Western Cape Government

Ubundlobongela basekhaya kunye nomthetho

Isikhokelo samaxhoba oBundlobongela basemakhaya

Ukunciphisa ubundlobongela nokuphucula ukhuseleko loluntu UKWENZELA WENA.

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1 UShwankathelo loBundlobongela baseKhaya

UMzantsi Afrika unelona zinga liphezulu kakhulu leziganeko sobundlobongela basekhaya ehlabathini. Yonke imihla, amaxhoba ayabulawa, axhatshazwe ngokwasemzimbeni nongokwesondo, agrogriswe kwaye athotywe isidima ngamaqabane awo, ngaphakathi kumakhaya awo.

Yintoni ubudlelwane basekhaya?

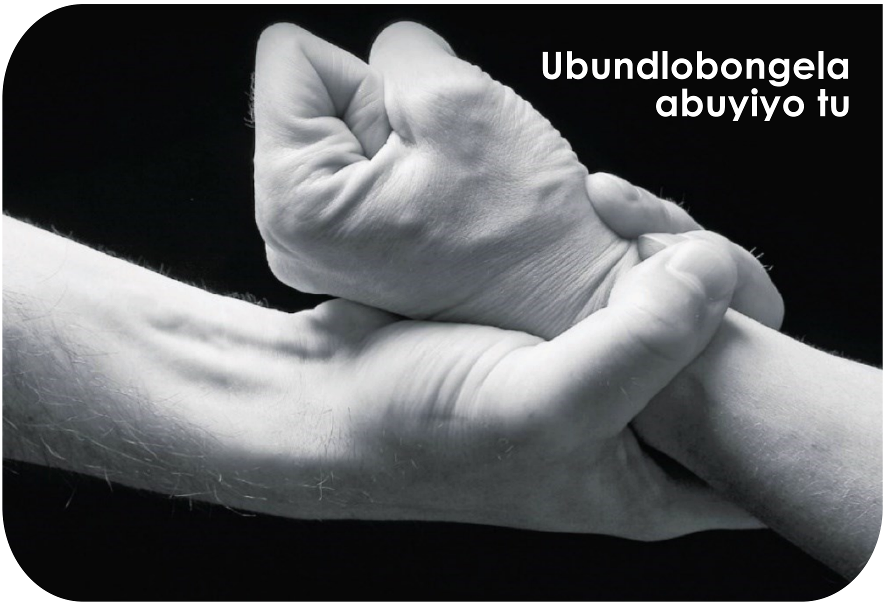
Ubundlobongela basekhaya kukuziphatha gwenxa kubo nabuphi na ubudlelwane basekhaya phakathi kwamaqabane kunye/okanye amalungu osapho.

Ngubani onokufaka ityala lobundlobongela basekhaya?

Nawuphi na umntu okubudlelwane basekhaya.

ISebe loKhuseleko loLuntu. lifuna ukuba uthi,

Hayi kuBundlobongela baseKhaya



2 Yintoni ubudlelwane basekhaya?

Igama elithi ubudlelwane basekhaya; libhekisa kubudlelwane phakathi kommangali (ixhoba) kunye nommangalelwa (umenzi wobubi) ngayo nayiphi na kwezi ndlela zilandelayo:

- batshatene, okanye babetshatene, kubandakanywa umtshato ngokomthetho nawuphi na, isiko okanye inkolo;
- (nokuba ngabesini esinye okanye besini esahlukileyo) bahlala okanye babehlala kunye kubudlelwane lwabantu abatshate kunye , nangona bengatshatenanga, okanye babengatshatenanga, okanye bengenako ukutshatana;
- bangabazali bomntwana okanye bangabantu abanoxanduva lobuzali okanye abanamalungelo kuloo mntwana (nokuba okanye hayi ngexesha elinye);
- bangamalungu osapho ahlobene ngegazi , ukusondelelana ngomtshato ukukhulisa umntwana njengowakho;
- baganene okanye bebeganene, ukuthandana, ubudlelwane besintu kubandakanya uthando lokwenene okanye olubonwa nje ngothando, ubudlelwane obusondeleyo, okanye obabelana ngesondo nokuba lixesha elingakanani na; okanye
- babelana okanye basanda kwabelana ngokuhlala endaweni enye.

URhulumente weNtshona Koloni unoxanduva lokudala iindawo ezikhuselekileyo. Kodwa asinakukwenza oko sisodwa, sidinga bonke abemi ukuba babenolwazi ngobundlobongela basekhaya kwaye ngawaphi amanyathelo ekufuneka elandelwe.

Sincedise sisindise ubomi noluntu

3 Ingaba ulixhoba lobundlobongela basekhaya?

Ngokomthetho iDomestic Violence Act ongunombolo 116 ka-1998, ukuba ukubudlelwane basekhaya nomntu:

- okonzakalisayo ngokwasemzimbeni;
- okunyanzelisa ngokwesondo okanye abe nobundlobongela ngakuwe;
- okonzakalisayo ngokwasemphefumlweni okanye engqondweni;
- olawula imali yakho ngaphandle kwemvume yakho;
- okoyikisayo okanye okothusayo;
- okubandezelayo;
- okulandelelelayo;
- owonakalisa impahla yakho okanye izinto zakho;
- ongena endlwini yakho ngaphandle kwemvume; okanye
- olawula ngobuzwilakhe ngokokude kuchaphazeleke impilo yakho nokuba sempilweni kwakho, unala malungelo alandelayo:

Amalungelo amaxhoba obundlobongela basekhaya

Zeziphi iindlela anokukhetha kuzo ummangali? Ummangali unelungelo –

- lokwenza isicelo somyalelo wokhuseleko kwinkundla kamantyi ekufuphi; and kwaye;
- usenokuvula ityala lolwaphulomthetho kwisikhululo samapolisa

Amapolisa makajongane njani nesikhalazo sobundlobongela basekhaya?

- ekufumaneni isikhalazo, ilungu leNkonzo yamaPolisa oMzantsi Afrika (iSAPS) kufuneka liqinisekise ukuba lifumana ingxelo eyaneleyo ngesiganeko eso;
- amapolisa kufuneka aphendule kwisikhalazo ngaphandle kokulibaziseka okungafanelekanga;
- kufuneka amapolisa akwazise ngamalungelo akho kunye nezisombululo ezikhoyo. Ekwenzeni oku, amapolisa kufuneka akunike isaziso samalungelo kwaye akucacisele ngolwimi olukhethwe nguwe;
- ukuba ufuna ukufaka ityala lolwaphulomthetho, igosa lesipolisa kufuneka livule idokethi kwaye lilibhalisele uphando;

- igosa lesipolisa kufuneka likuxelele ngendlela yokwenza isicelo somyalelo wokhuseleko;
- igosa lesipolisa kufuneka likuncede ufikelele kunyango olufanelekileyo kunye / okanye indawo efanelekileyo yokuhlala xa kuyimfuneko;
- ukuba kukho nayiphi na imipu okanye izixhobo eziyingozi ezisetyenzisiweyo, ezi zixhobo mazithathwe zigcinwe elugcinweni lwamapolisa. Ukuba kukho umpu ekhaya, ixhoba linokufumana umyalelo wenkundla wokususa umpu ukuba boyikisela ukuba ubomi babo busengozini;
- amapolisa angabamba nabani na ongawuthobeliyo umyalelo wokhuseleko, ngakumbi ukuba ubomi bomntu busengozini;
- xa umyalelo wokhuseleko ukhutshiwe, igosa lamapolisa kufuneka liwukhuphe ngaphandle kokulibaziseka okungafanelekanga, njengoko unokukukhusela kuphela emva kokuba iqabane lakho liwufumene;
- ungacela igosa lesipolisa ukuba lihambe nawe liyokulanda naziphi na izinto ezizezakho.

Yintoni umyalelo wokhuseleko?

UMyalelo woKhuseleko ngumyalelo okhutshwa yinkundla oyalela umntu onobudlelwane
basekhaya (ummangalelwa), ukuphelisa ukuxhatshazwa.

Umyalelo unokuthintela ummangalelwa:

- ekufumaneni uncedo lomnye umntu ekwenzeni nasiphi na isenzo esinjalo;
- ekungeneni kwindawo ahlala kuyo ummangali kunye nommangalelwa okanye
  indawo ethile yokuhlala ekwabelwana ngayo okanye indawo yengqesho yamaxhoba okanye apho lihlala khona ixhoba;
- ukwenza nasiphi na isenzo njengoko kuchaziwe kumyalelo wokhuseleko kubandakanya nomyalelo wokubamba nayiphi na imipu okanye izixhobo eziyingozi kummangalelwa; okanye
- ngokugrogrisa ixhoba ngokwasezimalini ngokubamba uncedo lwemali lungafumaneki kwixhoba.

Umfakisicelo nommangalelwa

- amaxhoba obundlobongela basekhaya kufuneka kuqala isiganeko eso asichaze kwisikhululo samapolisa sasekuhlaleni;
- ixhoba kwisicelo somyalelo wokhuseleko liba ngumfakisicelo;
- umtyholwa kwisicelo sobundlobongela basekhaya uba ngummangalelwa;
- umyalelo wokhuseleko wexeshana ungakhutshwa nangaliphi na ixesha lemini okanye ebusuku ukukhusela; okanye
- ukuba ixhoba alinaye ummeli wezomthetho, unobhala wenkundla unyanzelekile ngokomthetho ukuba axelele ixhoba ngoncedo olukhoyo ngokoMthetho.

Ngubani onokufaka isicelo somyalelo wokhuseleko?

- naliphi na ixhoba lobundlobongela basekhaya, abantwana kwaye, ukuba bancinci kakhulu, umzali okanye umgcini, okanye nawuphina umntu omele umntu onoxanduva lwabo, kodwa ngemvume yabo angafaka isicelo somyalelo wokhuseleko;

4 Ukhuseleko luQala NGAWE!

- uRhulumente weNtshona Koloni anganika uncedo nenkxaso kwiintsapho ezisweleyo;
- amaqabane kunye namalungu osapho kufuneka bakhathalelane;
- Ukuba wazi umntu okanye umntwana oxhatshazwayo ekuhlaleni kwakho, nceda ukuxele oko;
- thetha phandle ngokuchasene nokuxhatshazwa;
- luxele ulwaphulomthetho ungazichazanga wena: **Tsalela inombolo yokuNqanda ulwaphulomthetho engu-08600 10111** okanye **Thumela umyalezo nge-SMS kwiNombolo yoLwaphulo Mthetho engu-32211** (R1/i-sms);
- ukufumana iinkcukacha ezithe vetshe yiya ku-www.westerncape.gov.za okanye **utsalele umnxeba u-0800 220 250**.

Masisebenzisane ngokubhekisele kwikamva elingenabundlobongela

5 Angenza ntoni ummangali (ixhoba) ukuba ilungu lesipolisa liyasilela kwimisebenzi yalo?

- ukuba igosa lesipolisa liyasilela ekufezekiseni oku kuzibophelela, ixhoba linakho ukuxela umba lowo kuMasitishi kwisikhululo samapolisa esifanelekileyo;
- isikhalazo siya kuqatshelwa kwirejista yesikhalazo, sichaze igama lelungu elichaphazelekayo, umhla esifakwe ngawo isikhalazo, kunye neenkcukacha zesikhalazo;
- ukuba ixhoba alifumani ukwaneliseka livulelekile ukuba liwudlulisele phambili umcimbi kunye nabaphathi abaphezulu besikhululo samapolisa;
- ixhoba linelungelo nanini na lokukhalaza ngokungasebenzi kakuhle kwamapolisa kuNozikhalazo yamaPolisa weNtshona Koloni. (Jonga iinkcukacha zonxibelelwano kwiphepha lokugqibela lale ncwadana)

Angenza ntoni ummangali ukuba umntu akawuthobeli umyalelo wokhuselo?

Ummangali angaqhagamshelana neSAPS (ngomnxeba, ukuba kukho imfuneko). Emva koko:

- ingxelo iya kuthathwa kuye;
- amapolisa aya kunikwa imvume yokubamba ummangali ayifumene kunye nomyalelo wokhuseleko (ukuba ummangali uyilahlile enye ingafumaneka ngesicelo enkundleni) kwaye;
- ukuba ixhoba lisengozini equphileyo ummangalelwa uyakubanjwa, kungenjalo uyakunikwa isaziso sokuba avele enkundleni.

STEP BY STEP GUIDE TO OBTAINING A PROTECTION ORDER	
STEP 1	Report the complaint to the local police station
STEP 2	Apply for a protection order at the magistrate court
STEP 3	A magistrate considers the application
STEP 4	An interim protection order may be granted and will then be served on the respondent
STEP 5	Court proceedings or hearing of evidence to determine whether a final protection order should be granted
STEP 6	Consequences for the respondent if he/she violates the conditions of a final protection order

**Iingcombolo ezifunyenwe kwiqumrhu looNobhala boLuntu kwiNkonzo yamaPolisa oMzantsi Afrika*

6 Ukuhlala kwimeko yokuxhatshazwa engazinzanga

Apho umntu ekwimeko engazinzanga kufuneka ahlale ekulungele ukuhamba ngokukhawuleza

Kuya kufuneka asoloko ephethe uluhlu lweenombolo zefowuni zexesha likaxakeka kwaye abenakho ukufikelela:

- kwimali ethile kwindawo ekhuselekileyo ukwenzela ukuba ukwazi ukukhwela iteksi okanye ibhasi kwimeko kaxakeka;
- isikhaxa esongezelelekileyo sezitshixo zendlu okanye zemoto;
- iimpahla ezaneleyo zakhe nabantwana bakhe zipakishwe esingxotyeni, kwaye zigcinwe kwindawo ekhuselekileyo (umzekelo, kwindlu yommelwane);
- amaxwebhu abalulekileyo anjengeZazisi, ikhadi loncedo lwezonyango, kunye namkhadi asebhankini okonga/letyala.

UBUSAZI NA?

Itshata yamaXhoba ithi:

Unalo ilungelo lokuphathwa ngobulungisa nangentlonipho;

Isidima nobumfihlo bakho,

Unalo ilungelo lokunikezela nokufumana ulwazi,

Unalo ilungelo lokhuseleko noncedo.

Lenza ntoni iSebe lezoKhuseleko loLuntu?

ISebe lezoKhuseleko loLuntu (phakathi kolunye uxanduva) liqinisekisa ukuba amaPolisa oMzantsi Afrika (iSAPS) athobela umthetho iDomestic Violence Act ongunombolo 116 ka-1998, kwaye unikezela ngezisombululo zokuhanjiswa kweenkonzo eziphuculweyo.

7 Inkqubo yeNkxaso yamaXhoba (iVEP)

ISebe loPhuhliso lwezeNtlalo liseke iNkqubo yokuXhotyiswa kwamaXhoba (iVEP) ukuxhasa abantu abahlukumezeke ngokwasemzimbeni, ngokwasengqondweni nangokweemvakalelo ngolwaphulo-mthetho okanye ubundlobongela (kuquka namaxhoba obundlobongela basekhaya). Inkxaso idluliselwa nakwiintsapho zabo.

Okunikezelwa liSebe:

Inkqubo yokuXhotyiswa kwamaXhoba kunye namaqabane ethu eNtshona Koloni Inikezela ngeenkonzo ezahlukeneyo eziquka:

- inkxaso ngokwasemphefumlweni nangokubonalakayo;
- uncedo ekulawuleni ungxwelerheko;
- ukuqinisekisa ukuba abantu baqeqeshelwe ukubona iimpawu zoxinzelelo lwasemva kwengozi;
- ukuthunyelwa kwiinkonzo zobungcali;
- ngokubonelela amaxhoba ngeenkonzo zikaxakeka;
- ukukhuthaza amalungelo noxanduva lwamaxhoba;
- ukuxhatshazwa okuqhubekayo kuyathintelwa; kunye
- inkonzo yokhuselo.

Ikhusi yindawo yokuhlala abo bachatshazelwe lulwaphulomthetho kunye nobundlobongela, banakho ukuhlala ithuba losuku olunye ukuya malunga neenyanga ezintathu kuxhomekeke kwizidingo zabo.

Ikhusi lunceda ukuhlangabezana nezidingo ezisisiseko ezifana nezi:

- indawo ekhuselekileyo yokuhlala;
- ukhuseleko, ukutya nempahla;
- iinkonzo zenkxaso ngokweemvakalelo ezinje ngokuxilwa ngokwenzakala kunye neengcebiso zonyango;
- ulwazi malunga nokuphuhlisa izakhono, amalungelo amaxhoba noqeqesho;
- inkxaso ekulungiseleleni iinkqubo zenkundla;
- iinkqubo ezijolise kwizityholo zabaphulimthetho; kunye

- Neenkqubo zokuthintela ubundlobongela obusekelwe kwisini.

Ikhusi lamaxhoba olwaphulo-mthetho nobundlobongela libonelela ngeenkonzo kubantwana abahamba nabazali babo/nabagcini abasemthethweni.

Okumele ukwenze xa usiba lixhoba lobundlobongela basekhaya

- yiya kwindawo ekhuselekileyo;
- xela esi siganeko kwabasemagunyeni abafanelekileyo;
- funa uncedo lwezonyango;
- cela uncedo kumntu othembekileyo okanye umnikezeli weenkonzo zobuntlalontle.

Ngubani omawuqhagamshelane naye?

LiSebe loPhuhliso loLuntu lePhondo: 021 483 5045

Inombolo yomnxeba wasimahla: 0800 220 250

I-imeyili: SD.CustomerCare@westerncape.gov.za

IZiko eliLawula uBundlobongela obuSekelwe kwiSini: 0800 428 428
(ukululekwa kongxwelerheko kwi-Intanethi iiyure ezingama-24 iintsuku ezisi-7 zongxwelerheko)

Amapolisa: 10111KwaSASSA 0800 60 10 11

**Ezi ngcombolo zinikezelwe liSebe loPhuhliso loLuntu leNtshona Koloni.*

Nciphisa uBundlobongela ngoKwakha uBudlelwane

8 Iziko lonakekelo iThuthuzela Care Centre

Iziko lonakekelo iThuthuzela Care Centre ("iTCC") liyinzame edibeneyo phakathi kweGunyabantu loTshutshiso likaZwelonke ("iNPA") kunye neSebe lezeMpilo neMpilontle leNtshona Koloni ("iSebe"). I-TCC isebenza njengendawo enye yokunced' amaxhoba ukuba anike ingxelo yamatyala nokwenzela ukuba iNPA iqokelele ubungqina obufunekayo, ukuqinisekisa utshutshiso oluyimpumelelo kwabenzi bamatyala oBundlobongela obuSekelwe kwiSini (iGBV).

- **Atlantis TCC**, kwiSibhedlele iWesfleur
  021 816 8537
- **George TCC**, kwiSibhedlele iGeorge
  044 802 440
- **Heideveld TCC**, kwiHeideveld CDC
  021 699 3246 / 021 833 0683
- **Karl Bremer TCC**, kwiSibhedlele iKarl Bremer
  021 918 1321 or 021 918 1983
- **Khayelitsha TCC**, kwiSibhedlele iKhayelitsha
  021 360 4570 or 021 360 4704
- **Paarl TCC**, kwiSibhedlele iPaarl
  021 860 2521
- **Victoria TCC**, kwiSibhedlele iVictoria
  021 799 1235
- **Worcester TCC**, kwiSibhedlele iWorcester
  023 348 1294

9 Lenza ntoni iSebe lezoKhuseleko loLuntu?

ISebe lezoKhuseleko loLuntu (phakathi kolunye uxanduva) liqinisekisa ukuba amaPolisa oMzantsi Afrika (iSAPS) athobela umthetho iDomestic Violence Act ongunombolo 116 ka-1998, kwaye unikezela ngezisombululo zokuhanjiswa kweenkonzo eziphuculweyo.

Ukuba wena, okanye umntu omaziyo, anonelisekanga yinkonzo ebonelelwe yiSAPS emva kokuxela ubundlobongela basekhaya, thumela isikhalazo ngokusesikweni **kuNozikhalazo wamaPolisa eNtshona Koloni:**

- **Idilesi yendawo**: Umgangatho wesi-6 kwiSakhiwo iWaldorf,
  80 St Georges Mall, eKapa, Mzantsi Afrika, 8001
- **I-Ofisi:** 021 483 0669
- **Ifeksi:** 021 483 0660
- **I-imeyili:** ombudsman@wcpo.gov.za
- **Iwebhusayithi:** www.westerncapegovernment/Police-ombudsman
- **Iiyure zomsebenzi:** NgoMvulo ukuya ngoLwesihlanu
  07:00 ukuya 16:00 (ngaphandle kweentsuku zeholide)

Ukuba wena, okanye umntu omaziyo, uyawazi amatyala obundlobongela basekhaya athe asuswa kuluhlu lwenkundla ngenxa yokungasebenzi kweSAPS, nceda uthumele isikhalazo **kwiCandelo leNkundla eliJonga iNgcaciso:**

- **Idilesi yendawo:** 35 Wale Street,
  eKapa, Mzantsi Afrika, 8001
- **I-Ofisi:** 021 483 3394
- **Ifeksi:** 021 483 6026
- **I-imeyili:** Monitor.GBV@westerncape.gov.za
- **Iiyure zomsebenzi**:
  NgoMvulo ukuya ngoLwesihlanu
  07:00 ukuya 16:00
  (ngaphandle kweentsuku zeholide)

Phucula Ukhuseleko ngokuseben-zisana neMibutho yoLuntu

Amanqaku

ISebe loKhuseleko loLuntu

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