Measuring SDG Indicators

Governance, Public Safety and Justice (GPSJS) in South Africa

Regional Training on Measuring SDG 16: Prisons, Access to Justice and Strengthening the Criminal Justice System

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Statistics South Africa
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The following modules were referred to:

Two Governance related questionnaires:
- Harmonised module on democratic Governance
- Module on Peace and Security

OECD-OSF guidance documents

Special thanks to:
Prof Pascoe Pleasence: University College London
Peter Chapman - Open Society Foundation
Issues raised during the pilot:

• Access to justice model: Most difficult section to complete
• Took between 25-30 mins, about 50% of the time
• Respondent fatigue
• Many legal terms which may not be familiar to ordinary people
• Translation into local languages is a challenge
Our approach in measuring access to justice

1. Inheritance/will or family property ownership
2. Domestic violence
3. Conflict on child support, visitation & guardianship
4. Marriage or partnership
5. Conflict with neighbours
6. Debt, money owed to you or by you
7. Unfair fees or charges
8. Unauthorised deductions
9. Blacklisting & difficulty accessing loans
10. Deception on finances
11. Insurance claims
12. Access or payments of social benefits
13. Difficulty accessing services (e.g. education, health, water, sanitation)
14. Poor service from government and business
15. Corruption, bribes or nepotism
16. Business partnership
17. Expulsion, suspension or rejection of membership
18. Facilities for special needs
19. Accident/injury liabilities
20. Unfair employment practice
21. Harassment or bullying
22. Discriminatory practices
23. Tenant/landlord disputes/problem
24. Land/property ownership, titles and permits
25. Property boundaries, fences and territory of operation
26. Land grabs and squatting
27. Issuing of identification documents/certificates
28. Action by law enforcement
29. Other dispute/problem (specify)

We have 29 type of disputes:

*This approach was implemented in the current GPSJS survey that is currently in the field
Conducted by Statistics South Africa (Stats SA) in 1998. The Institute for Security Studies (ISS) conducted the 2003 and 2007 versions of the VOCS.

Stats SA resumed the survey from 2011 – 2017/18, based on a total sample size of approximately 30 000 households across 9 provinces of SA. Annual survey funded by Stats SA (Baseline allocation).

In 2017 VOCS was redesigned to make room for new information demands on governance. The redesigned survey is called GPSJS. GPSJS retains most of the VOCS content.

Stats SA published two reports from GPSJS, one on governance themes published in August and the other on victims of crime published in September.
Structure of the questionnaire:

- **Head or the acting head of the household**
  - Particulars of Dwelling Unit
  - Particulars of Household
    - Particulars of all the members of the household
    - Household living conditions
  - Experience of household crime
  - Courts

- **Randomly selected individual 16 years and older**
  - Person information of randomly selected individual
  - Individual experience of crime
  - Legitimacy, voice and equity
  - Experience of disputes/problems
  - Individual experiences of courts
  - Individual perceptions on crime
Findings from

GPSJS 2018/19

• 16.3.3 Proportion of those who experienced a legal problem in the last two years who could access appropriate information or expert help and were able to resolve the problem.
An estimated 12% of the population in South Africa experienced one or more disputes or justiciable problems during the past two years.

Top 10 disputes experienced by the population:

1. Disruptions of supply of utilities (e.g. water, electricity) - 0.66
2. Corruption or bribery or nepotism by government officials - 0.51
3. Other dispute/problem with neighbour(s) - 0.46
4. Unpaid debt by friends or non-family individuals - 0.43
5. Lack of access to water, sanitation, electricity, housing - 0.43
6. Unauthorised deductions from bank account by a business - 0.42
7. Family property ownership (includes land, house, cars, animals, etc) - 0.34
8. Other poor services - 0.32
9. Child support or maintenance - 0.3
10. Unfair charges or fees by company, business or bank - 0.25
There is no overlap between the top ten most important disputes for women and for men

<table>
<thead>
<tr>
<th>Most recent disputes for women</th>
<th>Most recent disputes for men</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>1</strong> Disruptions of supply of utilities (e.g. water, electricity)</td>
<td>Corrupting or bribery or nepotism by government officials</td>
</tr>
<tr>
<td><strong>2</strong> Other dispute/problem with neighbour(s)</td>
<td>Unpaid debt by friends or non-family individuals</td>
</tr>
<tr>
<td><strong>3</strong> Lack of access to water, sanitation, electricity, housing</td>
<td>Other poor services</td>
</tr>
<tr>
<td><strong>4</strong> Unauthorised deductions from bank account by a business</td>
<td>Other unfair employment practices</td>
</tr>
<tr>
<td><strong>5</strong> Family property ownership (includes land, house, cars,</td>
<td>Medical malpractice by health institution or officials</td>
</tr>
<tr>
<td>animals, etc)</td>
<td></td>
</tr>
<tr>
<td><strong>6</strong> Child support or maintenance</td>
<td>Poor service by company or business</td>
</tr>
<tr>
<td><strong>7</strong> Unfair charges or fees by company, business or bank</td>
<td>Difficulties accessing healthcare services</td>
</tr>
<tr>
<td><strong>8</strong> Violence against women</td>
<td>Other lack of services</td>
</tr>
<tr>
<td><strong>9</strong> Unfair utility bills</td>
<td>Billing errors</td>
</tr>
<tr>
<td><strong>10</strong> Difficulties paying personal loan</td>
<td>Harassment or bullying by other person</td>
</tr>
</tbody>
</table>
Family, friend or acquaintance was the most popular place to call for assistance to obtain information that would help to resolve the most recent dispute or problem.

![Bar chart showing percentage of people who used specified sources to obtain information concerning their disputes, 2018/19.]

- Family, friend, acquaintance: 31%
- Lawyer or professional advisor/legal aid lawyer, or advice...: 11%
- Police: 9%
- Court: 8%
- Elected councillor or politician: 4%
- Community or religious leader or Non-Governmental...: 4%
- Government (national, provincial and local): 3%
- Your employer, trade union, professional or trade association: 3%
- Community-based advice services/paralegal: 3%
- Health/education/welfare officials or financial services...: 3%
- Other dispute resolution organisation (e.g. ombudsman...: 2%
- University legal aid clinic: 1%
- Other (specify): 3%
Most South Africans go to family and friends for help in trying to resolve disputes. About 29% of the people experiencing disputes seek help from family and friends, 9% go to the police for help, 8% go to courts or tribunals and 5% seek help from community organisations.

Percentage of people who used specified institutions to seek help to resolve their dispute, 2018/19
More than a quarter of the people did not seek help because it would waste time or it would be useless anyway. About 17% of the people did not seek help because they did not know where to go.

<table>
<thead>
<tr>
<th>Reason</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Other (specify)</td>
<td>4.2%</td>
</tr>
<tr>
<td>The courts are not impartial/the courts are incompetent</td>
<td>0.6%</td>
</tr>
<tr>
<td>The court processes are too lengthy</td>
<td>0.9%</td>
</tr>
<tr>
<td>The person who could assist was too far</td>
<td>1.1%</td>
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<tr>
<td>It would create problems for my family</td>
<td>1.3%</td>
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<tr>
<td>Afraid it would result in violence</td>
<td>1.4%</td>
</tr>
<tr>
<td>Action was taken by the other party</td>
<td>1.6%</td>
</tr>
<tr>
<td>It would damage the relationship with the other party</td>
<td>1.7%</td>
</tr>
<tr>
<td>It was a private family matter</td>
<td>1.9%</td>
</tr>
<tr>
<td>I caused the problem/I thought the other persons was right</td>
<td>2.8%</td>
</tr>
<tr>
<td>Not serious/ important enough/no material loss or damage took place</td>
<td>7.4%</td>
</tr>
<tr>
<td>Did not have evidence</td>
<td>4.0%</td>
</tr>
<tr>
<td>It would cost too much</td>
<td>6.9%</td>
</tr>
<tr>
<td>Did not know what to do or where to go</td>
<td>16.7%</td>
</tr>
<tr>
<td>A peaceful resolution was reached by the two parties</td>
<td>18.2%</td>
</tr>
<tr>
<td>It would only waste time/it would be useless anyway (sense of powerlessness)</td>
<td>25.8%</td>
</tr>
</tbody>
</table>
More than half the people (53%) have disputes that were still ongoing. One in five have disputes that had been resolved while almost the same proportion of people had given up on any hope of resolving the disputes.
Almost a third of the people (31%) either let the problem sort out itself or moved away from it. A further 22% had the dispute resolved by either doing what the other party wanted or the other party doing what they wanted.

Percentage of people in various stages of their disputes, 2018/19

- The problem sorting itself out: 17.9%
- A decision or intervention by another formal authority: 13.5%
- You moving away from the problem: 13.1%
- The other party independently doing what you wanted: 12.7%
- A court (or tribunal) judgement: 11.8%
- You independently doing what the other party wanted: 9.5%
- Any other action by another third party: 9.2%
- Mediation, conciliation or arbitration e.g ccma: 1.9%
- Other (specify): 10.5%
Disputes have a negative impact on people's health, as almost 60% of the people experienced stress, ill-health or injury due to disputes. Almost a quarter of the people experienced financial loss due to disputes.

### Percentage of people who experienced specified negative impact of the dispute, 2018/19

- **Stress, Ill-health or injury**: 59.3%
- **Financial loss**: 23.0%
- **Damage to a family relationship**: 17.0%
- **Loss of confidence and or fear**: 14.3%
- **Being harassed, threatened or assaulted**: 11.3%
- **Having to move home**: 3.8%
- **Problems to do with education**: 3.6%
- **Loss of employment**: 3.6%
- **Damage to property**: 2.6%
- **Problems with alcohol or drugs**: 2.4%
- **Other (specify)**: 1.0%
Thank you