Kwenzekani uma Umyalelo Wokuvikeleka wephuliwe?

Uma Ummangalelwa ephula Umyalelo Wokuvikeleka ngokuphinda ukuhlukumeza ngokomzimba noma ngokomlomo kuwe ngendlela echazwe ekuqaleni kwale ncwajana, ungafayila isikhalazo esiteshini samaphoyisa bese unikeza iphoyisa incwadi eGunyaza Ukuboshwa elizobe selibopha Ummangalelwa, uma izimo zivuma.

Uma eseboshiwe, Ummangalelwa uzobhekana namacala obugebengu bese ethethiswa icala eNkantolo Yamacala Obugebengu ngokwephula Umyalelo Wokuvikeleka.

Kodwa-ke, khumbula ukuthi uma Inkantolo ithola ukuthi incwadi eGunyaza Ukuboshwa isebenziswe ngonya (ukuthi Ummangalelwa aboshwe ngaphandle kwesizathu esiqotho), kungenzeka ukuthi uboshwe ngokoMthetho. Ummangalelwa uzovela eNkantolo Yamacala Obugebengu ukuthi kuyothethwa Amacala Obugebengu okuphula imibandela yoMyalelo Wokuvikeleka awunikeziwe.

Angakwazi yini ukuthi Amacala Obugebengu ahoxiswe?

Uma ngabe Ummangalelwa eseboshelwe ukuphula Umyalelo Wokuvikeleka, Umfakisicelo angeze anquma ukuhoxisa amacala. Umshushisi Kahulumeni omkhulu uzibonela eyedwa ngokuhoxisa amacala.

Ngingakwazi ukuwubekela eceleni Umyalelo?

Ungakwazi, noma nini, ukwenza isicelo sokuthi Umyalelo ubekelwe eceleni. Kodwa-ke, wukubona kukaMantshi ukuthi angawubekela yini noma angawubekeli eceleni Umyalelo. Lokhu kuzosho ukuthi Umyalelo Wokuvikeleka uzoqinisekiswa njengokhanseliwe.

Kubalulekile ukwazi ukuthi eNkantolo Yomthetho, isinqumo sikaMantshi esokugcina ngokuthi Umyalelo Wokuvikeleka ungabekelwa yini eceleni.

Ukuze uthole olunye ulwazi, ngicela uthinte abalandelayo:

Umnyango Wezobulungiswa Nokuthuthukiswa Komthethosisekelo
Umnyango Womqondisi Omkhulu: Ukukhuthazwa Kwamalungelo Amaqembu
Abekeke Engozini .
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Ifeksi: (012) 315 1851
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QEDA UDLAME LOMNDENI

Okufanele ukwazi!

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Qeda Udlame Lomndeni!

Umthetho Wodlame Lomndeni 116 ka-1998 uvumela ukuthi ohlushwayo ngokuhlukunyezwa emndenini noma ngodlame **afune Umyalelo Wokuvikeleka** Enkantolo Yemantshi ku**muntu omhlukumezayo**. Le Ncwajama kuhloswe ngayo ukuthi **kunikwe umuntu ohlushwayo ulwazi** aludingayo ukuthi alethe incwadi yesicelo soMyalelo Wokuvikeleka ngokulandela Umthetho Wodlame Lomndeni. Bobabili abesifazane nabesilisa bangaba necala, futhi babe ngabahlushwayo odlameni lomndeni. Kodwa-ke, ngenhloso yale Ncwajana, siye sakhombisa **udlame olubhekiswe kwabesifazane** njengoba lokhu yikhona **okuhlangatshezwana nakho kakhulu ngokwejwayelekile.**

Isicelo Somyalelo Wokuvikeleka

1. nanoma ngubani umuntu okhalazayo angafaka isicelo enkantolo ngendlela ebekiwe ukuthola umyalelo wokuvikeleka.
2. isicelo singalethwa futhi yinoma ngumuphi umutnu onothando olukhulu ekuphathekeni kahle komuntu okhalazayo isb. uSonhlalakahle noma Uthisha.
3. nanoma iyiphi ingane esencane noma nanoma yimuphi umuntu egameni lengane encane, angafaka isicelo somyalelo wokuvikeleka.
4. isicelo singalalelwa kukhamera kanti okhalazayo/obekwe icala angavunyelwa ukuthi abantu abangeqi kwabathathu ngenhloso yokunikezela ngokweseka.
5. umyalelo wokuvikeleka usemthethweni impilo yonke futhi uyasebenza kuRiphabhliki yonke.

Ungafuna ukuvikeleka kubani?

1. kumuntu oshade nayo, kungaba ngamalungelo omthetho wabantu bonke noma esiko;
2. kumlingani wakho (kungaba owobulili obufanayo noma obehlukile) ohlala noma obehlala nawe, nakuba naningashadile noma anikwazi ukushadana (uma, isibonelo, omunye wenu esevele eseshade nomunye umuntu);
3. omunye umzali wengane yakho noma abantu ohlukaniselana nabo umsebenzi wokuba ngabazali bengane;
4. abantu abahlobene nawe ngokwegazi, ngomshado noma ngoku-adopthwa;
5. umuntu owabelane naye ngesethembiso somshado, ukuthandana ngokwesiko noma ngokuvakashelana, okufaka ukuthandana kwangempela noma okucatshangwayo, okunokwazana kakhulu noma kokuya ocansini nganoma yisiphi isikhathi
6. umuntu ohlala ndawonye naye noma osandakuhlala naye endaweni eyodwa.

IZINOMBOLO EZIWUSIZO

People Opposing Women Abuse (POWA)	011 642 4345
South African Human Rights Commission	011 484 8300
LIFELINE	011 728 1347 / 0861 322 322
Commission for Gender Equality (CGE)	011 403 7182
Independent Complaints Directorate (ICD)	012 320 0431
South African Police Service (SAPS)	10111
Stop Women Abuse	0800 150 150
Childline	011 938 8745
FAMSA National	011 833 2057

Udaba lungaphela ngolunye usuku lwenkantolo ukuthi lilalelwe. Umbabhalane Wenkantolo uzokusiza noma akuqondise komunye umuntu ozokusiza ngokubhala impendulo.

Ngosuku lokulalelwa kwecala, iMantshi izolubheka udaba bese yenza isinqumo esincike encwadini efungelwe efayilwe yibo bobabili abantu. IMantshi kungenzeka icele oyedwa noma bobabili kini ukuthi acacise izindaba ezithize. IMantshi inganquma ukuqinisekisa Umyalelo, ibekele eceleni Umyalelo noma iyalele ukuthi kulalelwe ubufakazi bomlomo.

Uma Ummangalelwa ehluleka ukuvela eKulalelweni kwaseNkantolo yabantu bonke futhi unobufakazi bokuthi Umyalelo Wokuvikeleka awuniezwa (Ukubuyiswa Kwesevisi), iMantshi izokwenza ukuthi umyalelo ube ngowokugcina.

Uma iMantshi yanelisekile ukuthi i-Afidavithi eyabhalwa ngumfakisicelo iqinisekisa ngokucacile ukuthi ukuhlukunyezwa kwenzeka, iMantshi izokwenza ukuthi Umyalelo Wokuvikeleka ube ngowokugcina.

Kuzoba Nokulalelwa Kwecala Okusemthethweni?

Uma iMantshi ingakwazi ukwenza isinqumo ngezinicwadi ezifungelwe ezethulwe kuyo ngenxa yokushayisana kwamaqiniso phakathi kwesihumusho sakho nesihumusho soMmangalelwa, okungukuthi uma kunempikiswano olwazini olunikezwe yibo bobabili abantu, iMantshi udaba izoluhlehlisela ukulalelwa okusemthethweni.

Ekulalelweni, kwabo bobabili abantu kuzodingeka ukuthi banikeze ubufakazi bomlomo ngaphansi kwesifungo ukuthi babuzwe imibuzo ngomunye umuntu. Kodwa-ke, ummangalelwa uvunyelwe kuphela ukubuza umuntu okhalazayo imibuzo ngokusebenzisa ummeli wakhe noma iMantshi. Bobabili abantu bangabiza ofakazi ukuthi banikeze nanoma yibuphi obunye ubufakazi obesekayo ababudingayi ukufakazela icala labo, isibonelo, izitifiketi zokwelashwa, amarekhodi asesibhedlela, izithombe, imibhalo, njll.

Khumbula ukuthi ngokomthetho, amaPhoyisa kufanele akusize nganoma yiyiphi indlela echazwe kuMyalelo Wokuvikeleka, isibonelo ekuthathweni kwezinto okungezakho, incwadi yakho kaMazisi, izincwadi zezingane noma izimpahla zokugqoka, njll. Uma uthola ukuthi iPhoyisa alikusizi noma liyenqaba ukusebenzisana nawe ngokulandela Umyalelo, ungakubika lokhu eMnyangweni Ozimele Womqondisi Wezikhalazo.

Kufanele wazi futhi ukuthi **akuwona umsebenzi wePhoyisa** ukukusiza **ukuthutha ifenisha, amakhompiyutha, izitsha, njll**.

Yini usuku lokubuyela eNkantolo?

Usuku lokubuyela wusuku olubekelwe ukunikeza Inkantolo ithuba lokulalela Ummangalelwa ngapha kokuthi Umyalelo Wokuvikeleka Wesikhashana wenziwe kube ngowonomphelo.

Kwenzekani ngosuku Lokubuyela?

Kukhona Umuntu Okhalazayo, Ummangalelwa unethuba lokwethula uhlangothi lwakhe lwendaba kuMantshi. Ummangalelwa angafayila incwadi efungelwe ephikisayo noma isicelo sethuba lokufayila incwadi efungelwe ephikisayo. La maphepha uzonikezwa wona. Uzobe sewunikezwa ithuba lokufayila impendulo.

Ingabe Ummangalelwa uzoboshwa yini ngoMyalelo Wokuvikeleka?

Ummangelelwa angeke aboshwe ngokunikezelwa Umyalelo Wokuvikeleka. Ummangalelwa angaboshwa kuphela lapho kunokwephulwa komyalelo.

Yini Ukwedelela Umyalelo?

Lokhu yilapho Ummangalelwa ophule Umyalelo, ehluleka ukuvela khona eNkantolo Yamacala Obugebengu ukuzophendula ngamacala abekwe wona.

Yini ukwephulwa koMyalelo Wokuvikeleka?

Lokhu kulapho Ummangalelwa ehluleka khona ukuhambisana nemibandela yoMyalelo, isb. Uma ephinda ukuziphatha kokuhlukumeza, ngokoMyalelo Wokuvikeleka owunikiwe, walelwe ukuthi akwenze.

What is domestic violence?

- ukuhlukunyezwa ngokomzimba

- ukuhlushwa

- ukuhlukunyezwa ngokocansi

- ukulandelwa noma ukungena endaweni ehlala umuntu okhalazayo ngaphandle kwemvume, lapho abantu bengahlali khona endaweni efanayo

- ukuhlukunyezwa ngokwemizwa, ngokomlomo nangokwengqondo

- ukumosha impahla noma ezinye izinto umuntu anazo

- ukuhlukunyezwa ngokomnotho

- nanoma iyiphi enye indlela yokuziphatha elawulayo noma ehlukumezayo ebhekiswe kumuntu okhalazayo, lapho lokho kuziphatha kulimaza khona, noma kungasheshe kubange ukulimala ekuphepheni, empilweni noma ekuphthekeni kahle komuntu okhalazayo

- ukwesatshiswa

Bobabili **abesilisa nabesifazane bangaba necala**, futhi babe ngabahlushwayo odlameni lomndeni.

Kufanele ngenzeni?

Uma ungohlushwayo kunanoma yisiphi isenzo sodlame lomndeni njengoba kubaliwe ngenhla, yana eNkantolo Kamantshi yasendaweni bese ucela usizo lokuhambisa isicelo soMyalelo Wokuvikeleka. Umabhalane Wenkantolo uzokusiza ukuthi ugcwalise amafomu afanele futhi akuse naphambi kweMantshi ezonquma ukuthi ikunike yini Umyalelo noma cha. Imininingwane yabanikezela ngezinsizakalo abangakunikeza izeluleko futhi bakusize maqondana nalokhu inikeziwe ekuqaleni kwale Ncwajana.

Khumbula ukuthi ezimeni eziphuthumayo, le nsizakalo iyatholakala amahora angama-24 ngosuku.

Umabhalane Wenkantolo uzokusiza ngokugcwalisa amafomu adingekayo kanye nokukusa ngaphambi kweMantshi.

Kufanele ngiye kuyiphi Inkantolo?

Yana eNkantolo eseduzane nalapho ohlala noma osebenza khona. Uma ngabe kuwukuthi waphoqwa ukuthi ushiye indawo ohlala kuyo ngenxa yokuhlukunyezwa futhi uhlala kwenye indawo okwesikhashana, ungaya eNkantolo eseduzane kakhulu nendawo yakho ohlala kuyo okwesikhashana.

Yini i-incwadi efungelwe?

I-incwadi efungelwe yisitatimende esenziwa ngaphansi kwesifungo. Lokhu kusho ukuthi umuntu owenza isitatimende ufungile ukuthi uzokhuluma iqiniso futhi uyazi ukuthi uzobekwa icala uma kutholwa ukuthi okuqukethwe (noma ingxenye yokuqukethwe) yincwadi efungelwe akusilo iqiniso. Kuyicala eNkantolo Yomthetho ukwenza isitatimende esingelona iqiniso.

Uzothini Umyalelo Wokuvikeleka wesikhashana?

- Umyalelo Wokuvikeleka wesikhashana uzocela Ummangalelwa (umuntu ohlukumezayo) ukuthi angakuhlukumezi ngendlela ethize ngqo eshiwo kwincwadi efungelwa yakho.
- Ummangalelwa anganikezwa umyalelo wokuthi angakuhlukumezi ngokomzimba noma ngokomlomo wena noma izingane
- Ezimeni ezimbi kakhulu, iMantshi ingakubona kufanele ukuthi iphoqelele Ummangalelwa ukuthi aphume endlini enihlala kuyo nonke noma amvimbele ukuthi angene ezindaweni ezithile zendawo enihlala kuyo.
- Uma ngabe izingane zihlushwa kulokhu kuhlukunyezwa, Inkantolo ingayalela ukuthi Ummangalelwa angaxhumani nezingane noma ibeke umkhawulo ezikhathini zokuxhumana.
- Inkantolo ingenza umyalelo wokusiza ngezimali ophuthumayo. Lokhu kusho ukuthi uma udinga ukufaka isicelo sezindleko zokugula noma imali yokuhlala kwenye indawo ezivele ngomphumela oqonde ngqo wokuhlukunyezwa, kufanele unikezele ngobufakazi bezindleko obe nazo bese ucela Inkantolo ukuthi ibheke lesi sicelo.
- Inkantolo ingayalela amaphoyisa ukuthi athathe isibhamu soMmangalelwa uma ngabe eke wenza nanoma yikuphi ukwesabisa impilo yakho ngaso.

Ukuze ibheke ngokugcwele uhlobo lokuhlukunyezwa oluthize obhekene nalo, Inkantolo ithembela ku-Afidavithi oyenza ngesikhathi ufaka isicelo. Ngakho-ke kufanele Inkantolo uyinikeze lonke ulwazi olufanele kwincwadi efungelwa yakho, isibonelo, imininingwane yezehlakalo zokuhlukunyezwa, usuku kanye nendawo nohlobo lokuhlukunyezwa lwesehlakalo sokugcina.

Awukwazi **ukufaka isicelo semali yeSondlo eNkantolo Yodlame Lomndeni.** Lokhu kufanele kwenziwe e**Nkantolo Yesondlo.**

Ngenzani ngoMyalelo Wokuvikeleka Wesikhashana?

Umyalelo Wokuvikeleka wesikhashana kumele unikezwe Ummangalelwa ngokushesha okukhulu. Awukwazi ukuya ngokwakho uyonikeza Ummangalelwa Umyalelo njengoba lokhu kungeke kube indlela yokwenza umsebenzi elungile. Ngamanye amazwi, ukunikeza Umyalelo Wokuvikeleka wesikhashana ngumsebenzi womunye umuntu osesikhundleni esisemthethweni okungukuthi Iphoyisa/isikhonzi senkantolo/ Umabhalane Wenkantolo.

Kumele uhambise Umyalelo Wokuvikeleka wesikhashana eHhovisi likaSherifu noma esiteshini samaphoyisa esiseduzane kakhulu nekheli lommangalelwa lasekhaya noma lasemsebenzini. Esiteshini samaphoyisa, **uyacelwa ukuba ukhumbule ukubhala phansi igama kanye/noma inombolo yebheji lomuntu oyiphoyisa omnikeza Umyalelo.** Lokhu kukwenza ukuthi ukwazi ukulandelela kalula Umyalelo ngokuhamba kwesikhathi. Iziteshi eziningi kakhulu zamaphoyisa zinoMsebenzi okhethiwe ukuthi aphathe izindaba zodlame lomndeni.

Hlela noMsebenzi oyiPhoyisa ukuthi aqoqe Ukubuyiswa Kwesevisi (Ubufakazi Besevisi). Lokhu kufakazela ukuthi Umyalelo Wokuvikeleka uhanjisiwe kuMmangalelwa nokuthi yena uqobo lwakhe uwamukelile. Ukubuyiswa kwesevisi kufanele kuhanjiswe kuMabahalane Wenkantolo ngokushesha emva kwesevisi.