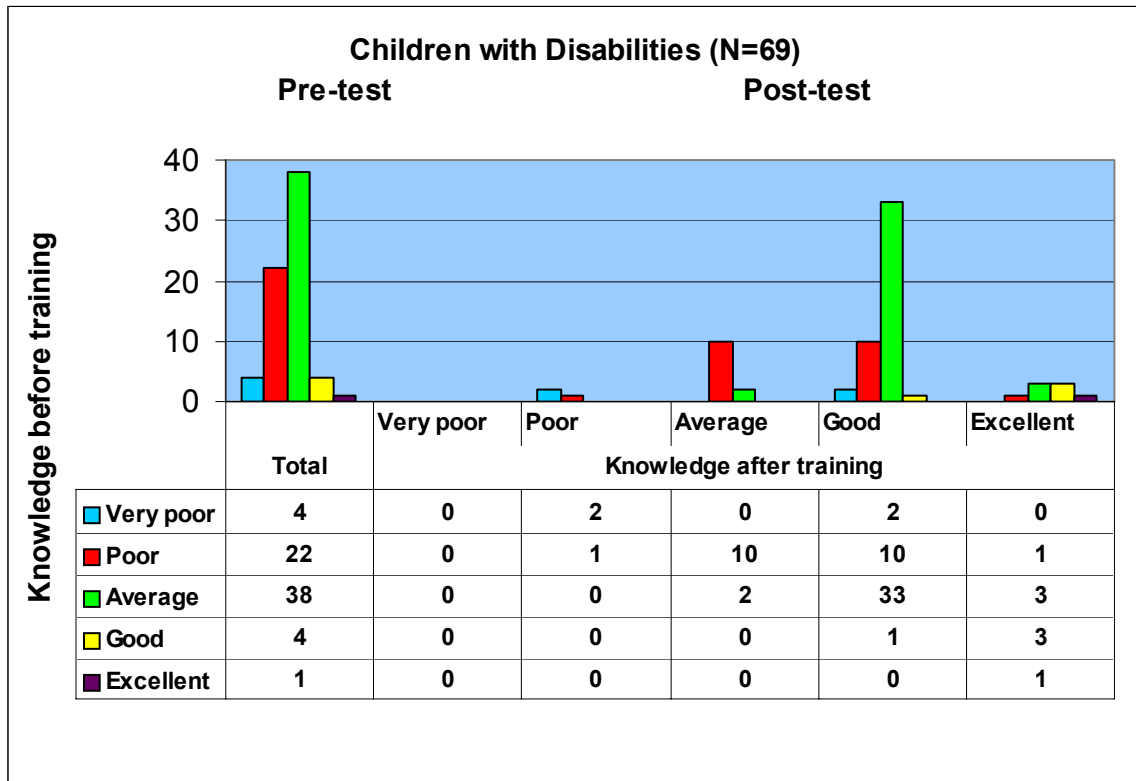
From figure 7.70 it can be seen that:

Pre-test: Before the program 4 (6%) respondents felt that their knowledge was very poor, 13 (23%) felt their knowledge was poor, 34 (40%) felt their knowledge was average, 16 (23%) felt their knowledge was good and 2 (3%) felt their knowledge was excellent.

Post-test: Of the 4 (100%) respondents who felt their knowledge was very poor, 1 (25%) improved to average, 2 (50%) improved to good, and 1 (25%) improved to excellent. Of the 13 (100%) who felt their knowledge was poor, 4 (31%) improved to average and 9 (69%) improved to good. Of the 34 (100%) that felt their knowledge was average, 2 (6%) remained average, 26 (76%) improved to good and 6 (18%) improved to excellent. Of the 16 (100%) respondents who felt their knowledge was good, 2 (13%) remained good and 14 (87%) improved to excellent. The 2 (100%) who felt their knowledge was excellent, knowledge remained that way.

- Disabilities in child witnesses

Figure 7.71: Knowledge on disabilities in children



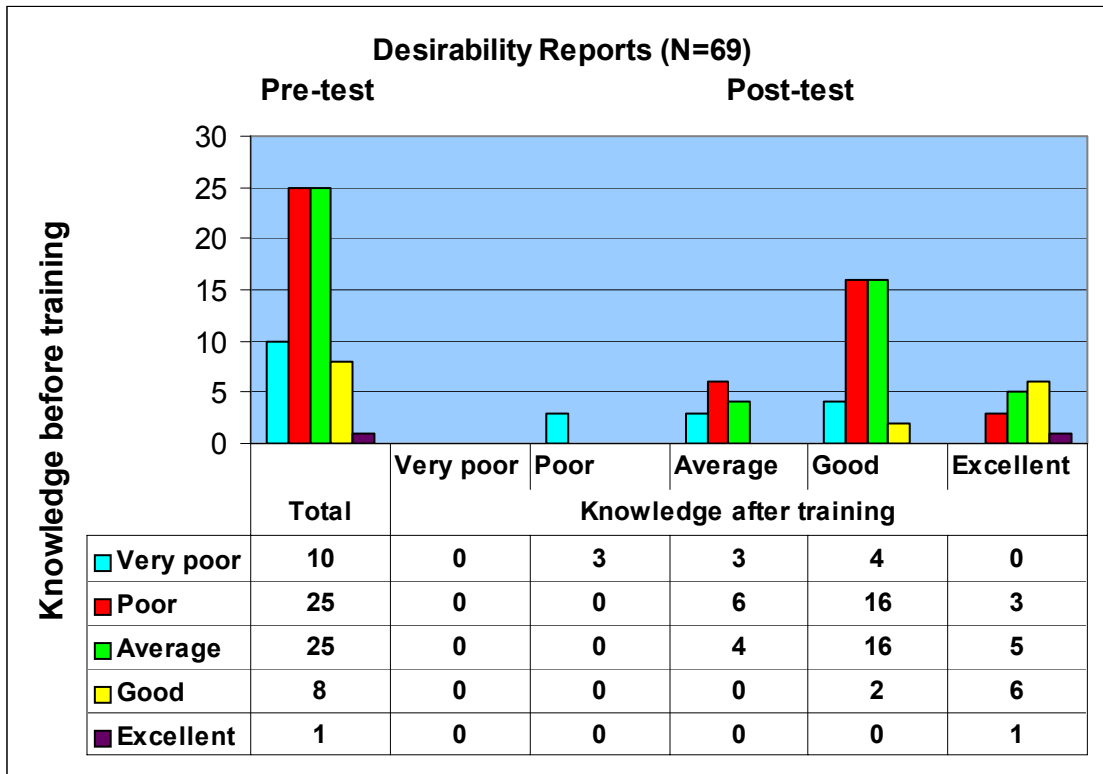
From figure 7.71 it can be seen that:

Pre-test: Of the 69 (100%) respondents, 4 felt their knowledge was very poor, 22 (31%) felt their knowledge was poor, 38 (62%) felt their knowledge was average, 4 (6%) felt their knowledge was good and 1 (1%) felt her knowledge was excellent.

Post-test: Of the 4 (100%) respondents who felt their knowledge was very poor, 2 (50%) felt their knowledge had improved to poor and 2 (50%) felt their knowledge had improved to good. Of the 22 (100%) who felt their knowledge was poor, 1 (4%) felt her knowledge had remained poor, 10 (46%) felt their knowledge had improved to average, 10 (46%) felt their knowledge had improved to good, and 1 (4%) felt her knowledge had improved to excellent. Of the 38 (100%) who felt their knowledge was average, 2 (5%) remained average, 33 (87%) improved to good, and 3 (8%) improved to excellent. Of the 4 (100%) respondents who felt their knowledge was good, 1 (25%) remained good and 3 (75%) improved to excellent. The 1 (100%) that felt her knowledge was excellent, remained excellent.

- Writing of Desirability report

Figure 7.72: Knowledge of writing the desirability report



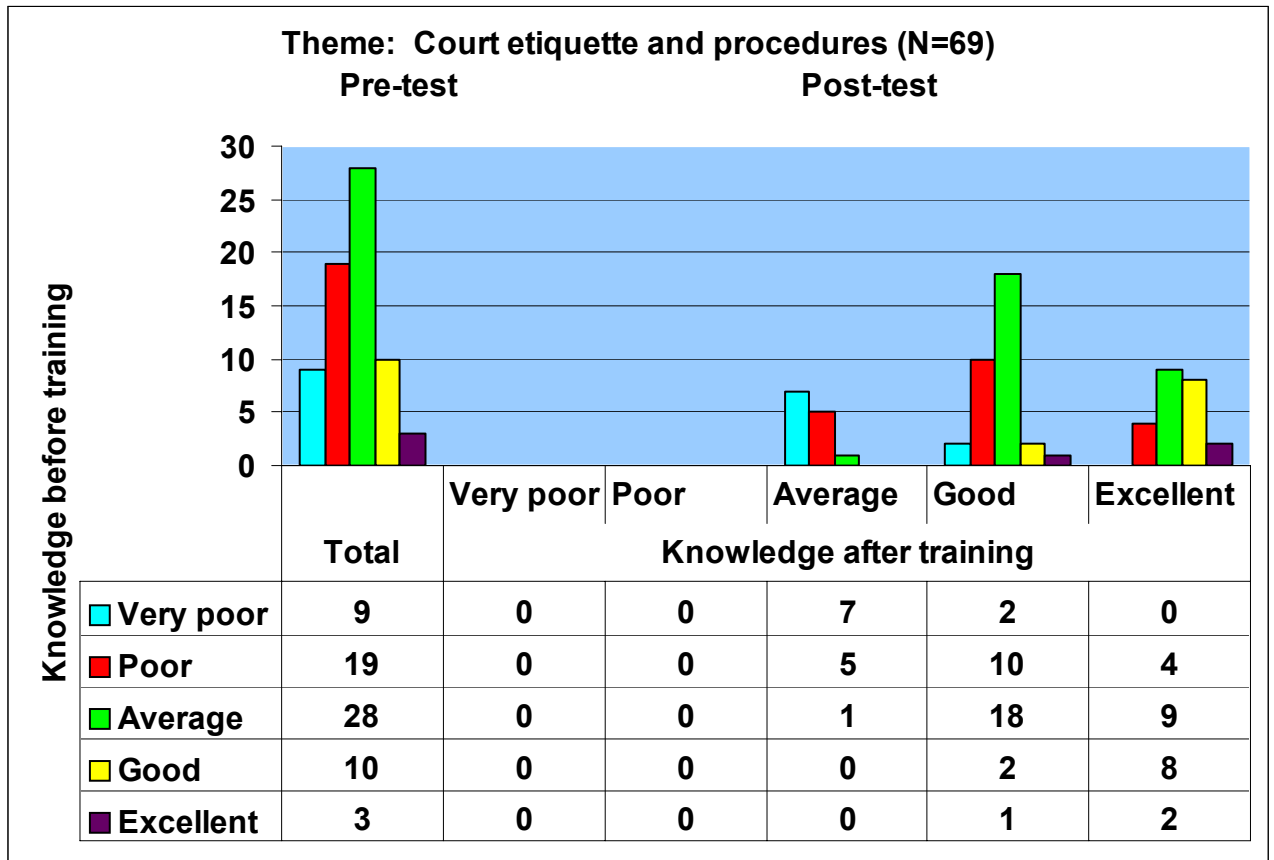
From figure 7.72 it can be seen that:

Pre-test: Of the 69 (100%) respondents, 10 (14%) felt their knowledge was very poor, 25 (36%) felt their knowledge was poor, 25(36%) felt their knowledge was average, 8 (12%) felt their knowledge was good, and 1 (1%) felt her knowledge was excellent.

Post-test: Of the 10 (100%) respondents who felt their knowledge was very poor, 3 (30%) had improved to poor, 3 (30%) to average, and 4 (40%) to good. Of the 25 (100%) respondents who felt their knowledge was poor, 6 (24%) had improved to average, 16 (64%) to good, and 3 (12%) to excellent. Of the 25 (100%) respondents who felt their knowledge was average, 4 (16%) felt their knowledge had remained average, 16 (64%) had improved to good and 5 (20%) had improved to excellent. Of the 8 (100%) that felt their knowledge was good, 2 (25%) remained good and 6 (75%) improved to excellent. The 1 (100%) respondent who felt that her knowledge was excellent remained excellent.

- Court proceedings

Figure 7.73: Knowledge of court proceedings



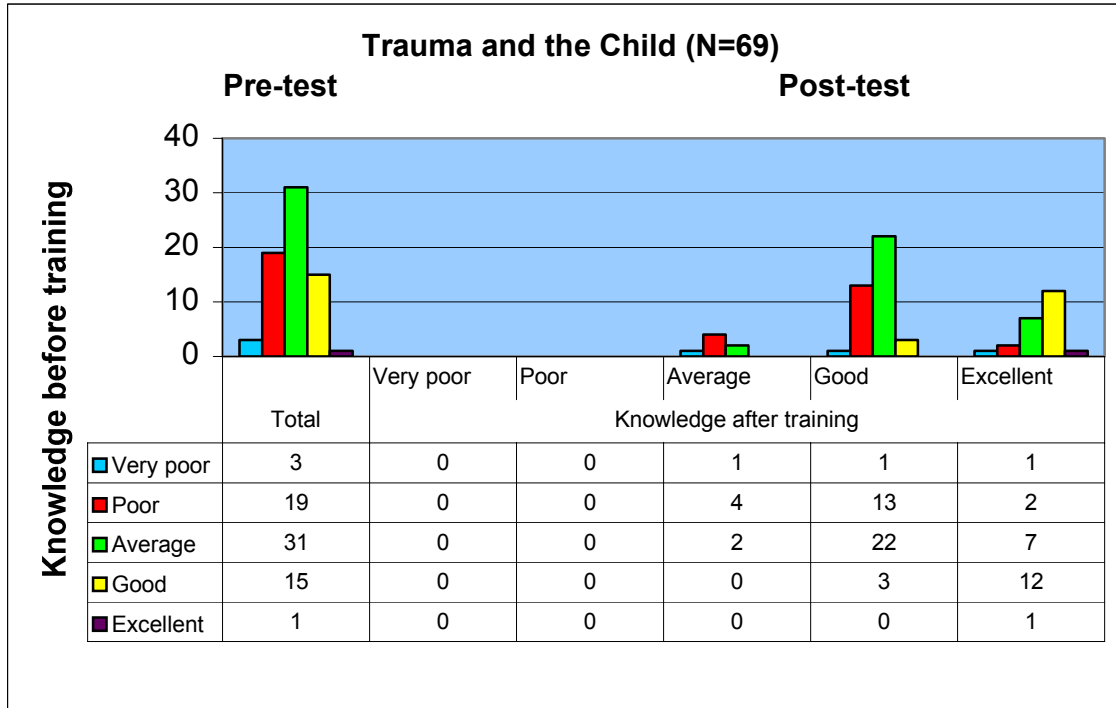
From figure 7.73 it can be seen that:

Pre-test: Of the 69 (100%) respondents, 9 (13%) felt their knowledge was very poor, 19 (28%) felt their knowledge was poor, 28 (41%) felt their knowledge was average, 10 (14%) felt their knowledge was good, and 3 (4%) felt their knowledge was excellent.

Post-test: Of the 9 (100%) respondents who felt their knowledge was very poor, 7 (78%) improved to average, and 2 (22%) to good. Of the 19 (100%) who felt their knowledge was poor, 5 (26%) felt their knowledge had improved to average, 10 (52%) to good and 4 (21%) to excellent. Of the 28 (100%) who felt their knowledge was average, 1 (3%) remained average, 18 (64%) improved to good, and 9 (31%) to excellent. Of the 10 (100%) who felt their knowledge was good, 2 (20%) remained good and 8 (80%) improved to excellent. Of the 3 (100%) respondents who felt their knowledge was excellent, 1 (33%) regressed to good and 2 (67%) remained excellent.

- Trauma Debriefing

Figure 7.74: Knowledge of trauma debriefing



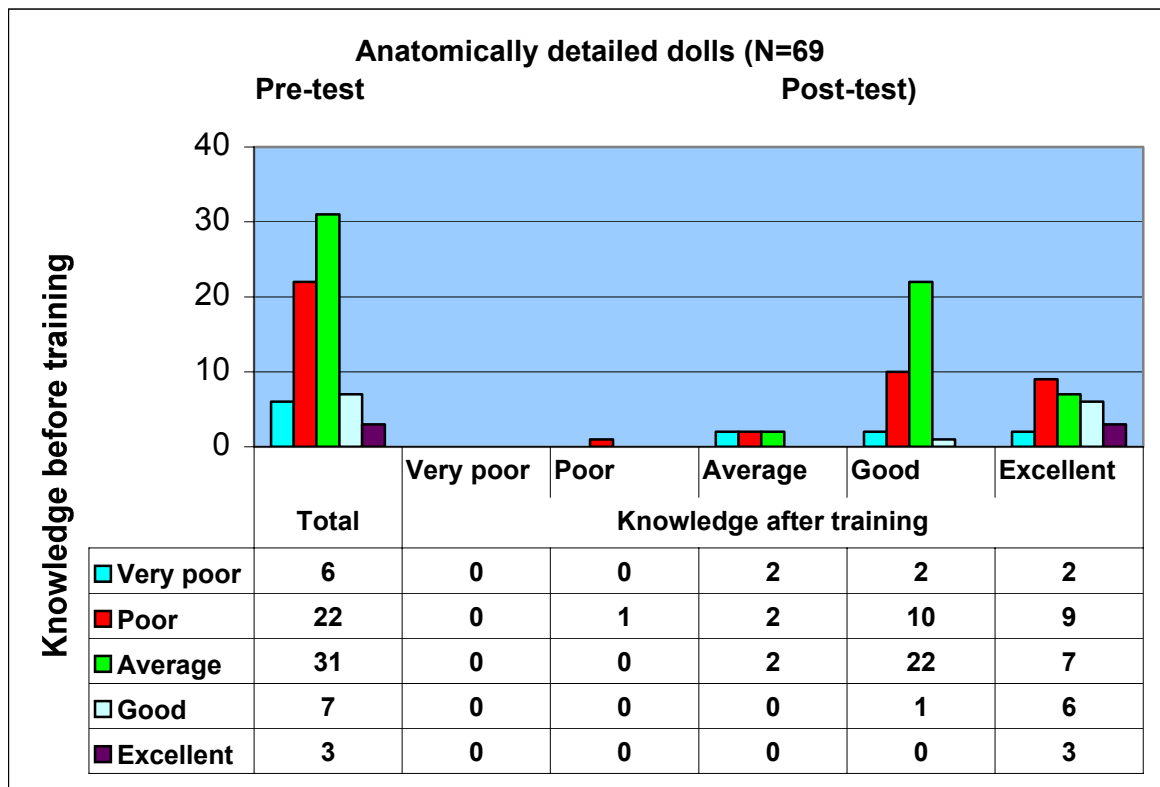
From figure 7.74 it can be seen that:

Pre-test: Of the 69 (100%) of the respondents, 3 (4%) felt their knowledge was very poor, 19 (28%) felt their knowledge was poor, 31 (45%) felt their knowledge was average. 15 (22%) felt their knowledge was good, and 1 (1%) felt her knowledge was excellent.

Post-test: Of the 3 (100%) respondents who felt their knowledge was very poor, 1 (33%) felt it had improved to average, 1 (33%) felt it had improved to good, and 1 (33%) felt it had improved to excellent. Of the 19 (100%) who felt their knowledge was poor, 4 (21%) improved to average, 13 (68%) to good, and 2 (11%) to excellent. Of the 31 (100%) respondents who felt their knowledge was average, 2 (6%) remained average, 22 (71%) improved to good and 7 (23%) improved to excellent. Of the 15 (100%) respondents who felt their knowledge was good, 3 (20%) remained good and 12 (80%) improved to excellent. 1 (100%) respondent felt her knowledge was still excellent.

- Anatomically detailed dolls

Figure 7.75: Knowledge of anatomically detailed dolls



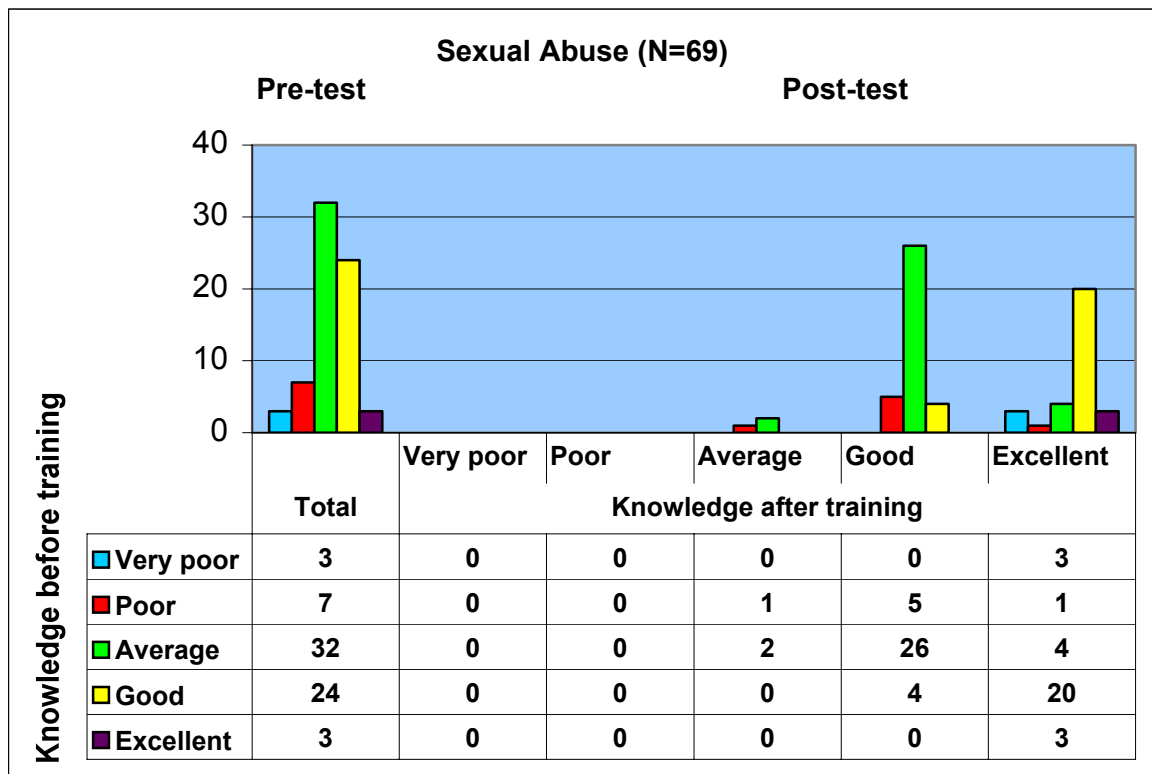
From figure 7.75 it can be seen that:

Pre-test: Of the 69 (100%) of respondents, 6 (9%) felt their knowledge was very poor, 22 (32%) felt their knowledge was poor, 31 (45%) felt their knowledge was average, 7 (10%) felt their knowledge was good, and 3 (4%) felt their knowledge was excellent.

Post-test: of the 6 (100%) respondents who felt their knowledge is very poor, 2 (33%) improved to average, 2 (33%) improved to good, and 2 (33%) improved to excellent. Of the 22 (100%) respondents who felt their knowledge was poor, 1 (5%) remained poor, 2 (9%) improved to average, 10 (45%) improved to good and 9 (41%) improved to excellent. Of the 31 (100%) who felt their knowledge is average, 2 (6%) remained average, 22 (71%) improved to good, and 7 (23%) improved to excellent. The 7 (100%) who felt their knowledge is good, 1 (14%) remained good and 6 (86%) improved to excellent. Of the 3 (100%) that felt their knowledge is excellent, all 3 (100%) remained excellent.

- Sexual abuse

Figure 7.76: Knowledge of sexual abuse



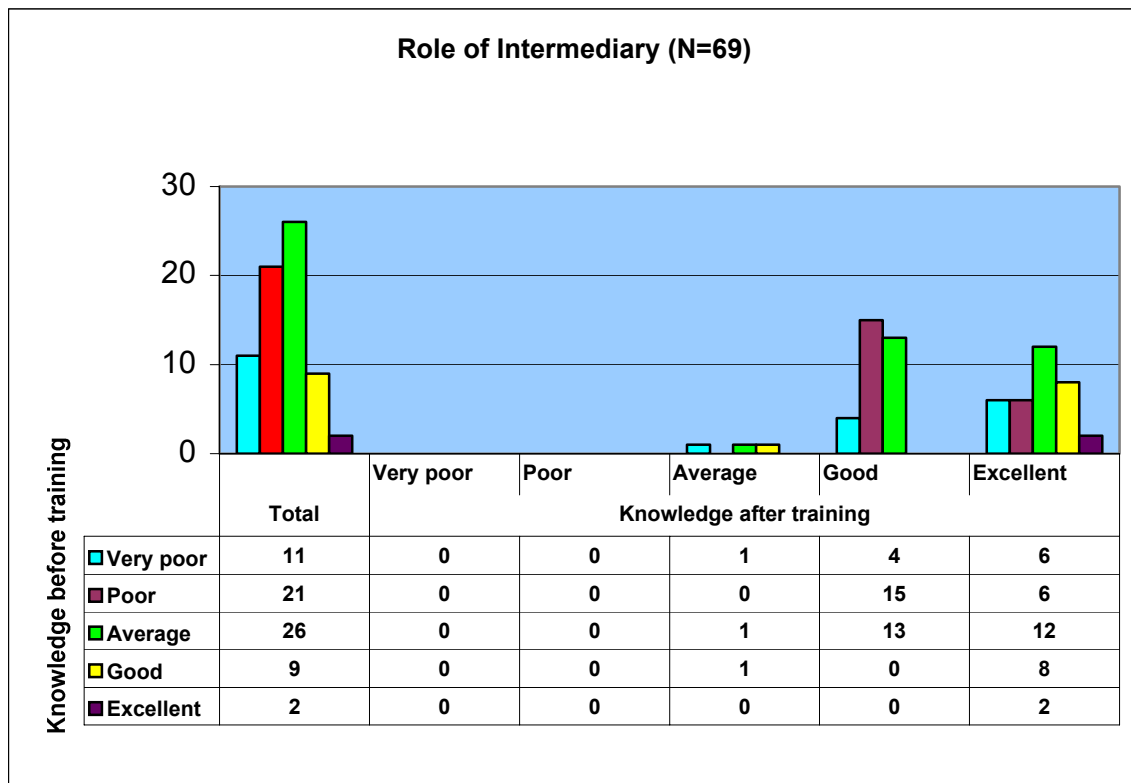
From figure 7.76 it can be seen that:

Pre-test: Of the 69 (100%) respondents, 3 (4%) felt their knowledge of sexual abuse was very poor, 7 (10%) felt their knowledge was poor, 32 (46%) felt their knowledge was average, 24 (35%) felt their knowledge was good and 3 (4%) felt their knowledge was excellent.

Post-test: Of the 3 (100%) respondents who felt their knowledge was very poor, 3 (100%) felt their knowledge had improved to excellent. Of the 7 (100%) who felt their knowledge was poor, 1 (14%) improved to average, 5 (72%) improved to good, and 1 (14%) improved to excellent. Of the 32 (100%) who felt the knowledge was average, 2 (6%) remained average, 26 (81%) improved to good, and 4 (13%) improved to excellent. Of the 24 (100%) who felt their knowledge was good, 4 (17%) remained good and 20 (83%) improved to excellent, and all 3 (100%) respondents who felt their knowledge is excellent, felt their knowledge remained excellent.

- Role of the Intermediary

Figure 7.77: Knowledge on the intermediary



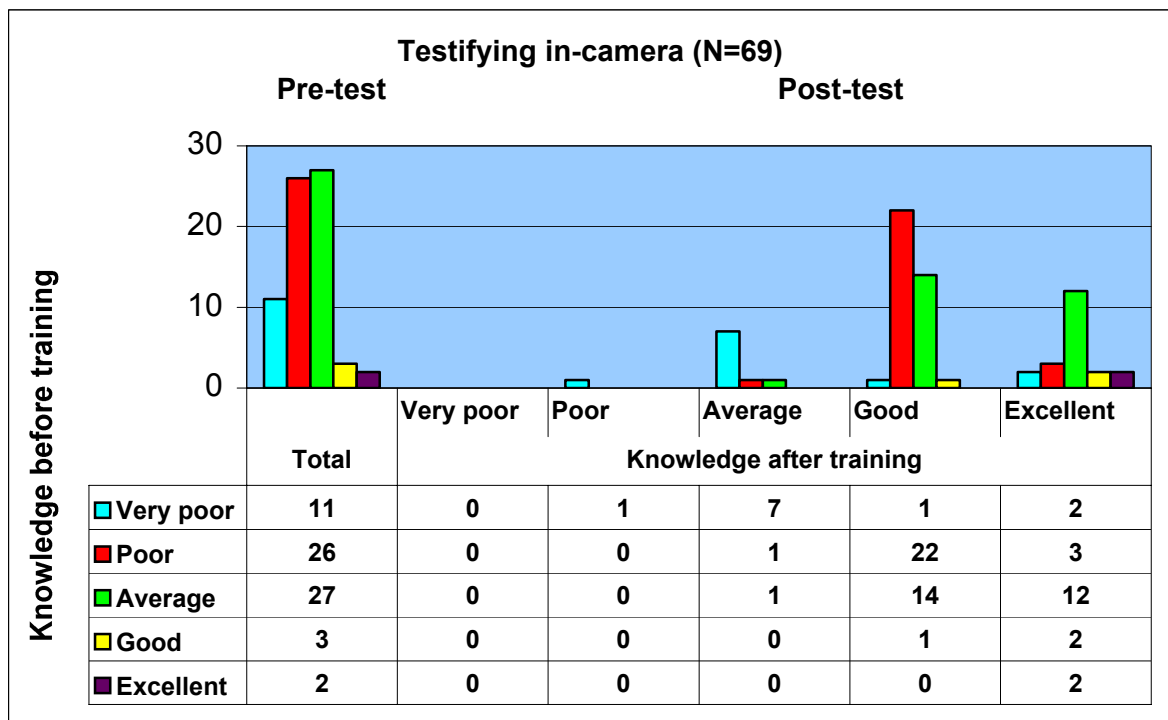
From figure 7.77 it can be seen that:

Pre-test: Of the 69 (100%) respondents, 11 (16%) felt their knowledge was very poor, 21 (30%) felt their knowledge was poor, 26 (38%) felt their knowledge was average, 9 (13%) felt their knowledge was good, and 2 (3%) felt their knowledge was excellent.

Post-test: Of the 11 (100%) respondents that felt their knowledge was very poor, 1(6%) improved to average, 4 (36%) improved to good, and 6 (60%) improved to excellent. Of the 21 (100%) respondents who felt their knowledge was poor, 15 (68%) improved to good, and 6 (32%) improved to excellent. Of the 26 (100%) who felt their knowledge was average, 1 (4%) remained average, 13 (50%) improved to good, and 12 (45%) improved to excellent. Of the 9 (100%) respondents who felt their knowledge was good, 1 (11%) improved to average and 8 (89%) improved to excellent. The 2 (100%) that felt their knowledge is excellent, said it remained excellent.

- Testifying in-camera

Figure 7.78: Knowledge of in-camera testimony



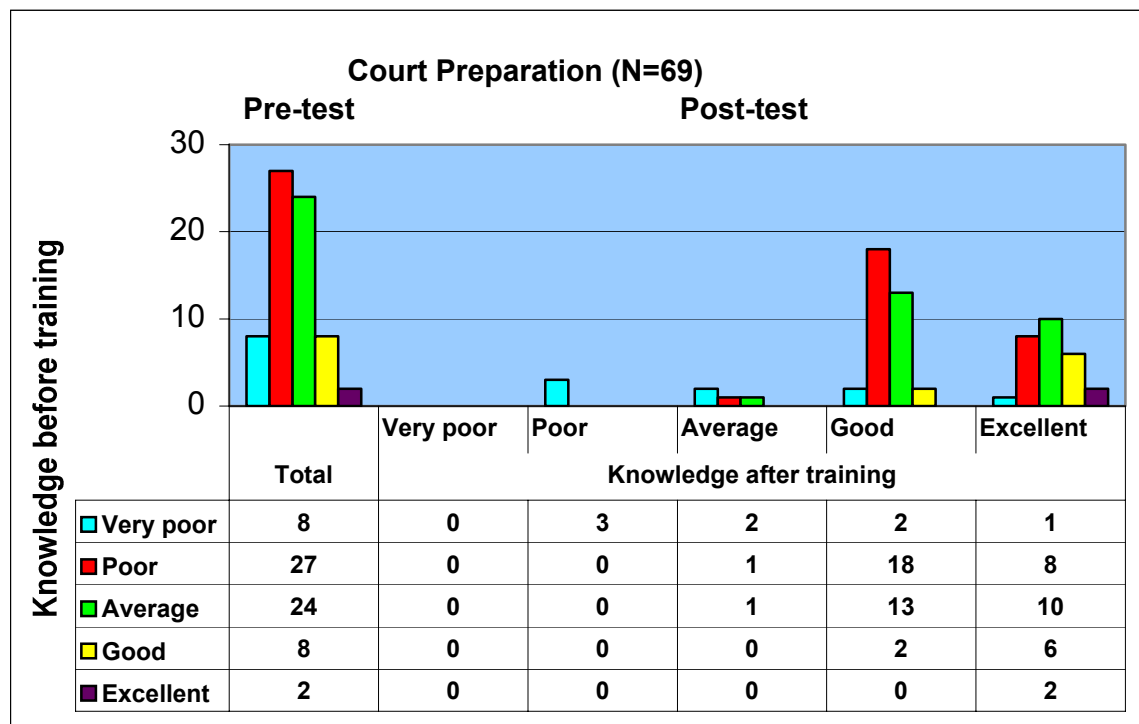
From figure 7.78 it can be seen that:

Pre-test: Of the 69 (100%) respondents, 11 (16%) felt their knowledge was very poor, 26 (38%) felt their knowledge was poor, 27 (39%) felt their knowledge was average, 3 (4%) felt their knowledge was good, and 2 (3%) felt their knowledge was excellent.

Post-test: Of the 11 (100%) respondents who felt their knowledge was very poor, 1 (9%) felt her knowledge had improved to poor, 7 (64%) had improved to average, 1 (9%) to good and 2 (18%) to excellent. Of the 26 (100%) respondents that felt their knowledge was poor, 1 (4%) improved to average, 22 (85%) improved to good, and 3 (11%) improved to excellent. Of the 27 (100%) who felt their knowledge was average, 1 ((%) felt it remained average, 14 (52%) improved to good, and 12 (44%) improved to excellent. Of the 3 (100%) who felt their knowledge was good, 1 (33%) remained good and 2 (66%) improved to excellent, and the 2 (100%) who felt their knowledge was excellent, remained excellent

- Court Preparation

Figure 7.79: Knowledge of court preparation



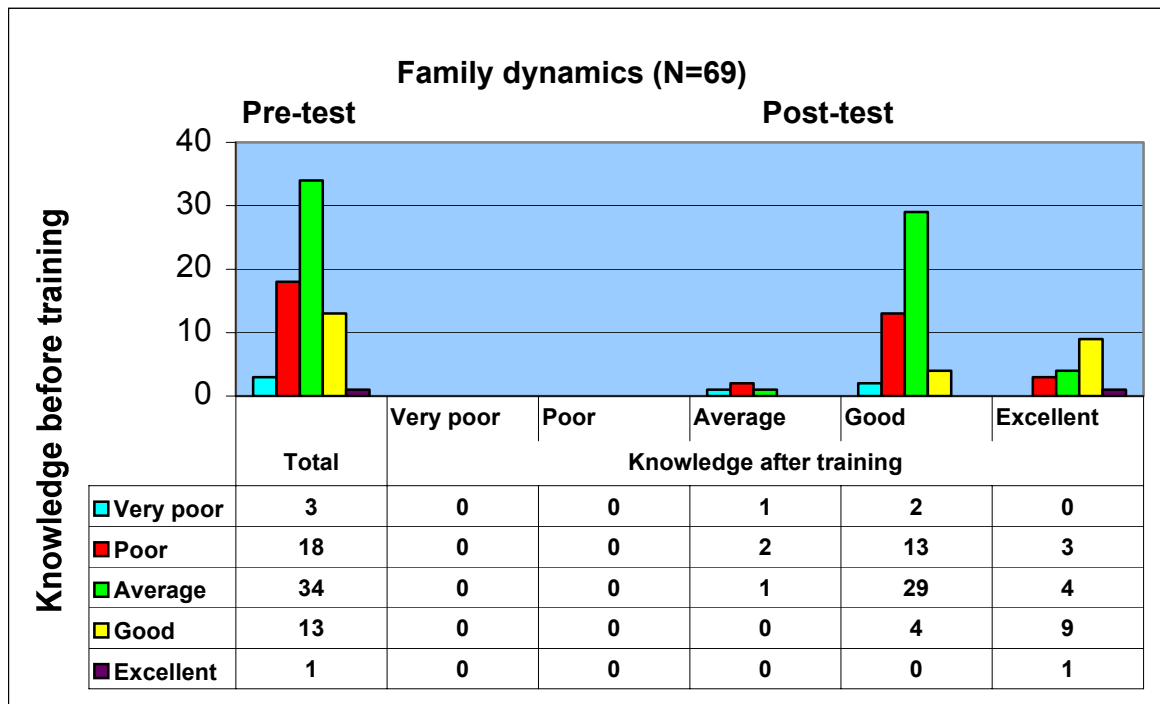
From figure 7.79 it can be seen that:

Pre-test: Of the 69 (100%) respondents, 8 (12%) felt their knowledge was very poor, 27 (39%) felt their knowledge was poor, 24 (35%) felt their knowledge was average, 8 (12%) felt their knowledge was good, and 2 (3%) felt their knowledge was excellent.

Post-test: Of the 8 (100%) percent of respondents who felt their knowledge was very poor, 3 (37%) improved to poor, 2 (25%) to average, 2 (25%) to good, and 1 (13%) to excellent. Of the 27 (100%) who felt their knowledge was poor, 1 (4%) improved to average, 18 (67%) to good, and 8 (30%) to excellent. Of the 24 (100%) who felt their knowledge was average, 1 (4%) remained average, 13 (54%) improved to good, and 10 (42%) improved to excellent. Of the 8 (100%) who felt their knowledge was good, 2 (25%) remained good and 6 (75%) improved to excellent. The 2 (100%) respondents who felt their knowledge is excellent, remained so.

- The role of the parents

Figure 7.80: Knowledge of the role of the parent



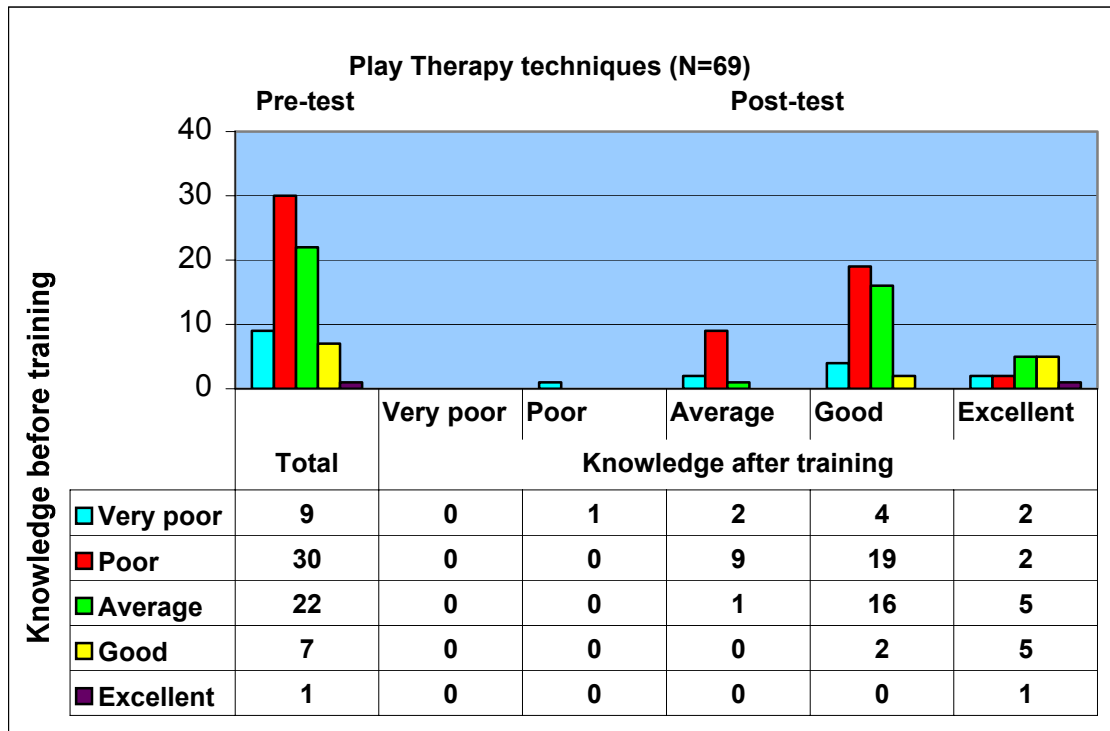
From figure 7.80 it can be seen that:

Pre-test: Of the 69 respondents, 3 (4%) felt their knowledge was very poor, 18 (26%) felt their knowledge was poor, 34 (49%) felt their knowledge was average, 13 (19%) felt their knowledge was good, and 1 (1%) felt her knowledge was excellent.

Post-test: Of the 43(100%) respondents who felt their knowledge was very poor, 1 (33%) improved to average, 2 (67%) improved to good. Of the 18 (100%) respondents who felt their knowledge was poor, 2 (11%) improved to average, 13 (72%) improved to good, and 3 (17%) to excellent. Of the 34 (100%) of respondents who felt their knowledge is average, 1 (3%) remained average, 29 (85%)improved to good, and 4 (12%) improved to excellent. Of the 13 (100%) respondents who felt their knowledge was good, 4 (31%) remained good and 9 (69%) improved to excellent. The 1 (100%) who felt she was excellent remained excellent.

- Play Therapy

Figure 7.81: Knowledge of play therapy



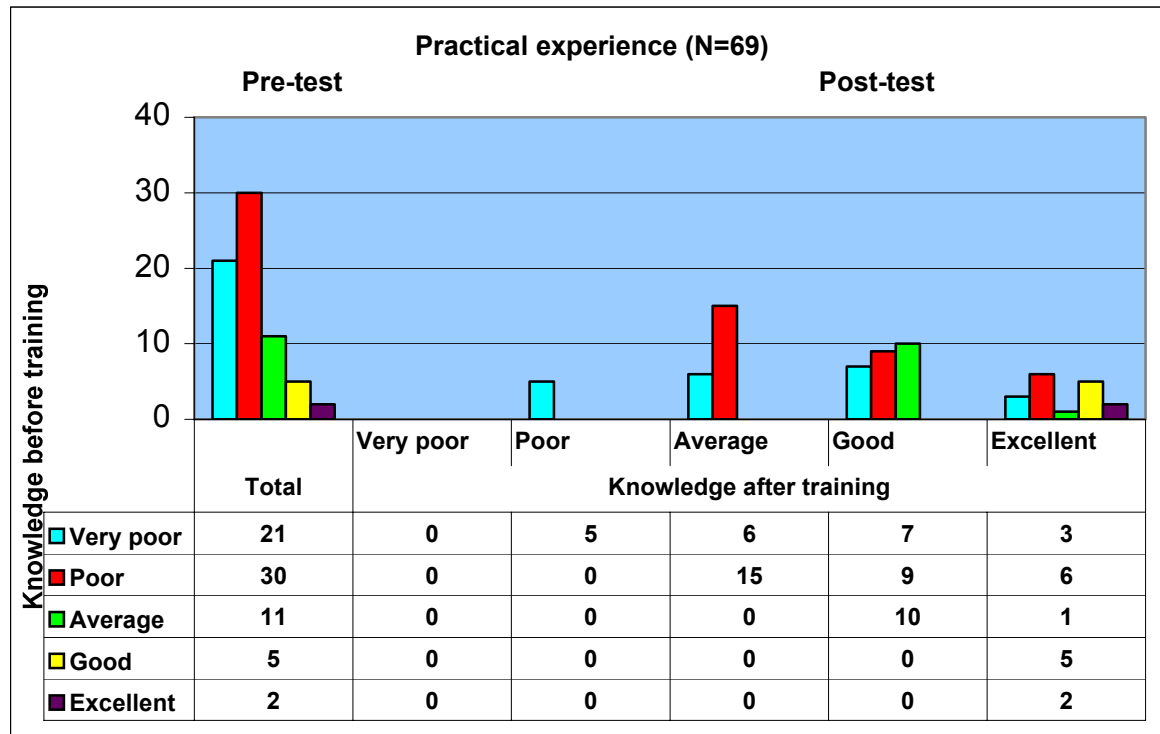
From figure 7.81 it can be seen that:

Pre-test: Of the 69 (100%) respondents, 9 (13%) felt their knowledge was very poor, 30 (43%) felt their knowledge was poor, 22 (32%) felt their knowledge was average, 7 (10%) felt their knowledge was good, and 1 (2%) felt her knowledge was excellent.

Post-test: Of the 9 (100%) respondents who felt their knowledge was very poor, 1 (11%) felt her knowledge had improved to poor, 2 (22%) felt their knowledge had improved to average, 4 (44%) felt it had improved to good, and 2 (22%) felt it had improved to excellent. Of the 30 (100%) who felt their knowledge was poor, 9 (30%) improved to average, 19 (63%) improved to good, and 2 (7%) improved to excellent. Of the 22 (100%) who felt their knowledge was average, 1 (5%) felt her knowledge had remained average, 16 (73%) felt their knowledge had improved to good, and 5 (23%) felt their knowledge had improved to excellent. Of the 7 (100%) who felt their knowledge was good, 2 (29%) remained good and 5 (71%) improved to excellent. The 1 (100%) who felt her knowledge was excellent, said it remained excellent.

- Practical experience of respondents

Figure 7.82: Practical experience as intermediary



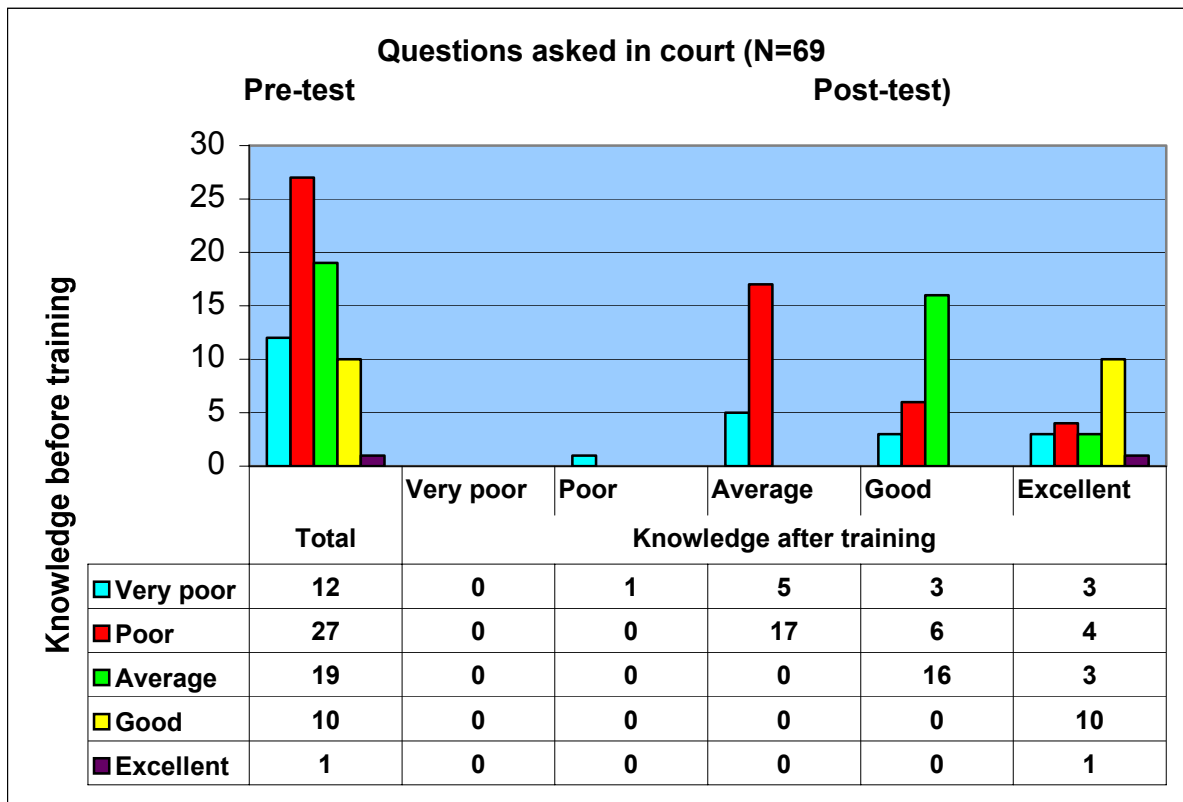
From figure 7.82 it can be seen that:

Pre-test: Of the 69 (100%) respondents, 21 (30%) felt their knowledge is very poor, 30 (43%) felt their knowledge is very poor, 11 (16%) felt it was average, 5 (7%) felt their knowledge was good and 2 (3%) felt their knowledge was excellent.

Post-test: Of the 21 (100%) respondents who felt the knowledge was very poor, 5 (24%) felt it had improved to poor, 6 (29%) felt it improved to average, 7 (33%) felt it improved to good, and 3 (14%) felt it improved to excellent. Of the 30 (100%) respondents who felt their knowledge was poor, 15 (50%) said it improved to average, 9 (30%) felt it improved to good and 6 (20%) felt it improved to excellent. Of the 11 (100%) who felt their knowledge was average, 10 (91%) felt it improved to good and 1 (9%) to excellent. Of the 5 (100%) who felt their knowledge was good, 5 (100%) improved to excellent and of the 2 (100%) who felt their knowledge is excellent, all (100%) felt it remained excellent.

- Practical questions asked in court

Figure 7.83: Practical questions and experience



From figure 7.83 it can be seen that:

Pre-test: Of the 69 (100%) respondents, 12 (17%) felt their knowledge was very poor, 27 (39%) felt their knowledge was poor, 19 (28%) felt their knowledge was average, 10 (14%) felt their knowledge was good and 1(1%) felt it was excellent.

Post-test: Of the 12 (10%) respondents who felt their knowledge was very poor, 1 (6%) said it improved to poor, 5 (42%) said it improved to average, 3 (33%) to good, and 3 (33%) to excellent. Of the 19 respondents (100%), who said their knowledge was average, 16 (90%) felt it improved to good and 3 (10%) to excellent. The 10 (100%) respondents, who felt their knowledge was good, all felt it improved to excellent. The one who though her knowledge was excellent, said it remained excellent.

SUMMARY

- The findings that were obtained from the quantitative research approach were discussed in this chapter.
- The data was collected with the help of four self-constructed questionnaires divided into two research designs. Section A was a survey questionnaire, and sections B was a pre-test and post-test questionnaire.
- The findings, after discussion, were illustrated by means of tables and graphs. Where possible, it was compared and integrated with the literature study.
- After an introduction, a short outline was given of the data collection, with specific reference to the measuring instruments and analysis of the data as comprehensively discussed in chapter 1.
- In section A of the research, two questionnaires were distributed to magistrates and prosecutors respectively. In section A of the questionnaire, the magistrates' and prosecutors' relating background and experience in court as well as with the child witness, was determined. Further, their perceptions on the intermediaries' occupational and experiential background were determined. The section B of the questionnaires, the intermediary's skills as intermediary, as seen by the magistrates and prosecutors, was explored, and information was gathered from the magistrates and prosecutors regarding the contents of a training program for intermediaries.
- In section B of the research, two questionnaires, a pre-test and post-test were used. The pre-test was firstly used to determine occupational and intermediary experience of the respondents. In the second part, which was identical in both questionnaires, the respondents evaluation of his/her knowledge of various aspects concerning the intermediary were measured before the program and then again after the program. In the post-test the first section explore the respondents opinion about the program
- After analysis of the data, the deduction can be made that the respondents did show improvement of their skills and knowledge of the intermediary, her/his duties, theoretical knowledge, and improvement of their practical skills.