# SHABANGU DATA SET

**Quotation Report ‒ Grouped by: Codes**

All (204) quotations

**○ 1. Experiences prior to providing expert testimony during sexual violence trials: 1.1 Receival of the subpoena**

6 Quotations:

**1:4 ¶ 19 in Interview 1**

They will send you a subpoena, that I am needed to court to testify about the patient

**2:1 ¶ 22 in Interview 2**

what usual happens you gonna get a subpoena for a specific date, on that day you will be advised to present yourself in the morning

**3:1 ¶ 22 in Interview 3**

And then an investigation officer will come here with the subpoena which has a date and the court which I am supposed to go to when the suspect and the suspect’s name. victim’s name will be added so that I will be able to make notes. I will sign the subpoena and be called to confirm my availability

**4:1 ¶ 17 in Interview 4**

What happens first you will get a subpoena for a specific date to appear in court

**5:1 ¶ 18 in Interview 5**

Ok, firstly you will receive the subpoena delivered by the police officer with a date and a court that you suppose to attend court,

**8:1 ¶ 16 in Interview 8**

Ok Hm, prosecutor will serve you subpoena to come to court

**○ 1. Experiences prior to providing expert testimony during sexual violence trials: 1.2 Preparation using patient records**

3 Quotations:

**4:23 ¶ 89 in Interview 4**

The preparation eh after they have served with a subpoena and you know that you are going to court Ehm I go through the file of the patient the day before and check ok because you can’t remember everything. Ehm you check what you have find your findings where and what was the presenting history in terms of what has happened at least you a clear understanding on that day of physical examination of the patient and that you have gathered in terms of examination. So the preparation you doing, you can do it the day before or in the morning before you go in court but you look at the file of the patient

**5:15 ¶ 72 in Interview 5**

Ok as I said when you get the subpoena you need to check the file because most of the time when you see the patient two or three years ago. So wouldn’t remember you need to and check if J 88 is completed in duplicate. Also write notes on patient’s file. So that able to read and remind yourself that ok this is what the patient has told me. This is what I found and maybe if you don’t remember you go and consult so that when you go to court you able to give facts, by the way when I find this what does it mean

**6:15 ¶ 84 in Interview 6**

Uyazi bayenzani? (Do you know what do they do?) angithi uyabona namanjne (you see even now) ungilethele isubpoena (He has brought me the subpoena) to say that on the 19th I am needed in court , you know what I am going to do now hm think I have done that. I have already asked my data capture to take out the file and went through that. J88 is a medical record that I am going to read in court, the correct procedure when the subpoena is being issued by the prosecutor invited to come to court on a certain date.

**○ 1. Experiences prior to providing expert testimony during sexual violence trials: 1.3 Consultation with the prosecutor**

13 Quotations:

**1:26 ¶ 84 in Interview 1**

Before I testify I sit down with the prosecutor and go through J88 and ask for loophole and she will say “hayi” (no) just explain injuries

**2:3 ¶ 23 in Interview 2**

Ideally is best to see the prosecutor Eh before 08h00 so that you can rehearse, ask questions and find out why you have been called. It is important to meet with the prosecutor and another reason for that sometimes you are called when you get there the case is not ready for trial or so and so is not coming or so and so is not available. And then in that case the prosecutor will then tell you to go back home so you don’t waste time

**3:2 ¶ 22 in Interview 3**

On the day of court I will appear on court. The I will go see the state prosecutor to have consultation period before court in order to explain to me why they are calling me or maybe clarify any misunderstanding

**3:9 ¶ 51 in Interview 3**

Ok, we are being consulted by the state prosecutors.They call us just to brief us because” we don’t understand what you meant by cleft”

**3:10 ¶ 57 in Interview 3**

Yes, if there is an issue that need to be addressed the prosecutor will address the issue before we go in to court

**3:13 ¶ 63 in Interview 3**

but they are not telling us what to say they want it is like they want clarity on certain things

**5:3 ¶ 18 in Interview 5**

normally it is be advisable to arrive at 9h00 but it is best to arrive earlier than that .So that you will be able to locate the prosecutor who is in charge of the case and they will also advise if there will be a sitting of court on that particular day. In most instance they know before if the court is not going to be sit hand and release you

**5:19 ¶ 84 in Interview 5**

Yes, now they prioritize healthcare professionals because they know that we don’t have the whole day to just spend on the benches without knowing that your case will go in or they are going to need you. This is the reason why you need to find the prosecutor when you get there to find out whether they are going to need you

**6:16 ¶ 86 in Interview 6**

Mina naye we consult nge langa le court (Me and the prosecutor we consult on the day of court). To say ngi zokufuna nge langa eliso before and the court starts (I will need you on this day court before it starts)

**6:17 ¶ 90 in Interview 6**

Ok uyangibuza ke omunye uthi lana yini ngizokubuza so ngifuna uku understand ( Some asked me what is this part I want to understand, they tell us what and how are they going to ask the questions )

**8:4 ¶ 16 in Interview 8**

Once you are done with the introduction the prosecutor will start to you questions. But normally the prosecutor calls us before the case starts to discuss the J88, where we went wrong on it. But some of the prosecutors do that others do not they just call you inside and starts questioning.

**8:9 ¶ 28 in Interview 8**

You go to court with that confidence at least you are prepared and even the questions saying he will say I will ask you 1, 2, 3 on your J88. So obale le eh (you have that) that confidence to say I will answer like this

**8:10 ¶ 32 – 34 in Interview 8**

Participant: When you are preparing they will ask if there are terms they don’t understand

Researcher: Hm tell me more about your feelings while giving testimony

Participant: If have met the prosecutor I get in there being ok and ready and ready for anything

**○ 2. Experiences of providing expert testimony during sexual violence trials: 2.1 Introduction of case**

5 Quotations:

**2:4 ¶ 29 – 30 in Interview 2**

You will start by identifying yourself, your qualifications, and years of experience

They will ask you general questions; try to break the ice so that you relax

**3:3 ¶ 28 in Interview 3**

you introduce yourself and your qualification, like the questions are there

**4:2 ¶ 23 in Interview 4**

They will ask you to introduce yourself to state your credentials, what your qualifications and where are you working, how long have you been working. How do you proceed in terms of like when you see the patient how do you document your findings from clinical examination from the patient

**4:35 ¶ 21 in Interview 4**

they will present to court the case and that you will be the witness of that case and after introduction they will call you to the stand to testify

**8:3 ¶ 16 in Interview 8**

once you there, you go inside the box and introduce yourself. Where you studied, your qualifications and all this. Other than that they will give you J88 you wrote the time you examined the patient. You through it and they will ask you if the J88 is written by you even the signature is yours then you compare.

**○ 2. Experiences of providing expert testimony during sexual violence trials: 2.2 Provide testimony from the J88**

10 Quotations:

**1:44 ¶ 24 in Interview 1**

So the crime kit box I will collect evidence and inside the crime kit box there EH EH is J88 inside that I have to fill. It will show my name, Surname, qualification and cell phone number and stuff. When I go to court I go to court I will be going through my J88. To explain to them because they don’t understand other things. I read , EH then I tell them that the patient is not any treatment and the patient was clean or she was dirty on examination. Ja, maybe the patient went home and bath, sometimes she came with torn trouser, torn jacket and everything. I have to go through that. And they will ask me if there were any physical injuries and I write no physical injuries noted. Yes, after that I will go through that to the next page that this patient when she started menstruating. How many kids does she have? Ja, it helps them to see whether injuries are consistent for the sexual penetrating. And when they ask you EH,EH is there any injury there is a tick nil nil. And then if maybe there are injuries we call it as clockwise. Ja, whereby if maybe there is penetration. So then injuries will be at 9h00, 15h00, 17h00, 18h00, 19h00, 20h00, and 21h 00 in the watch down. Then I will write, my conclusion will be that injuries are consistent with the sexual penetration.

**2:6 ¶ 34 in Interview 2**

from there they ask you to go through your J88. Like for the records it is important for them to have that on record.

**2:8 ¶ 38 in Interview 2**

so you will read your J88 and they will ask you if you have seen the patient on this particular day and you will say yes and they will ask you if you have signed the particular the particular page

**4:3 ¶ 25 in Interview 4**

You take them through the J88 that you have completed, after that he/she will start to interrogate those areas she thinks it needs clarification to the court

**4:30 ¶ 35 in Interview 4**

J88 is a document that we complete Eh after the clinical examination of the patient to basically it is the communication between the doctor and the court about the findings that were found is this. The document itself is a sketch notation on the document where you can describe or point out what you have found in the body whatever findings

**5:5 ¶ 28 in Interview 5**

It is a criminal case record that is completed usually when somebody is assaulted whether physical or sexually. Then they are attending a physician, it is a form that they use to complete the history as well as the findings when they were examining the person. The J 88 is completed to conclude the findings. What is relevant you record, you know the sequence of events with whatever happened to them and then, examine and record the findings that you get after examination

**5:14 ¶ 66 in Interview 5**

Our work is to examine, complete J88 and collect specimen for DNA hand over to police officers. Police officers to take the case to whoever or the prosecutor and I don’t know how is decided. Or maybe they sit and they don’t have much evidence not on the J88 or based on their own maybe someone come and make a statement if not strong enough I don’t know. But I know that not all J 88 reach court and need me to go testify

**5:16 ¶ 78 in Interview 5**

All of that is court’s business to trace, me I have done my work by getting the file and remind myself what I wrote. Anyway if I get to court I will get that J88 and refer and give testimony

**7:1 ¶ 16 in Interview 7**

And there is a J88 form that we write what the victim is telling us the injuries that we are going to explain the court the cause of those injuries we going to explain in court.

**8:6 ¶ 16 in Interview 8**

The prosecutor will ask questions from page one (1) of J88 till the end.

**○ 2. Experiences of providing expert testimony during sexual violence trials: 2.3 Provide expert explanations and clarity**

7 Quotations:

**1:10 ¶ 24 in Interview 1**

, And then if maybe are old injuries the patient HM HM HM didn’t report in less than 72 hours maybe o reportile after three months (maybe she reported after three months). And the child doesn’t have boyfriend or anything. I will be explaining because of the right cleft if the vaginal hymen cleft at 9h00, 15h00, and 17h 00 are consistent with old penetration. And I will be explaining those so when I said hymen intact how can you say hymen intact because there is no old injuries. But this child said she was penetrated. Maybe this adult sometimes doesn’t penetrate inside on the young one’s just play on the thighs, because they know we will see injuries or sometimes they are grooming them first. So I will be explaining those things to say EH EH sexual assault or anything that goes inside labia majora. Is the penetration whether is a finger whether some object, but anything that goes inside is the penetration

**1:29 ¶ 94 in Interview 1**

you know how to answer the way the will understand

**2:21 ¶ 82 in Interview 2**

Try to be professional as possible. We do not get nasty defence always we work hand in hand with them. Remember our role is to educate. Remember these guys are not clinicians. In most cases they will ask you for clarification

**4:11 ¶ 57 – 59 in Interview 4**

and you explain what would have caused the laceration or the incision. For an example when the patient explained that he was by the stick on the head and sustained a laceration then if the court asks you. Do you think even a brick would have caused a laceration? You then present your professional understanding of what a laceration is and what would have caused a laceration

Researcher: Ok, with that what can you tell me? The difference between

Participant: Both can make a laceration but in terms with the extend of the injuries might differ. Because like determining the force at which brick can land in your head or the force that a stick can land on your head. We generally can consider the force of a brick which can land in your head or the force that a stick can land in your head we generally can consider that the stick has less force than a brick ratio on the area of impact

**5:9 ¶ 40 – 44 in Interview 5**

Participant: Me as a doctor I am an expert because I have studied and able to interpret findings found in my knowledge on my field or both witness but expert is because I am trained

Researcher: Ok and you also said knowledge tell more about it

Participant: Knowledge refers to expert witness knowing normal anatomy, pathology first you also need to know gynae and how to examine. And my knowledge of have examined so many sexual offence victims

Researcher: Hm

Participant: How do things presents gynaecological before you can tell something is abnormally, so is basically that

**6:13 ¶ 74 in Interview 6**

Ok eh my view in most case mina ngo kwami (me by myself) I think we don’t have to use too much medical terms we have to use like eh simple terms in order to understand, remember those people are legal people won’t understand ( referring to legal team, victims and suspects families). So we have to use simple terms as ever because now when you use too much legal terms that’s when you have to explain most of the time. Prosecutor and the defence attorneys will keep on asking you questions time and again because of now they want to understand your medical back round ngeskhathi esiningi (they will keep on asking questions timeously both prosecutor and defence attorney)

**6:14 ¶ 76 – 78 in Interview 6**

Participant: Anything because remember ecourt (remember in court) in court you are allowed to give your expertise in your own language so you can give evidence ngesizulu (you can give evidence in English) yes for an example saying imons pubis uzocala like telling the judge or the magistrate ( mons pubis referring to “the rounded mass of fatty tissue lying over the joint of the pubic bones telling the judge) they don’t understand ukuthi what is that (ukuthi”that”)

Researcher :Hm Yes ukuthi what is that (ukuthi”that”repeating same words)

Participant: So it is easier when you say I mons pubis yile part enga phezulu kwesitho esingaphezu kwe private part lesi esineyinwele(further explaining what monis pubis is “in a women private part that has pubic hair)

**○ 2. Experiences of providing expert testimony during sexual violence trials: 2.4 Provide professional and trustworthy testimony**

11 Quotations:

**4:14 ¶ 65 in Interview 4**

and the thing is that being there as a professional witness basically you want to be as professional as you can so that whatever the court can learn from your experiences .They can make their decision hm much lighter or (shaking and lifting up his shoulders) it doesn’t matter. When you are done with your work you don’t have to have that feeling that you know what I could have made a mistake

**4:17 ¶ 69 in Interview 4**

No no no it is not patient’s case, we don’t look at this as a patient’s case. We look at it as professional presentation

**4:18 ¶ 73 in Interview 4**

whose case is not what we want to cover. The defence when he asks you a question you give him an honest answer. When the prosecutor ask you just give an honest answer, so you don’t take any side

**4:24 ¶ 91 in Interview 4**

Honest opinion is to tell them that you missed it, I didn’t write let us say the weight I didn’t check the weight of the patient. it is an honest opinion, you .you just tell them that you didn’t check the patient’s weight but you examined the patient and present the findings

**4:26 ¶ 113 in Interview 4**

Hm let me call one thing I think you generally know. You remember the lady who was raped by the pastor and she was asked it In it was out how deep was in how deep was out. You understand those kind of things is not like ok it is directed to her because it happened to her but you as a witness if you are asked those kind of things you have to be as professional as you can be although some of the question might be bit eh sensitive

**4:31 ¶ 29 in Interview 4**

Defence depending on what they want to explain or clarify in terms of whatever that is going to benefit them then they ask you and you have to answer honestly in terms of your professional standing, what could be the things that they want to know , ja

**5:4 ¶ 26 in Interview 5**

I must say for I have to say facts , anyone who is going to challenge those facts as long as I know that whatever I will say it’s true. I have taken oath that whatever I will say it’s truth.

**5:6 ¶ 32 in Interview 5**

Ok, for them it is something that they need to do because you as a witness even if you were tempted to tell lie. Remember if you are a witness not expert witness for a victim I might want to create stories

**5:26 ¶ 102 in Interview 5**

Sometimes you think you know but then you realize that the defence lawyer tried to trick you in way but eh fortunately whatever you telling those affects even if they trick as long as you stick to what you know . then again I feel I have done my job

**5:28 ¶ 107 in Interview 5**

Differently ( repeating same words) yes, ja. Whatever you are telling them is the truth because if it is not a truth obvious you will forget. If it is a really truth you won’t forget. Remember if it is lies you will forget

**5:32 ¶ 30 in Interview 5**

Usually the Magistrate or presiding officer they will want you to swear to say that whatever you will be telling the court is the truth, truth only you not going to tell lies because if you can tell lies you can be also be prosecuted . So when you are a witness when you get to the stand you need to swear all the time

**○ 2. Experiences of providing expert testimony during sexual violence trials: 2.5 Testify on observations rather than speculations**

7 Quotations:

**1:20 ¶ 54 – 62 in Interview 1**

And sometimes the perpetrator sodomised the boy or girl at the back, and the lawyer said how do I know if there was penetration, what is it “ konje ba re ke dilo mang (what do they call this things)? Dinto tsa di constipation” (things of constipation).

Researcher: Eh di haemorrhoids (yes, the haemorrhoids)

Participant: Ja, what if it was constipation, and then I will say I know haemorrhoids. I will see if it is haemorrhoids but I am dealing with sexual assault.

Researcher: Assault Ja

Participant: I know when there is injuries like that was caused by penetration

Researcher: the penetration

Participant: So, did wena (you) see them raping? And I said no I didn’t see I was not there I cannot say it was rape. It was penetration.what kind of thing that went in because I was not there

Researcher: Hey, my word

Participant: But I can say I’ve seen the sign of penetration

**2:22 ¶ 86 – 88 in Interview 2**

Participant: Anatomy and the findings. Most of time they will call you come and explain for them what you were saying whatever it is. Remember they listen to the story and the whole is for them to match whatever the patient is saying and what you have written.

Researcher OK, so whilst you are educating them on medical side on legal side what are they giving back to you?

Participant: Remember our role is to present our medical findings for the court; we don’t deal with legal much, we there to validate the findings on examination. Are the findings making sense, are injuries found on examination consistent with what the patient has said to the police and court

**3:25 ¶ 99 – 103 in Interview 3**

Participant: I don’t take sides I am just there to provide what I witnessed during examination with the victim and be consistent with what they want and also to provide my opinion

Researcher: Ok, with taking sides can we go through that

Participant: OK, I am not a legal expert but a medical expert

Researcher: Ok

Participant: I am just there to provide my opinion or to tell them what I saw. It doesn’t mean that I saw a victim I will be pressing that yes rape happened. I am just there to give my opinion to help the court to decide on whatever they want me to say

**4:10 ¶ 57 in Interview 4**

Participant: Basically we present our findings in terms of our professional skills and in our understanding of those findings. We don’t basically try to make things. Basically laceration is a laceration if it is an incision it is

**4:16 ¶ 67 in Interview 4**

I could have said this this way so the court could see this in this line. So you want it to be proper as proper as you can put because we are dealing with people’s lives. So those lives are going to be impacted or to be changed with what you said in court if you understand that gravity of the situation you feel somehow compelled that, ok whatever you are going to say let it be what you have seen when you examine the patient. No addition that could have swerved your presentation towards one side or to the other side

**4:19 ¶ 75 in Interview 4**

Basically you are presenting that ok if the eh if this is an orange. It is an orange you cannot say this might be an orange. If are being asked to speculate then you say you asked me to speculate as a speculation. So that you basically in the same way. That we are both speculating as you have asked me and then I am speculating as you have asked me, you understand. Let’s say if something is a clear cut it is a clear cut you cannot swerve and speculate on a laceration is a laceration. The only thing I was told that this laceration was caused by a stick then a stick has cause a laceration.

**4:20 ¶ 83 in Interview 4**

Ok because I don’t take that ok the current case is preparing for the future because things are changing and going to be presented differently for you .So a mere fact that of saying of that ok every case is different and it is a new case. Then it keeps me my toes that ok I have to I have to look on their own merit. I don’t solve and have to present for somethings and say as I have presented last time but this is a new thing

**○ 2. Experiences of providing expert testimony during sexual violence trials: 2.6 Testify to ensure justice prevails**

10 Quotations:

**1:24 ¶ 74 in Interview 1**

I see myself fighting for justice for my patient

**1:25 ¶ 76 – 78 in Interview 1**

Participant: Rape is a serious offence in South Africa, so somebody who rapes price has to pay the price

Researcher: Ok

Participant: He has to be arrested, if case is not opened they are setting the perpetrator free, he will rape again

**1:31 ¶ 102 – 104 in Interview 1**

Participant: ge ketswa ko court ke gore ke tsebe gore I did my best (when I return from court) I am happy because I have done my justice

Researcher: Ok, what does it make you feel?

Participant: I feel happy

**1:42 ¶ 50 in Interview 1**

Ja, I am standing there for my patient. I am testifying for my patient , so I have to be there and write what I saw

**2:34 ¶ 36 in Interview 2**

From there they check signature, and they are very supportive. Because we are not the perpetrators we are there as expert witnesses. For the state, we are there for the victims.

**3:24 ¶ 97 in Interview 3**

I want to see justice happen if I am shaken then I move away to what I am doing I will be failing some one. The I feel like I will be failing the person who is right because remembering even the victim, the suspect I don’t take sides

**3:36 ¶ 107 in Interview 3**

I want justice to be done, remember justice will be whether the person is found guilty or not depending on whatever is happening, yes

**5:7 ¶ 34 in Interview 5**

Because want the accused to go jail. That’s why the prosecutor wants you to swear to remind you not tell lies. Remember this is serious whenever what you going to tell them will determine whether the person is guilty or not

**5:8 ¶ 36 – 38 in Interview 5**

Participant: Lies can make the accused released, goes back to the community and continues to harm people or falsely judge

Researcher: Can be sent to jail for crime he didn’t commit, and you also said justice to be served tell me more about it

Participant: Justice to be done according to my findings and has to be balanced and not in nobody’s side

**5:25 ¶ 100 in Interview 5**

when I know that I have answered every question to my satisfaction. I also get happy because now I know that if a perpetrator has to really pay for ever they have done. It makes me feel that I have made a difference, because we don’t want to see the perpetrator walking down the street

**○ 3. Challenging experiences of providing expert testimony during sexual violence trials: 3.1 Logistical challenges**

7 Quotations:

**3:4 ¶ 31 in Interview 3**

The challenges I faced most of the time is that sometimes they will call in court only to find out that the suspect is sick or defence lawyer is sick not coming. Or maybe the are other things happening that Eh are going to be stopped, sorry to disturb the court proceedings and you would have waited in court for some time, only to be told that no the the court(stuttering) would not proceed. You have to go back home

**3:6 ¶ 35 – 37 in Interview 3**

Participant: And also the issue of availability what is happening if a case is held in Tembisa regional court, most of the time like we discuss with our prosecutors you find that you meet me in court and I am the only clinician. So cannot spend the whole day in court waiting for them you know to confirm for certain things. And only to be told that the court would not proceed where as I can be stationed here they put me on standby.

Researcher: I get you

Participant: If they don’t really need me or they not sure that I will testify on that day they will say please be on standby. We will call you if you are really needed on the day. If I am really needed they will call that within15- 20 minutes to get to court from here

**3:32 ¶ 33 in Interview 3**

Ok sometimes you find that they are subpoenaing you on the date that you on leave. And you won’t be in the province then they do allow that to postpone for another time that you are available

**3:33 ¶ 47 in Interview 3**

And even the staffing right now is not enough because if one of the clinician is on leave and we have only one clinician on side so if they need me on that specific time you will find that the centre will be left unattended

**4:22 ¶ 87 in Interview 4**

So you those things sorted out but in terms of other courts let’s say out of Tembisa going to other courts they don’t know us and you don’t know who the presiding prosecutor is allocated. So like you need to clear those things so that you stand the whole day. Waiting to be called and waiting for your case to be presented because being there away from work understand, the sooner you can present your expert opinion and you can go back to your and proceed with the work the time

**5:30 ¶ 111 in Interview 5**

If they can just understand that our justice is loaded. Sometimes the victim knows the perpetrator but they take time I sometimes feel like when it takes time it is like re-opening the wound. And again police were supposed to deal with the severity of the case

**5:33 ¶ 76 in Interview 5**

So if I see someone today 2023, it happens sometimes that you are called to court maybe 2025 /2026 not really that is a fact of case being postponed or maybe lot of backlog of cases , ja . you cannot be called same time. If it very early it is usually a year but most cases is after two years

**○ 3. Challenging experiences of providing expert testimony during sexual violence trials: 3.2 Being discredited as a witness (defence tactic)**

6 Quotations:

**1:40 ¶ 42 – 44 in Interview 1**

Participant: When is there, he is fighting for the perpetrator to be out to say he is not guilty

Researcher: OH oh ok I hear you well. If I understood well they don’t want to find anything wrong?

Participant: Yes, so that the perpetrator can walk free

**1:41 ¶ 46 – 48 in Interview 1**

Participant: They nail me as an expert witness

Researcher: For what reasons?

Participant: Because they want to win the case and me I am standing for my victim

**1:43 ¶ 64 in Interview 1**

they look at you as you are the perpetrator

**2:32 ¶ 106 – 108 in Interview 2**

Participant: Remember their objectives is to drop the case, they want to win the case on behalf of their client. Their aim is to see that all make sense for example if you have made a mistake they will take their time and make everybody in the court understand why you have written name wrong

Researcher: Can that be an influence to lose the case?

Participant: Everything counts; they use all sorts to discredit you as a witness

**2:33 ¶ 64 – 68 in Interview 2**

Participant: Ja, whereby I decided to be also nasty and the magistrate will say oh can we please stop

Researcher: Hm, you felt like he was disrespectful to you (defence lawyer)

Participant: He was disrespectful and defensive; I ‘said what else do you wanna know’?

Researcher: With that moment what did you think of?

Participant: I thought he was attacking me, my character and won’t allow it

**2:36 ¶ 70 in Interview 2**

I started saying all sorts of nasty things and magistrate was not impressed. and I remember I got mad I felt he was attacking my character and said I’m not gonna allow it

**○ 3. Challenging experiences of providing expert testimony during sexual violence trials: 3.3 Testimony being discredited or doubted**

8 Quotations:

**1:46 ¶ 37 in Interview 1**

Like maybe Eh the last time one sister that I was working with, the court called her to come explain because she wrote intact. Ko hymen (at the hymen) she said intact but she wrote that there was no penetration. They wanted me as the lawyer was nailing her “gore” (for) how can you say intact while there is a penetration? So the question will be like that because they want loophole. And you will be saying no I tackled it right the hymen is still there but there was a penetration because we didn’t want to lose the case

**1:47 ¶ 32 – 34 in Interview 1**

and then there is a lawyer. The role of the lawyer is hired by the perpetrator

Researcher: He is standing in for the perpetrator?

Participant: Yes, he will be questioning me with all those things, if he sees the loophole that means you can lose the case because he will be nailing on top of it

**4:12 ¶ 61 in Interview 4**

The re-cross examination is if Ah the defence have basically …. How can I put this he has put an argument in front of the court to such an extent that they want you to swerve from your presentation of your facts. Do you understand. That’s it is a bit difficult, ok for instance if the defence they like the question. Do you think consensual sex would have caused the injuries? Those kinds of things. You understand because normally is like , yes even consensual sex would have caused injuries. So defence can also cross examine that ok Ehm you know even consensual sex would have cause the injury

**4:32 ¶ 37 in Interview 4**

Interrogation means that they go deeper with their questions trying to dive in maybe let’s say they exclude the black and white try to find everything they want to find about the question

**4:33 ¶ 41 in Interview 4**

They can differ; they can ask you about injuries, what would have caused the injuries? Do you think that those kinds of injuries Ehm are consistent with the story being given by the patient or the story that was a layout in front of the court in terms of what has transpired. And they may ask about let’s say if the patient was intoxicated, do you think they could have been able to have done what they have done

**4:34 ¶ 45 in Interview 4**

The defence can ask a question that can cast that out on the presentation of the prosecutor. The perpetrator will be given a benefit of doubt that it would not have happened the way it was

**7:16 ¶ 22 in Interview 7**

Eh hm every time the question they are asking us make us feel like you don’t want to go and testify as if you didn’t know what you wrote

**8:15 ¶ 63 in Interview 8**

Especially when injuries are still new if it is not bleeding. The defence lawyer will refuse that the injuries are from the suspect

**○ 3. Challenging experiences of providing expert testimony during sexual violence trials: 3.4 Confronted with confusing questions (defence tactic)**

10 Quotations:

**1:36 ¶ 116 in Interview 1**

Eh, cleft, hymnal clefts egobontsa gore this person has been penetrated (hymnal cleft show you that this person has been penetrated) he will ask how do you that scars has been caused by his client. Or maybe agobotsise same question ka tsela engwe gape (or maybe he asks same question in a different way)

**1:48 ¶ 112 in Interview 1**

sometimes when the lawyer ask you question and you do not answer in a proper way, opote fela mara tsewe maybe bago confuse (if don’t answer correct to confuse you) but mostly that happens if you are testifying for the first time

**1:50 ¶ 119 – 120 in Interview 1**

Researcher: how do you deal with confusing questions?

Participant: difficult and hard and stressful and feel like you spoiled the case

**2:35 ¶ 60 – 62 in Interview 2**

Participant: sometimes there are very nasty defence lawyers who used focus on other things other than what is happening especially when they realize that they do not have outlet. When they realize that the prosecutor has a strong case against the perpetrator. When that happens they sometimes choose to be nasty. That’s where they ask stupid questions, remember we also human beings

Researcher: It is true Hm

Participant: sometimes we lose our marbles and get emotional and just say all the wrong things. But does not happen very often

**3:18 ¶ 79 in Interview 3**

And you find that sometimes some of them are going too you know they are being too technically is going far like I am going to give you an example: I was asked, Do you think penetration was force full in this particular case? And then I said yes because of the injuries that I had checked. The defence lawyer asked me what is force? You know the definition of force in physics is the ability to do work, yes. Then I said that and then he said “is it possible for sexual intercourse to have it without force”?

**3:19 ¶ 83 in Interview 3**

They were being too technically so sometimes you are being caught off guard with certain questions so that is why end up having anxiety like today what is that they are going to ask. And you get the ones that are being rude because people are not the same. You get the ones that are rude they don’t even wait for you to finish your sentence, they try to shake you up you know

**5:27 ¶ 104 – 105 in Interview 5**

It will be up to the court to decide whatever. With the tricks they and change you tell them this is blue. And they come back and say you said that was green, so they confuse you. Some people might be tempted to say yes and then you need to remember.

The minute you say yes you are green they’ll say which is which you said this and now you are saying that

**5:29 ¶ 109 in Interview 5**

So they can literally use it against you and then even jeopardize the whole case and say is null and void whatever evidence that you have given because of one question

**7:17 ¶ 26 in Interview 7**

No not really for example when patient was raped at night. And they will ask if a patient is a prostitute, they will ask and you not there. You don’t know anything about the prostitution but they will ask about such you see

**8:22 ¶ 101 in Interview 8**

They just sit on one question (laughing) they are trained and they will ask in a different way. They ask again same question differently , they get you and grill you. He will say I asked you and you said this now I am asking you are now saying that

**○ 3. Challenging experiences of providing expert testimony during sexual violence trials: 3.5 Being discredited as an expert**

5 Quotations:

**1:17 ¶ 52 in Interview 1**

they nail you for a small thing and if maybe you are not competent and maybe you said something and they will say you see nurse is not competent doesn’t know what she is doing

**3:26 ¶ 113 in Interview 3**

They are rude, their way of asking questions or like the most recent one they asked if I think that the person has mental issue. So the state prosecutor asked me if in my opinion do I think the patient has mental problem? Then I said yes, then the defence lawyer said when you read your qualifications you didn’t include a speciality of psychiatry so ja those are the kind. I don’t know if it was an insult or what that we face sometimes

**3:27 ¶ 117 – 119 in Interview 3**

Participant: Like imagine me telling you that Eh , ok you come and consult with me like now I’m working in clinical forensics doesn’t mean that I cannot diagnose

Researcher: Exactly

Participant: But someone comes and tell me that “you are not a specialist in that field” that’s why I felt underestimated because that I am not a specialist I cannot do my job

**6:1 ¶ 12 in Interview 6**

I can say there was a little lack confidence or trust from some of the prosecutors , and like I say from most them not all of them. Maybe he didn’t understand that Professional nurse are referred to as clinicians and doctors are doctors. He was asking me if I was a doctor he wanted to know if was going to give my expertise as a doctor. He was asking me that I was a doctor. He looked like he didn’t believe in me. He said I was going to give evidence in court in capacity of the doctor? And I said yes , I said I never experience that twice in the magistrate court: I have never experienced it in high court

**6:2 ¶ 18 – 20 in Interview 6**

Participant: what type of question “are you going to give evidence in the capacity of a doctor being a nurse’’. I didn’t expect this question from him from him

Researcher: Knowingly that you are not a doctor, you are a nurse. So you felt offended or can you tell me more about it that lack of trust

Participant: I felt offended but in any case because now I have to be strong. Remember this time he was consulting me outside the court. I was about to go to the witness box. And I did well

**○ 3. Challenging experiences of providing expert testimony during sexual violence trials: 3.6 Challenges with incorrect or conflicting entries on the J88**

5 Quotations:

**2:9 ¶ 38 in Interview 2**

and if there is a problem. They will try and highlight issues you know, mistakes we are human beings

**3:12 ¶ 61 in Interview 3**

Maybe that’s the reason why you are called to come and explain, you find that on the J88 remember you see the patient during am’s (early in the morning) and you are tired and you have said on the right side but on the sketch you do something on the left. So such things just to understand

**8:5 ¶ 16 in Interview 8**

Where you made a mistake that is where the defence eh tick and will dwell on that mistake.

**8:7 ¶ 18 in Interview 8**

Then the defence will get in and will dwell on all the mistakes you have done. The mistakes happen when you have jumped/missed something because police bring the patient and take her immediately. You won’t see that you have made mistake you will only realize when you get to court. For example you weigh the patient and forget to check height and you need to give medication in comparison with that

**8:14 ¶ 61 in Interview 8**

Ok defence ge arata gore ofail ko di case. Olebelle dimistakes. ( when defence wants you to fail the case he checks those mistakes: for example injuries you state if still new and fresh and bleeding), you can be the one who can fail the patient if you don’t specify the injuries

**○ 3. Challenging experiences of providing expert testimony during sexual violence trials: 3.7 Concerns related to representing/helping victims**

6 Quotations:

**1:52 ¶ 110 in Interview 1**

: JA when you there you are scared “gore” (like) osenya case (you are spoiling the case) ge ofihla kontlong nkare obolile motho (you feel like you have a person) you feel like you have killed somebody

**6:19 ¶ 30 – 32 in Interview 6**

even though sometimes I feel like we not doing anything seeing that the very gender based violence is being increased within the month ya August (of) when we are busy at the crisis centre doing ama campaigns (doing campaigns, awareness) ale gender basis ( campaigns of gender basis) we get a lot of cases of gender basis during that month (August)

Researcher: (listening attentively and scribing)

Participant: So I don’t know so I don’t know how we can curb this scary gender based. We are trying but nothing is being done. So I don’t know ukuthi singe yenzani (I don’t know what we can do)

**7:9 ¶ 54 – 56 in Interview 7**

Participant: Hm JA. You feel like you are failing the patient

Researcher: Failing your patient how so?

Participant: Though I know gore Hm (I know that) we are there not to win the case we are going there to testify about whatever what you say

**7:10 ¶ 64 – 66 in Interview 7**

Participant: Hm you go prepared then harassed ending up feeling very sad

Researcher: how sad, tell me more about it

Participant: Like I failed my patient

**8:11 ¶ 42 – 46 in Interview 8**

Participant: Eh once you have testified you don’t you don’t get feed back unless for Tv and newspapers talk about it the sentencing

Researcher: Hm

Participant: most of the case I didn’t get feedback from the prosecutor. You just testify and go home . they will not tell you that you did well

Researcher: you will never know if you did well

Participant: I am worried that I don’t know if I presented my patient well

**8:12 ¶ 57 in Interview 8**

Ke frustrate ke gore (I get frustrated) a ke gone go tseba gore I did presented well (I am unable to know if I testified well) to the advocate or not . if they can give us feed back can be negative or positive so we now. To prepare us before court

**○ 3. Challenging experiences of providing expert testimony during sexual violence trials: 3.8 Victim related challenges**

7 Quotations:

**1:38 ¶ 130 in Interview 1**

Sometime these victims tell lies because they are afraid of their parents and the parents also hide information if the case is family related

**3:29 ¶ 125 in Interview 3**

They do come back with the withdrawal statement for example victim says that “ I was rape and comes back saying that I was afraid to tell the truth, that’s why we have to be neutral rather than taking sides

**3:30 ¶ 129 in Interview 3**

You find that you were so emotional invested in their case and they come back to withdraw the case, sometimes there is a bit of disappointment and discourage

**5:10 ¶ 46 in Interview 5**

Kind of stories being related by victims affects psychologically. Other challenge is that eh you do find cases where you take the history you realize that the story is not clear even for you (I am a police or investigation officer) it becomes difficult to understand the story and that is being fabricated or not

**5:11 ¶ 48 – 50 in Interview 5**

Participant: But then for me as a doctor I am not there to judge but sometimes it becomes difficult. You are led with you are told if it is not clear it is difficult

Researcher: Hm

Participant: If you are led with something that is not clear you might miss an import thing something that can make a case win

**6:10 ¶ 54 – 56 in Interview 6**

Participant: You will see the way she responds to you ukuthi uyamujudge (that you are judging her) I remember at some stage the NPA staff was around neh. I say the NPA meaning the National prosecuting Authority staff is the ones dealing with the cases neh at the court say to advise the victim on how is she coping or how is the case going. So as a medical staff I was busy with the patient there to say eh I was taking blood as came in for her follow up, taking blood from her and I just asked neh innocently so ukuthi ( I just asked innocently so that how is the case going) the manner in which the patient answered me, in fact she ended up crying and saying “she didn’t want to open the case it was like I forced her to have opened the case and I was with another sister there JA she said why do you asked me if I have opened the case” And I said no I was asking you ukuthi I case ihambakanjani hayi ukuthi uvule icase (No I was asking you that how is the case going I was not asking you to open the case file) not knowing ukuthi uyivulile icase or akyivulanga (without knowing whether she has opened the case or not)

Researcher: Uyivulile or akavulanga (has opened the case or not, repeating same words)

Participant: Within the conversation kusho ukuthi uyangi judge (that means you are judging me, says the victim) and she started crying and only to realize after to say she was has having some depression and was admitted some way nge depression (of)

**6:11 ¶ 62 in Interview 6**

Ja amapatient mina I feel ukuthi is because of maybe they are scare ya le gender based violence (Yes the patients, me I feel like because of maybe they are scare of the gender based violence) they are undergoing they seem not to trust anyone or to have confidence in anyone ngizosho njalo to anyone (I would say that they don’t have trust or confidence to anyone)

**○ 3. Challenging experiences of providing expert testimony during sexual violence trials: Challenges related to the prosecutor**

3 Quotations:

**6:8 ¶ 120 – 122 in Interview 6**

Participant: So mina I amused to it (So me) so mina how I am going to deal with it if I am being called by him to come and consult. I am totally going to refuse because now I understand what he does. He calls you to consult Na ye (He calls you to come consult with him). Uyabiza nje abantu bazo consult naye as if manje Uya understand Uma ufika nga phakathi Uya ku griller (He just calls people to come consult with now you understand that when you get inside he grills you). And three people won’t tell lies, I have told myself that if have to go to court with him I won’t consult first with him

Researcher: Oyi one with the very same thing (one person)

Participant: Or Uma angbize ngizomtshela ukuthi ngi feel uncomfortable (Or if he can call me I will tell him that I feel uncomfortable to consult with him) akana chance yokuthi angi tshela ukuthi why ngi ba uncomfortable (He doesn’t chance to say that why am I uncomfortable)

**6:9 ¶ 110 – 114 in Interview 6**

Participant: There is a prosecutor who does that and then he follows people nga ma WhatsApp to say sorry eh clinician so and so this is part of your daily duty, (there is this prosecutor who follows people by WhatsApp and apologizes reminding clinicians about their daily duty)

Researcher: So by saying that is he apologizing?

Participant: JA, I don’t why with my experience it is clinical forensic it is not for the first time I hear it (tapping her pen on her notepad)

Researcher: after sending the message how to deal with this?

Participant: I heard that recently so I am trying to understand Ukuthi why (I am trying to understand that why is he doing this) because I have a lot of experience working in clinical forensics then I have heard by two or three people. And why is apologizing to me it is like he was aware of what he did there while expert witness was on the box, I don’t think that he is professional so I don’t know. So I don’t know, I haven’t met the said prosecutor but two people reports about him

**6:22 ¶ 106 in Interview 6**

A negative one, maybe they want to take the suspect out. I mean ecourt researcher (keeping quiet for some time) we don’t expect uprosecutor aku grill like (we don’t expect of being grilled by the prosecutor like) she is grilling, like you are being grilled by the defence. But there are such cases researcher

**○ 4. Emotional experiences of providing expert testimony during sexual violence trials: 4.1 Fear related to the negative association with court**

6 Quotations:

**2:10 ¶ 44 in Interview 2**

You know what court is such court is court, we associate court like being arrested by the police. And committed a crime, jail, you know perpetrators, guns and stuff. Even as kids you know, I am from the village in Limpopo we used to run away when we see police vans (laughing) on the road we we trying to hide ourselves. so nje (like) that has been stuck on the back of our minds that court equals to crime, guns, and police. So we literally shake when you go in there. And another thing (laughing) it is not nice to go in the we literally panic when you get subpoena

**2:37 ¶ 30 in Interview 2**

as you know court scary can be. I mean like it is not nice for some of us who are not ok with public speaking

**3:14 ¶ 65 in Interview 3**

For me I don’t know it’s different because when people go to court they get scared

**3:34 ¶ 73 in Interview 3**

Ok so as a human being you that moment of fearfulness you know when you are on the stand sometimes and you talking people are just looking at you no one is saying yes or no you know. We always want validation sometimes we want to see people are listening or what. So sometimes you have moment of being scared bot not that scared

**4:13 ¶ 65 in Interview 4**

Court is a scary environment for everybody

**5:2 ¶ 24 in Interview 5**

I remember when I was there for the first time I was so scared and again the reason of me being scared is the things we see on television , and they are exaggerated. But once you there you see that things are not like that it is real life. For the second time I just realised that you just read your subpoena

**○ 4. Emotional experiences of providing expert testimony during sexual violence trials: 4.2 Fear related to the perpetrator**

9 Quotations:

**2:11 ¶ 46 in Interview 2**

and sometimes you will be in court with family of perpetrators. it is scary because you will never know what might happen as you leave because you are not escorted by anybody. You get a subpoena you walk in thereby yourself, sit there wait. When you get in the box you realize that you were sitting next to the perpetrator’s brother.

**2:13 ¶ 50 in Interview 2**

It a really uncomfortable position to be in, because you do not know who is who I think the government takes that into consideration. We don’t feel protected by the state...We drive our own cars driving away from court with our own cars and ja we just go on our own.

**2:38 ¶ 52 in Interview 2**

We just cross our fingers that nothing happens. If they wanna shoot you they can literally does it because there is no security guards anybody escort us to our cars...we not safe we do say a prayer before we go in

**2:39 ¶ 50 in Interview 2**

You know I personally try to stay away from the court gallery. Mostly if you are number two on the list they will ask you to stay /wait outside because they do not want you to hear what others will say. When that happens I try to go sit where else. you will never know that you sitting with perpetrator’s mother. I try not to be seen before that time comes.

**7:11 ¶ 70 in Interview 7**

Feeling unsafe because families of the suspect are there listening and watching us while giving testimony

**7:12 ¶ 74 in Interview 7**

May they can kill me especially if they can lose the case

**8:16 ¶ 72 in Interview 8**

I leave here where I am working going to court alone without escort to present rape cases. When are done the perpetrators are with the families and you are alone

**8:18 ¶ 81 in Interview 8**

because we deal with sensitive cases ,if he can get big sentencing they will think is because of you

**8:24 ¶ 112 in Interview 8**

As for me alone I don’t feel safe to drive to court alone

**○ 4. Emotional experiences of providing expert testimony during sexual violence trials: 4.3 Emotional experiences related to cross questioning**

6 Quotations:

**1:51 ¶ 90 – 92 in Interview 1**

Participant: The only challenge is when you are scared the lawyer can nail you

Researcher: what was scaring you before?

Participant: you scared of the questions that will be asked; maybe you will not understand the question

**3:31 ¶ 75 – 77 in Interview 3**

Participant: And also the other part is that you, I think is anxiety of the defence lawyer what are they going to ask

Researcher: Ok I get you M2, validation and anxiety from defence what are they actually doing to you?

Researcher: Eh they are doing the cross examination, you know what they say cross examination they are asking you about the things that you said. the way you are asking that you said 1, 2, 3 what do you mean

**7:2 ¶ 16 – 18 in Interview 7**

You will even cry there because they ask some difficult questions as if you were there when this rape happen (so emotional)

Researcher: Hm I am with you (looking straight to the patients face)

Participant: Ja remember at court what they taught us is that we are not rapist we did examine the patient were not there ja you going to answer what you saw and what you don’t know is actually the annoyers hey that maybe I don’t know because they will ask a questions as if you were there

**7:6 ¶ 30 – 32 in Interview 7**

Participant: I will tell them that I don’t know but the patient is for what, it that they ask you is one question in different way

Researcher: Hm one question in different way (repeating same words)

Participant: You end up hurt or even crying there because they ask you question, you answer them. They will ask you that question in a different way

**7:19 ¶ 53 in Interview 7**

Mean while at the beginning you said you felt like “I know my story” and I am going to nail the case all of a sudden you are being harassed. You feel like crying, but how you! You!

**8:19 ¶ 89 – 91 in Interview 8**

Participant: you don’t sleep well when you think of going to court the next day

Researcher: Which part scares you the most

Participant: The defence you know that the defence will grill you the whole day yoo and it is not nice. You know that they will get loophole.

**○ 5. Positive experiences of providing expert testimony during sexual violence trials: 5.1 Positive experiences related to the court system**

6 Quotations:

**1:53 ¶ 108 in Interview 1**

I will ask the prosecutor that how did it go and he will say perfect

**2:28 ¶ 104 in Interview 2**

Eh when it comes to work and to go court NPA guys have transport travelling from home to court in the morning. Magistrates re good to us and offering support

**3:35 ¶ 87 – 89 in Interview 3**

and then sometimes the magistrate or the state prosecutor if they hear that whatever question that was asked is not fair they can say that’s not fair

Researcher: Hm, ok on that time you are experiencing that rudeness and the prosecutor is like coming in in between, how do you deal with it?

Participant: to You keep quiet and wait for them to tell you proceed

**4:21 ¶ 85 in Interview 4**

Hm the challenges this time is time is the one thing that we basically having because the one court that we happy with in terms of time management is Tembisa court because they know us. And we present our self-early and they will tell you that in this case we want you to be a standby witness let’s say we call you , you can come in . you understand

**5:20 ¶ 86 in Interview 5**

Before you will just go and sit then after lunch they will say we won’t gonna need you but I really think that they see that we are a scarce skill so we can’t just spend time sitting while we could be somewhere helping other people that need help.

**6:18 ¶ 96 – 98 in Interview 6**

Participant: I said nje I experience amachallenges laku magistrate court (I said I experience challenges in magistrate courts not sure if I have told you) and not in high court. In high court it is very rare and I think in high court are those high cases I cannot say they are high profile cases cause now mina and those case, the case consulted in high court are serial rapists cases. Say they get this suspect otholakele ukuthi ku le 2022 he has been raping since2017 (Suspect found that he has been raping people since 2017- 2022) and then he has 133 rape cases neh. So in most cases mina (me) I found my evidence as expert witness is more easier because U linked already ( it is easier because he is linked already) you find that even the defence has relaxed and won’t grill you

Researcher: As an expert witness (repeating same words) yes

Participant: A ka ku grill too much because he has nothing to grill (he doesn’t grill you “repeating same words)

**○ 5. Positive experiences of providing expert testimony during sexual violence trials: 5.2 Positive work experiences (support)**

4 Quotations:

**2:18 ¶ 138 in Interview 2**

We do get debriefing sessions district tries to make us happy and we also make ourselves happy here, we go out as staff to do farewell functions

**2:27 ¶ 102 in Interview 2**

There are some courses that runs on annual basis provided by the government in addition there also training and couple offered by the district also in addition to the ones offered by the government. Sometimes the NPA comes and give us information on legal side. Remember it is important for us to know about the children’s Act, we need to know about legal Acts and other legal side of issues that falls under gender based violence

**2:31 ¶ 120 – 124 in Interview 2**

Participant: If you are tired leave it for the other person

Researcher: You a tired and here is the patient need to be attended what do you do?

Participant: We try to hand over as there is always someone around

Researcher: OK, I wanted to hear that part that you have enough staff

Participant: There is never one person on duty in particular day

**3:11 ¶ 59 in Interview 3**

Yes we do get well because during our training we are trained that there is a ok before I did my diploma I went through Eh EH sexual offences practitioner training the one that they provide for each an every clinician that works in clinical forensic Ah the training is done by multidisciplinary teams like we do have advocates, and nurses, doctors everyone and social workers. So we advised not to use medical terms but sometimes you don’t find lay man’s words when you are busy by the patient

**○ 5. Positive experiences of providing expert testimony during sexual violence trials: 5.3 Provision of service to victims**

5 Quotations:

**5:22 ¶ 96 in Interview 5**

I think for me beside the money , so but its eh when you see someone coming, broken, having terrible experience you know after spending an hour with you tried to reassure them. Then you see them coming out without a tear they had when they first went into the room. And they try to smile and then they say thank you doctor. I get gratification

**5:24 ¶ 98 in Interview 5**

I feel I have made a difference in this people’s life, so me that’s what keeps me going maybe again people come here in a state but when they go back because they are sent to the counsellor and they go to nurse before they come to me By the time they go out they can speak and smile, it really change somebody’s life

**6:7 ¶ 50 in Interview 6**

The good one will be” we treat everybody equally and we provide services Neh. Eh equal services to the patients that say they want to open cases and those don’t want to open cases because we are destined not to judge. Not to judge patients who don’t want to report sexual violence

**6:20 ¶ 68 in Interview 6**

Along the way as the time goes on uzobona a total different person (you will see a total different person) when coming in for the first, second and third visit because of the counselling she is getting) uyachange because of the counselling (she changes)

**6:21 ¶ 70 in Interview 6**

Remember we send them for counsel we have got the social worker with POWA (People Opposing Women Abuse) and social worker with department of health who counsel them

**○ 6. Experiences of coping with providing expert testimony during sexual violence trials: 6.1 Acceptance**

6 Quotations:

**1:30 ¶ 98 in Interview 1**

Unfortunately there is nothing that has to change because the perpetrator has rights

**2:19 ¶ 134 in Interview 2**

I have chosen this job and unfortunately going to court is part of purpose

**2:24 ¶ 94 in Interview 2**

I chose to be here nobody asked me, God knows what I can say. He will protect us (God)

**4:27 ¶ 111 in Interview 4**

No you know you’ll complain if you take eh things personal, when I say personal I say only directed to you. Fine if you understand that ok when I go to court yes basically harsh to everybody, can be rude to everybody ah you then have that thing that he is not doing that to you only

**4:28 ¶ 107 in Interview 4**

Make your life easier, go to court because there is nothing that can change because you go to court presents yourself. You been asked question and present what you got on your professional opinion. So like should change from there because if it’s like you not called to court

**7:18 ¶ 42 in Interview 7**

Hm It is not easy not easy but (repeating same words) but at the end of the day it is part of my job

**○ 6. Experiences of coping with providing expert testimony during sexual violence trials: 6.2 Emotional regulation**

7 Quotations:

**1:22 ¶ 66 in Interview 1**

you don’t get angry just answer the question and don’t allow them to make you angry because they know you will make mistakes because you scared

**3:15 ¶ 69 in Interview 3**

Everything that talks of clinical forensics for me going to court is more like you know (expressing her feeling of going to expert testimony) I am going to give my advice, like I don’t know how to put it I have learned to reassure myself that I am not a suspect I am going there to assist the court to reach a certain conclusion they need in this matter

**3:20 ¶ 83 in Interview 3**

ja but overall I have learned to control my emotions because I am an independent expert and that you just give my expertise. And not taking sides, so I have learned to just to control my emotions

**3:28 ¶ 121 in Interview 3**

We do our utmost best that patients are they are assisted but when we got to court we become neutral

**4:9 ¶ 55 in Interview 4**

When we go to court we don’t choose sides

**4:29 ¶ 115 in Interview 4**

You take it like this guy defence representative he might this to provoke your emotions to show that you taking sides so I must stay my ground. I must professional as possible

**7:7 ¶ 44 – 46 in Interview 7**

Participant: Emotions just come

Researcher: Are you able to hold them?

Participant: Sometimes you with hold

**○ 6. Experiences of coping with providing expert testimony during sexual violence trials: 6.3 Mindfulness and patience**

5 Quotations:

**3:21 ¶ 83 in Interview 3**

Eh to listen very well because that is very important. Listen to the questions very well and listen to what I am saying very well

**3:22 ¶ 87 in Interview 3**

Breath in bring yourself back to the moment and then see how you can answer the question

**5:12 ¶ 58 in Interview 5**

You need to be empathic and understanding, if someone is not patient I don’t think they will be able to do this type of job

**5:13 ¶ 62 in Interview 5**

But in such cases because you know it involves emotions and with children they are scared to say or to call a penis or vagina. They will be like going around, so they need patience when you asking ok maybe they will say he touched me. So where did he touch you and they will be scared to tell

**6:4 ¶ 24 – 26 in Interview 6**

Participant: I listened carefully to the cross examination remember with the with the expert expertise the witnessing that you are going to give within the witness box. You need to be careful and from his question as a prosecutor from the deepened side. So I listened carefully

Researcher: Yes, yes, Hm, yes

Participant: In so much that when I answered when I was cross examined by the defence attorney he was now nodding his head saying you are doing well . he was unlike the person who was outside asking me to say “ are you going to do this in the capacity of the doctor”

**○ 6. Experiences of coping with providing expert testimony during sexual violence trials: 6.4 Self confidence**

5 Quotations:

**1:19 ¶ 54 in Interview 1**

You must know yourself; you must not be scared because lawyers can nail you blah blah blah. Just stand there in your record put up my J88 and he has been asking me here you didn’t write everything. I am the one who was with the patient. I am the one who was with the patient and who wrote it

**1:23 ¶ 70 in Interview 1**

The more you do this job the more you become more confident and the more you know I must talk like this. You know I must talk like this and any question that is not there in J88 I will read what I wrote I am not going to answer something I didn’t write

**6:3 ¶ 22 in Interview 6**

I was offended, he boosted my morale in fact I didn’t take whatever he was saying to me

**6:5 ¶ 30 in Interview 6**

Yes, ja with the stage of gender based violence in our country, gender based violence, feticide I see myself as a person who is doing a very eh difficult challenging job and at the same time doing a very good job seeing that this is a pandemic of our country. Like I am being counted as one of those who are trying to fight this gender based violence. So I feel very much honoured to be doing this

**7:8 ¶ 48 – 50 in Interview 7**

Participant: Sometimes you feel positive

Researcher: How positive, when?

Participant: At the beginning because you know your story

**○ 7. Recommendations for providing expert testimony during sexual violence trials: 7.1 Recommendations for the court system**

5 Quotations:

**3:8 ¶ 49 in Interview 3**

Or they will have to wait for me to come back hence we discussed with the state prosecutor if they are not sure that I will testify rather be on stand by. When it’s our time you testify for 1 hour and come back. It does not affect our services

**5:31 ¶ 115 – 117 in Interview 5**

Participant: I think it will be good if we are informed. I know that they take it for granted for us for mentioning that in this centre

Researcher: Hm, there can be a way of doing that, let’s say that thing is implemented and done. How will it make you feel?

Participant: It will really make me feel that I have done my job very well. And also to see if I didn’t do well as it doesn’t rest on me to others also. It also reminds on how did the case go how did my evidence go so that one knows where to improve

**7:20 ¶ 95 – 96 in Interview 7**

Researcher: Ok, tell me more about the support you need from the lawyers and attorneys

Participant: They must not treat us like suspects

**8:8 ¶ 22 in Interview 8**

What I want is that the prosecutor call us before court starts so that we can go through the J88 so that we can be able to rectify the mistakes before it is handed over to the defence lawyer

**8:13 ¶ 59 in Interview 8**

To meet the prosecutor before hand in order to gain strength in order to prepare and fix mistakes They even guide on what to say

**○ 7. Recommendations for providing expert testimony during sexual violence trials: 7.2 Training and debriefing**

6 Quotations:

**5:17 ¶ 80 in Interview 5**

So usually when someone worked with something that has affected emotionally debriefing will be a benefit whether a counsellor whoever expert who will be able to debrief because it affects so it is better when you can talk to someone.

**5:21 ¶ 94 in Interview 5**

I would say if one would get some debriefing, in courts I haven’t experienced any that is adverse, no

**5:34 ¶ 82 in Interview 5**

Usually it will be once a year or once in two years. In my 10 years I have never been to debriefing so it sometimes becomes a problem. It is a challenge emotionally, you can’t go through trauma after trauma. So anyway one has to find a way to deal with it and try to forget about it

**8:21 ¶ 97 in Interview 8**

Participant: to be taught on how to write it well so that defence does not get chance to grill “us”

**8:23 ¶ 104 – 106 in Interview 8**

Participant: Maybe every six months. It is done yearly due to staff shortage

Researcher: Hm

Participant: It will be better if we can every six months

**8:25 ¶ 91 – 93 in Interview 8**

Maybe if we can have this conference or something where prosecutors and clinicians can deal with this J88

Researcher: Hm

Participant: But they use to take us for training but the more you work you get tired

**○ 7. Recommendations for providing expert testimony during sexual violence trials: 7.3 Witness protection**

5 Quotations:

**2:23 ¶ 90 in Interview 2**

I believe we will benefit when we have a separate entrance, I think we will be taken care of better as witnesses witness protection that is going on the news, whistle blowers. Government is not taking care of witnesses. We try to hide...we can benefit if we have our own waiting area

**2:26 ¶ 96 – 98 in Interview 2**

Participant; I feel like I need some sort of protection when I go to court, other that nothing

Researcher: According to you, where should this protection starts?

Participant: When we at court cause I mean that’s the only place I am not happy and uncomfortable

**7:13 ¶ 86 in Interview 7**

They must not put us together with the suspect’s families not seen

**7:14 ¶ 90 in Interview 7**

I don’t know but at least there must be a room for us where maybe we can them not them seeing us

**8:17 ¶ 75 in Interview 8**

I would like that the investigation officer fetch take us or escort us if we are driving from work to court