



## PAPER FOR PRESENTATION

**Title:CONFIDENTIALITY AS A FACTOR IN COUNSELING  
PROSECUTORS: A CASE STUDY OF THE NATIONAL  
PROSECUTING AUTHORITY IN LIMPOPO PROVINCE**

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# Introduction

The study was undertaken between the years 2014-2016, in order to evaluate the Employee Assistance Programme within the National Prosecuting Authority in respect to the Capricorn district, Limpopo province.



# Introduction cont..

The main focus of the study was based on the prosecutors awareness, utilisation, effectiveness and the referral system to the EAP within NPA. The NPA launched EAP within Limpopo Province in the year 2003, which has been 13 in existence by the year 2016.



# The research problem

The researcher was motivated to undertake the study because, irrespective of the period of years in which the programme has been in existence, prosecutors would:



# Research problem cont..

- consult with Social Workers employed by Social Development department when in need of professional assistance with matters relating to work or personal issues.
- further-more, prosecutors experienced challenges which impacted negatively upon their work performance and personal lives.



# Research problem cont...

Therefore, the research problem was perceived that there is under-utilisation of EAP in the NPA and a critical principle of confidentiality was questionable.



# Research methodology

**Research approach:** The study was a quantitative and guided by both **evaluation and programme theory** which aimed to pursue the reasons for alleged non-adherence to confidentiality, low uptake and utilisation rate of the EAP by prosecutors.



# Research methodology cont..

Evaluation theory was considered since according to (Shadish, Cook & Leviton, 2007: 37) and Macy (2010: 15), contend that evaluation theory has some additional requirements, namely, when and where the approach should be applied (context) and the results following the approach (consequences).





# Research methodology cont..

On the other hand, Programme evaluation includes different types of evaluation such as programme effectiveness, service needs assessments, adequacy, utilisation, outcome, compliance/legality assessment, external resource assessment, benefit equity, client satisfaction, constraints analysis, and programme efforts (Bruce, Royse & Padgett, 2010:55).



# Research methodology cont..

**Population:** The research included the total of 37 prosecutors from all three (3) magistrate complexes namely, Mankweng with eleven (11) prosecutors and two (2) control prosecutors (a total of 13), Polokwane with ten (10) prosecutors, three (3) control prosecutors and one (1) chief prosecutor (a total of 14) and Seshego with nine (9) prosecutors and one (1) control prosecutor (a total of 10).



# Research methodology cont..

**Data collection:** A questionnaire was constructed and 37 distributed to prosecutors in order to take part in the study and only 31 were completed and returned. This represented eighty four percent (84%) response rate.

**Sampling:** Since the number of prosecutors in this district was fairly limited, the researcher conducted a census in which all (37) prosecutors took part.



# Research methodology cont..

**Data analysis:** Descriptive statistics were used to analyse quantitative data from the questionnaire. The purpose of this analysis was to determine trends and prevalence such as the rate of awareness, utilisation, effectiveness of the programme and the referral system used within the NPA when referring prosecutors to the EAP. The Statistical Package for Social Sciences (IBM SPSS software version 23.0) in the form of bar graphs, pie charts and tables, was used to analyse the findings.



# Research findings

This study revealed a great deal of concern on **confidentiality** as an ethical factor in the utilisation of a model of occupational social work. This findings were specifically related to the utilisation of the Employee Assistance Programme (EAP), by prosecutors within the



# Research findings cont..

National Prosecuting Authority, Capricorn District in the Limpopo Province.

- This was confirmed since the findings revealed that a very low number of prosecutors utilised the programme as a result of concerns with adherence to confidentiality by the (EAP) practitioners, amongst other reasons.



# Research findings cont..

- EAP within NPA in Limpopo Province existed for 13 years
- Prosecutors still experienced personal challenges which impacted negatively on their work performance.



# Conclusion

- The population of prosecutors who participated in the study were 31 out of the total of 37. This included respondents from junior, senior and chief prosecutors
- All the three available magistrate complexes which constitute Capricorn District were covered. Those included, Mankweng, Polokwane and Seshego.





# Conclusion cont...

- Ethical issues in the study included getting ethical clearance from Turfloop Research and Ethics Committee (TREC) and acquiring written permission from the Director of Public Prosecutions (DPP). The researcher also ensured that there was maximum protection of harm against the participants, by issuing out informed consent to them, and maintaining **confidentiality** of the information disclosed.



# Conclusion cont...

Irrespective of all the findings regarding prosecutor's awareness, utilisation, effectiveness and referral to EAP, **confidentiality** still remains the core.

- There will never be acknowledgement of awareness/knowledge of EAP by prosecutors if they do not feel that their issues will be treated **confidentially**.
- There will never be adequate utilisation of the programme if **confidentiality** issues are not tightened.



# Conclusion cont...

- There will never be effectiveness/ benefits brought by the programme to the prosecutors work and personal lives if **confidentiality** is not strengthen
- Lastly there will never be smooth process of referring prosecutors and cooperation if system of ensuring **confidentiality** is not reviewed.



# Recommendations

The management within NPA should:

- consider the review of its policies and put more emphasise on the ethical issues,
- refine the marketing strategies and
- developing mechanisms to applaud those who made use of the programme.



# I Thank you

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