

UKUBUYISELWA KWISIMO SANGAPHAMBILI

KWEXHOBA NOMONI

indlela eya ekuphileni



the doj & cd

Department:
Justice and Constitutional Development
REPUBLIC OF SOUTH AFRICA



Le ncwadana iqulethe imvelaphi malunga nokuBuyiselwa kwiSimo sangaPhambili kweXhoba noMoni. Le ncwadana inokusetyenziswa ngabo bonke abantu ukuze baqonde ukuba yintoni ukuBuyiselwa kwiSimo sangaPhambili kweXhoba noMoni; iinqobo zako ezisemgangathweni nemithetho-siseko yako; amabakala okusetyenziswa kwako kwinkqubo yobulungisa kulwaphulo-mthetho.

IZIQLATHO

1.	ISINGENISO	5
2.	IMVELAPHI YOKUBUYISELWA KWISIMO SANGAPHAMBILI KWEXHOBA NOMONI	5
3.	YINTONI UKUBUYISELWA KWISIMO SANGAPHAMBILI KWEXHOBA NOMONI?	6
4.	YINTINI UMAHLUKO PHAKATHI KWEENKQUBO EZIQHELEKILEYO ZOBULUNGISA KUNYE NEENKQUBO ZOKUBUYISELWA KWISIMO SANGAPHAMBILI KWEXHOBA NOMONI?	6
5.	ZIINTONI INQOBO EZISEMGANGATHWENI NEMITHETHO-SISEKO YOKUBUYISELWA KWISIMO SANGAPHAMBILI KWEXHOBA NOMONI?	7
6.	KUSETYENZISWA XA KUTHENI UKUBUYISELWA KWISIMO SANGAPHAMBILI KWEXHOBA NOMONI?	10
7.	KUFANELEKE NINI UKUBUYISELWA KWISIMO SANGAPHAMBILI KWEXHOBA NOMONI?	11
8.	INGABA UTHABATHO NXAXHEBA KWINKQUBO YOBUYISELO KWISIMO SANGAPHAMBILI KWEXHOBA NOMONI KUQINISEKISA UKUKHULULWA KWANGOKO KOMONI NGOKWENGQAWULE?	11
9.	IMIZEKELO YEENKQUBO ZOKUBUYISELWA KWISIMO SANGAPHAMBILI KWEXHOBA NOMONI	12
	9.1.Ulamlo iXhoba uMoni (Victim Offender Mediation) (VOM)	
	9.2 iNkomfa yoSapho neXhoba iQela loMoni (i-FGC ne-VOC)	
	9.3 Imijikelo yengxoxo-mpikiswano, uXolo nokuGwetywa	

10. INGABA INKQUBO YEKOMISHONI YENYANI
NOXOLELWANISO NGUMZEKELO WENKQUBO
YOKUBUYISELWA KWISIMO SANGAPHAMBILI KWEXHOBA
NOMONI? 13
11. YINTONI UMAHLUKO PHAKATHI KOKUCINYWA
KWEREKHODI LOLWAPHULO-MTHETHO NOKUBUYISELWA
KWISIMO SANGAPHAMBILI KWEXHOBA NOMONI? 13
12. LUYINTONI UNCEDO LWENDLELA YOKUBUYISELWA KWISIMO
SANGAPHAMBILI KWEXHOBA NOMONI KUBULUNGISA? 13
- 12.1 Ukuthintela ukona kwakhona
- 12.2 Ukuxhobisa amakhoba
- 12.3 Ukuxhamlisa ii-arhente zobulungisa kulwaphulo-mthetho
- 12.4 Ukonyusa ukubandakanyeka koluntu kwinkqubo
yokusonjululwa kwembambano
13. UQHAGAMSHELWANO IINKCUKACHA ZOQHAGAMSHELWANO
ze-DOJ ne-CD: 14
- 13.1 Ii-Ofisi zeSizwe
- 13.2 Ii-Ofisi zeMimandla

1. ISINGENISO

UMzantsi Afrika njengamazwe amaninzi ehlabathini usasebenzisa inkqubo yomthetho ethathela ingqalelo ukohlwaya. Inkqubo ephathelene nommangali iseyiyo esebenzayo kwiinkundla zethu apho ummangalelwa agocwagocwayo kwaye kungekho kuzikhathaza okanye kukhona okuncinane ngokuphathelene nexhoba lolwaphulo-mthetho.

Ixesha ledemokrasi liye leza neKomishoni yeNyani noXolelwaniso (Truth and Reconciliation Commission) (TRC) ukuba ijongane nemisebenzi yolwaphulo-mthetho yexesha langaphambili ngendlela ekuthatyathwa inxaxheba nekukho uxolelwaniso kuyo. Isenzo esinjalo sakhokelela ekuveleni kweFilosofi yokuBuyiselwa kwiSimo sangaPhambili kweXhoba noMoni enokungaqheleki kumThetho wamaRoma namaDatshi kodwa ke ibiyinxenye yenkqubo yomthetho yemveli yase-Afrika.

2. IMVELAPHI YOKUBUYISELWA KWISIMO SANGAPHAMBILI KWEXHOBA NOMONI

Ukusabela kwimiceli mngeni ejongene nenkqubo yobulungisa kulwaphulo-mthetho kunye nokutshintsha ngaxeshanye ulawulo lwezobulungisa, iCandelo loThintelo lolwaPhulo-mThetho lobuLungisa noKhuselo (Justice Crime Prevention and Security Cluster) (JCPS) liye lamkela indlela yokuBuyiselwa kwiSimo sangaPhambili kweXhoba noMoni ngezizathu ezininzi kuqukwa inyani yokuba ukuBuyiselwa kwiSimo sangaPhambili kweXhoba noMoni yaziwa ngeempendulo zemveli nezamasiko kulwaphulo-mthetho, kwaye lubhekisele kwiinkqubo eziphakathi kunye nezingaphandle kwenkqubo yobulungisa kulwaphulo-mthetho, kuqukwa "iintlobo ezingezizo ezikarhulumente zokuyalela nezobulungisa".

Kukho ukufana phakathi kokuBuyiselwa kwiSimo sangaPhambili kweXhoba noMoni kunye nobulungisa njengoko busenziwa ngabantu abaNtsundu kwiindawo abahlala kuzo nakwiinkundla zesintu nazo ezisebenzayo kumaqumrhu emimandla yasezidolophini njengeekomiti zesitalato kunye neenkundla zabantu. Kwangaxeshanye, umthetho wetyala nokusebenza ogxininisa imithetho-siseko yentlonipho yesidima kunye neenkqubo ezifana nokuguqula (nakuba ihlanganiswa ngokungekho sikweni kwinkqubo

yobulungisa kulwaphulo-mthetho), zichaphazele kakuhle inkqubo-sikhokelo yomgaqo-nkqubo yomthetho wenkqubo yobulungisa.

Inkqubo yokunika isohlwayo ekhoyo ngoku njengenkqubo yokohlwaya abantu ngolwaphulo-mthetho olwenziweyo ibonakala inempumelelo enyiniweyo, yiloo nto ke kukho imfuno yendlela kunye nokusabela okwahlukileyo.

3. YINTONI UKUBUYISELWA KWISIMO SANGAPHAMBILI KWEXHOBANOMONI?

UkuBuyiselwa kwiSimo sangaPhambili kweXhoba noMoni yindlela yobulungisa ejolise ekubandakanyeni amaqela anembambano kunye nalawo achatshazelwe kukwenzakala (amaxhoba, aboni, iintsapho ezibandakanyekayo kunye namalungu oluntu) ngokuhlanganyelana bachonge ukwenzakala, iimfuno nezibophelelo oko bekwenza ngokwamkela iimfanelo, ukwenza utshintsho, kunye nokuthatha amanyathelo okuthintela ukwenzeka kwakhona kwesheho kwaye kuphakanyiswe ukuxolelana.

UkuBuyiselwa kwiSimo sangaPhambili kweXhoba noMoni kubona ulwaphulo-mthetho njengesenzo esichasene nexhoba kwaye kususa ujoliso ukuze kulungiswe ukwenzakala okwenziwe kwixhoba nakuluntu. Kukholelwa ekubeni umoni naye ufuna ukuncediswa kwaye kufuna ukuchonga into ekufuneka itshintshe ukuthintela ukona kwakhona kwixa elizayo.

4. YINTONI UMAHLUKO PHAKATHI KWEENKQUBO ZE-CONVENTIONAL JUSTICE KUNYE NEENKQUBO ZOKUBUYISELWA KWISIMO SANGAPHAMBILI KWEXHOBANOMONI?

- KwiiNkqubo zoLwaphulo-mthetho ezithathwa ngokuba zezemveli nokuMangalela ukuba uBuyekezwe ngokwenzekileyo, ixhoba nomoni bathathwa njengabachasi, kwaye kulindeleke ukuba bahlale bethobeleyonke into ngexa zonke izigqibo ezingundoqo zisenziwa ngamagcisa (abagwebi, amagqwetha, oonontlalo-ntle, amagosa oluleko njalo njalo.).
- Kwiindlela zokuBuyiselwa kwiSimo sangaPhambili kweXhoba noMoni, ixhoba nomoni bayinxenye yenkqubo kwaye baneempembelelo

kwizigqibo ezingundoqo ezithathwayo.

5. YINTONI IINQOBO EZISEMGANGATHWENI NEMITHETHO-SISEKO YOKUBUYISELWA KWISIMO SANGAPHAMBILI KWEXHOBANOMONI?

1. IiNkqubo zokuBuyiselwa kwiSimo sangaPhambili kweXhoba noMoni kufuneka zithobebe ulawulo lomthetho, imithetho-siseko yamalungelo oluntu kunye nemithetho enikwe kuMgaqo-siseko woMzantsi Afrika.
2. UkuBuyiselwa kwiSimo sangaPhambili kweXhoba noMoni kufuneka kuphakamise isidima samaxhoba naboni, kwaye kuqinisekise akukho kongamela okanye kucalula.
3. Onke amaqela mawanikwe ulwazi olupheleleyo lweenjongo zenkqubo, amalungelo awo kwinkqubo kunye neziphumo ezinokuba khona zenkqubo.
4. Zonke iinkqubo zokuBuyiselwa kwiSimo sangaPhambili kweXhoba noMoni kufuneka zibandakanye ulungiselelo ngononophelo lwabathabathi nxaxheba kwiinkqubo, kuqukwa abameli bomthetho.
5. Amaqela kufuneka aqonde ngokucacileyo ukuba anokurhoxa kwinkqubo ngalo naliphi na ixesha.
6. Amaqela kufuneka anikwe ixesha elifanelekileyo ukuze athathele ingqalelo ukhetho lwawo, xa kundululwa ukuBuyiselwa kwiSimo sangaPhambili kweXhoba noMoni.
7. Ukuthunyelwa kuBuyiselo kwiSimo sangaPhambili kweXhoba noMoni yinto enokwenzeka kulo naliphi na ibakala kwinkqubo yobulungisa kulwaphulo-mthetho, ugxininiso olukhethekileyo lubekwe kuguqulo lwaphambi kwetyala, ingxelo yommangalelwa nezivumelwano zesigwebo, inkqubo yaphambi kokugwetywa, njengenxenye yesigwebo, kunye nenxenye yenkqubo yokuhlenganiswa kwakhona, kuquka nengqawule.
8. Ukuthabatha inxaxheba kwiinkqubo zoBuyiselo kwiSimo sangaPhambili kweXhoba noMoni mayibe kukuzithandela kuwo onke amaqela, kuqukwa nexhoba.
9. Amaqela mawanganyanzelwa kuso nasiphi na isivumelwano esithile.

10. Iinkqubo zokuBuyiselwa kwiSimo sangaPhambili kweXhoba noMoni kufuneka zinike onke amaqela amathuba alinganayo okuthabatha inxaxheba.
11. Iinkqubo zokuBuyiselwa kwiSimo sangaPhambili kweXhoba noMoni kufuneka zilingane kwaye zifaneleke.
12. Jikelele, iinkqubo zokuBuyiselwa kwiSimo sangaPhambili kweXhoba noMoni kufuneka zibe yimfihlo. Amaqela anokwenza isigqibo esisekelwe elwazini, ngemvumelwano, yokusebenzisa ubumfihlo.
13. Amaxhoba kunye naboni kufuneka bavunyelwe beze nabantu bokubaxhasa kwindibano ukuba nje oku akubeki esichengeni amalungelo kunye nokhuseleko lwalo naliphi na elinye iqela.
14. Amaxhoba kunye naboni kufuneka bavunyelwe ufikelelo kwiicebo lezomthetho kulo naliphi na ibakala leenkqubo.
15. Ukuthabatha inxaxheba kwabantwana kufuneka kuxhomekeke kwimvume yomzali/umgcini ngokunjalo nakubukho bakhe, okanye ubukho bomnye umntu omdala owonyuliweyo onoxanduva kunye negunya ekukuphela kwalo lokukhusela amalungelo kunye nomdla womntwana.
16. Xa kukho okuphathelene nomntwana, kufuneka kuthathwe ukhathalelo lokuqinisekisa uyaziqonda iinkqubo kwaye unokuthabatha inxaxheba ngokubonakalayo.
17. Iinkqubo zokuBuyiselwa kwiSimo sangaPhambili kweXhoba noMoni maziphakamise ukuphila notshintsho.
18. Amagatya ezivumelwano zokuBuyiselwa kwiSimo sangaPhambili kweXhoba noMoni kufuneka angavumelani nokwenzakaliswa okubangiweyo.
19. Iinkqubo zokuBuyiselwa kwiSimo sangaPhambili kweXhoba noMoni kufuneka zijolise ekuthinteleni ukona kwixa elizayo.
20. Iinkqubo zokuBuyiselwa kwiSimo sangaPhambili kweXhoba noMoni kufuneka zisabele ekonzakalisweni, kwiimfuno nakwizibophelelo.
21. Iinkqubo zokuBuyiselwa kwiSimo sangaPhambili kweXhoba noMoni kufuneka zenze ukuba umntu abe nokuzisola, abonakalise iintloni,

ukucela uxolo, uxolelo, inceba novelwano, kodwa ke kufuneka zinganyanzeli ukuba oku kusabela kwenzeka.

22. Iinkqubo zokuBuyiselwa kwiSimo sangaPhambili kweXhoba noMoni kufuneka ziqinisekise ukuba aboni, kangangoko kunokwenzeka, bakwisimo sokuhlangabezana nezibophelelo ezenziwe lityala.
23. Iinkqubo zokuBuyiselwa kwiSimo sangaPhambili kweXhoba noMoni kufuneka, kangangoko kunokwenzeka, zifaneleke ngokwenkcubeko yamaqela abandakanyekayo.
24. Bonke abanendima abayidlalayo abanoxanduva lokuququzelela iinkqubo zokuBuyiselwa kwiSimo sangaPhambili kweXhoba noMoni kufuneka baqeqeshwe ngokwaneleyo okanye babe namava.
25. Iinkqubo zokuBuyiselwa kwiSimo sangaPhambili kweXhoba noMoni kufuneka zibonelele ngetoliki eqeqeshiweyo, apho kukho khona imfuneko.
26. Iinkqubo zokuBuyiselwa kwiSimo sangaPhambili kweXhoba noMoni kufuneka ziyilwe kudityenwe namaxhoba kunye naboni.
27. Imfuno yokhuseleko loluntu kufuneka ithathelwe ingqalelo ngokweenkqubo zokuBuyiselwa kwiSimo sangaPhambili kweXhoba noMoni kunye neziphumo.
28. Iinkqubo zokuBuyiselwa kwiSimo sangaPhambili kweXhoba noMoni kufuneka zibe neenjongo ezicacileyo ezaziswa uwonke-wonke kakuhle.
29. Iinkqubo zokuBuyiselwa kwiSimo sangaPhambili kweXhoba noMoni kufuneka zinike isiseko sempumelelo enokulinganiswa ngaso.
30. Iinkqubo zokuBuyiselwa kwiSimo sangaPhambili kweXhoba noMoni kufuneka zihlolwe (ngeenkqubo zangaphakathi) kwaye zijongwe (ngophando oluzimeleyo) ukuphucula ukuphuculwa kwazo okuqhubayo.
31. Iinkqubo zokuBuyiselwa kwiSimo sangaPhambili kweXhoba noMoni kufuneka zibe neekhowudi zokusebenza nezemigangatho ezipapashiweyo.
32. Iinkqubo zokuBuyiselwa kwiSimo sangaPhambili kweXhoba noMoni kufuneka zithathe amanyathelo okuqinisekisa ukhuseleko lwabathabathi nxaxheba.

33. Iinkqubo zokuBuyiselwa kwiSimo sangaPhambili kweXhoba noMoni kufuneka ziseke kwaye zilondolozwe iindlela zezikhalazo ezisebenzayo.
34. Iinkqubo zokuBuyiselwa kwiSimo sangaPhambili kweXhoba noMoni kufuneka ukuba zibhale phantsi iinkqubo zokulawulwa kwezinto ezixelwayo ezinxulumene namanye amatyala.

6. KUSETYENZISWA NINI UKUBUYISELWA KWISIMO SANGAPHAMBILI KWEXHOBA NOMONI?

UkuBuyiselwa kwiSimo sangaPhambili kweXhoba noMoni kunokusetyenziswa kula mabakala alandelayo enkqubo yobulungisa kulwaphulo-mthetho:

- **Ukuxela ngaphambili:** iimbambano phakathi kwamaqela ezinokwenza inkqubo yolwaphulo-mthetho okanye ephathelene nabemi ekunokusetyenzwa ngazo ngeenkqubo zokuBuyiselwa kwiSimo sangaPhambili kweXhoba noMoni. Oku kunokuquka umsebenzi wenkxaso yexhoba owenziwa phambi kongenelo olusesikweni.
- **Phambi kweTyala:** Iinkqubo zokuBuyiselwa kwiSimo sangaPhambili kweXhoba noMoni zinokwamkelwa emva kokuba kumangelwe kwaye phambi komhla wetyala. Umtshutshisi unokugqiba ekubeni umcimbi lowo awudlulisele kuBuyiselo kwiSimo sangaPhambili kweXhoba noMoni kwaye amkele isivumelwano ekufikelelwe kuso umzekelo, ukulitshintsha ityala ekubeni lixoxwe kwinkundla esesikweni. Ukuba ngaba asikho isivumelwano umba lowo unokubuyiselwa enkundleni.
- **Phambi kweSigwebo:** Inkqubo yokuBuyiselwa kwiSimo sangaPhambili kweXhoba noMoni inokuqukwa njengenxenye yenkqubo yokugweba. Oku kunokwazisa isigwebo ngqo ekufikelelwe kuso, neziphumo ezininzi ezixelwe kwimiqathango yesigwebo esimiselwe elinye ixesha okanye esixhonyiweyo.
- **Emva kweSigwebo:** Inkqubo yokuBuyiselwa kwiSimo sangaPhambili kweXhoba noMoni inokuvezwa emva kokuwiswa kwesigwebo okanye njengenxenye yenkqubo yoluleko ukuze umntu lowo abuyiselwe kwisimo sakhe sangaphambili, ahlanganiswe noluntu kwakhona okanye

kwinkqubo yaphambi kokuba akhululwe.

7. KUFANELEKE NINI UKUBUYISELWA KWISIMO SANGAPHAMBILI KWEXHOBA NOMONI?

UkuBuyiselwa kwiSimo sangaPhambili kweXhoba noMoni kaninzi kubonwa njengenkqubo yokulungisa ulwaphulo-mthetho olungephi okanye ulwaphulo-mthetho oluncinane. Nakuba kunjalo kubalulekile ke ukuqaphela ukuba ukuBuyiselwa kwiSimo sangaPhambili kweXhoba noMoni kunokusetyenziswa njengenkqubo nakumatyala abandakanya ubundlobongela okanye ukunganyaniseki. Into ebalulekileyo libakala eyaziswa ngalo inkqubo yokuBuyiselwa kwiSimo sangaPhambili kweXhoba noMoni.

Ityala ngalinye kuyakufuneka ukuba lithathelwe ingqalelo ngononophelo kwaye isigqibo esifanelekileyo senziwe sokuba ingaba makusetyenziswe inkqubo yokuBuyiselwa kwiSimo sangaPhambili kweXhoba noMoni na phambi kokubekwa ityala, phambi kwetyala, ngexa lokuqhuba kwetyala phambi kokuwisa kwesigwebo okanye emva kokuwisa kwesigwebo. Abo bantu kukho indima abayidlalayo nabo bayakwenza isigqibo sokuba zeziphi na iinkqubo zokuBuyiselwa kwiSimo sangaPhambili kweXhoba noMoni ezifanelekileyo. Amatyala angephi anokudluliswa ngaphandle kokuba achotshelwe kodwa amatyala abandakanya inqanaba lobundlobongela kunokufuneka ukuba abandakanye inkqubo yokuBuyiselwa kwiSimo sangaPhambili kweXhoba noMoni kuphela phambi kokuwisa kwesigwebo okanye emva kokuwisa kwesigwebo.

8. INGABA UKUTHABATHA INXAXHEBA KWINKQUBO ZOKUBUYISELWA KWISIMO SANGAPHAMBILI KWEXHOBA NOMONI IQINISEKISA UKUKHULULWA KWANGOKO NGOKWENGQAWULE?

Ngexa uthabatho nxaxheba kwinkqubo yokuBuyiselwa kwiSimo sangaPhambili kweXhoba noMoni inokuthathelwa ingqalelo xa kumiselwa ingqawule yomoni, le ayiyonto ekukuphela kwayo ethathelwa ingqalelo yiBhodi yeNgqawule. IBhodi yeNgqawule isakhokelwa yeminye imithetho enxulumene nengqawule. Ukuthabatha inxaxheba kwinkqubo zokuBuyiselwa

kwiSimo sangaPhambili kweXhoba noMoni, kuphela yenye yezinto ezininzi ezithathelwa ingqalelo yiBhodi yeNgqawule kwaye ityala ngalinye lithathelwa ingqalelo ngokufanele lona.

9. IMIZEKELO YEENKQUBO ZOKUBUYISELWA KWISIMO SANGAPHAMBILI KWEXHOBANOMONI

9.1 ULamlo iXhoba uMoni (Victim Offender Mediation) (VOM)

Ixhoba kunye nomoni banokunikwa ithuba lokudibana kwindawo ekhuselekileyo nemiselweyo ukuze bazibandakanye kwiingxoxo malunga nolwaphulo-mthetho olwenziweyo kwixhoba oko kusenziwa ngoncedo lomlamli oqeqeshiweyo. Ixhoba lithabatha inxaxheba kwinkqubo ngokuzithandela ukusuka ekuqaleni ukuya esiphelweni se-VOM. Umlamli nje yena uququzelela ingxoxo ekhuthaza umoni ukuba azi ngeempembelelo zolwaphulo-mthetho kwaye athathe uxanduva ngokwenzakala okubangwe lityala. Inkqubo ivumela ukuba ixhoba nomoni babe nethuba lokuphuhlisa icebo lokulungisa ukwenzakala oko.

9.2 Indibano yoSapho neXhoba iQela loMoni (Family and Victim Offender Group Conferencing) (i-FGC ne-VOC)

Le nkqubo idibanisa ixhoba, umoni, nosapho, abahlobo kunye nabaxhasi abangundoqo babo bobabini ekwenzeni isigqibo sokuba ulungiswa njani na umonakalo wasemva kokwenziwa kolwaphulo-mthetho. Oku kujolise ekunikeni ithuba ixhoba lokubandakanyeka ngokungqalileyo ekusabeleni kulwaphulo-mthetho, oko kusenyusa ukuqonda komoni iimpembelelo zokuziphatha kwakhe kwaye kumnika nethuba lokuba athathele kuye uxanduva lwalo. Abaxhasi bomoni babandakanyeka ekwenzeni utshintsho kunye nokulungisa ukuziphatha kwexesha elizayo komoni. Igama elithi iNdibano yeQela loSapho liqhele ukusetyenziswa kokunxulumene naboni abangabantwana.

9.3 ImiJikelo yeNgxoxo-mpikiswano, uXolo, nokuWiswa kweSigwebo

Ezi ziiNkqubo zokuBuyiselwa kwiSimo sangaPhambili kweXhoba noMoni eziyilelwe ukuphuhlisa imvumelwano phakathi kwabo basebenzisanayo kuqakwa amaxhoba, abaxhasi bexhoba, amalungu oluntu, aboni, abaxhasi baboni, amagosa omthetho/abagwebi, abatshutshisi, iqela elikhuselayo,

amapolisa kunye nabasebenzi basenkundleni ngesiphumo esifanelekileyo esilungisa okukhathaza onke amaqela abandakanyekayo. Ezi nkqubo ziphakamisa ukuphila kwawo onke amaqela achaphazelekayo, zinika umoni ithuba lokuzilungisa. Zinika amaxhoba, aboni, amalungu osapho noluntu ilizwi kunye noxanduva ekwabelwana ngalo ekufumaneni izisombululo ezakhayo, kulungiswe oonobangela abakhoyo ababangele oko kuziphatha ngokwaphula umthetho, kwaye zakha imvakalelo yoluntu kwiinqobo ezisemgangathweni ekwabelwana ngazo luluntu.

10. INGABA INKQUBO YEKOMISHONI YENYANI NOXOLELWANISO NGUMZEKELO WENKQUBO YOKUBUYISELWA KWISIMO SANGAPHAMBILI KWEXHOBA NOMONI?

Inkqubo yeNyani noXolelwaniso eyaqalwa emva ko-1994 luhlobo lokuBuyiselwa kwiSimo sangaPhambili kweXhoba noMoni njengoko ifuna ukuphakamisa ukwamkelwa koxanduva kwicala laboni, baqonde ukwenzakala okwehlele amaxhoba, amalungu eentsapho zamaxhoba kunye noluntu ngenjongo yokuphilisa nembuyekezo kubo bonke abandakanyekayo.

11. YINTONI UMAHLUKO PHAKATHI KOKUCINYWA KWEEREKHODI NOKUBUYISELWA KWISIMO SANGAPHAMBILI KWEXHOBA NOMONI?

UkuBuyiselwa kwiSimo sangaPhambili kweXhoba noMoni yinkqubo eyahlukileyo kweyokucima iirekhodi zolwaphulo-mthetho kubandakanya ukususwa kweerekhodi zolwaphulo-mthetho kwinkqubo. Iinkqubo zolawulo nokuphatha zokucima zohlukile kwiinkqubo zokuBuyiselwa kwiSimo sangaPhambili kweXhoba noMoni. KwiSebe lezobuLungisa noPhuhliso loMgaqo-siseko kukho i-ofisi eyahlukileyo enoxanduva lokucima iirekhoddi zolwaphulo mthetho.

12. NGAWAPHI AMANCEDO ENDLELA YOKUBUYISELWA KWISIMO SANGAPHAMBILI KWEXHOBA NOMONI KUBULUNGISA?

- **Ukuthintela ukona kwakhona**

Uphando lukhombisa ukuba aboni abaye banalo ungenelo lokuBuyiselwa kwiSimo sangaPhambili kweXhoba noMoni mancinane amathuba kubo

okuba baphinde benze amanye amatyala angaphaya kunaboni abafana nabo abaxhomekeke kungenelo olungaphaya lokunika isohlwayo.

- **Ukuxhobisa amaxhoba**

Iinkqubo zokuBuyiselwa kwiSimo sangaPhambili kweXhoba noMoni zinokuququzelela ufikelelo kubulungisa kumaxhoba kwaye zinike amava okuxhobisa angaphaya kumaxhoba. Kwaye azithathi xesha lininzi azinazo neendleko ezininzi. Zinokubuyisela, zinike imbuyekezo kwaye zinike amaxhoba ilizwi.

- **Ukunceda ii-arhente zobulungisa kulwaphulo-mthetho**

Inceda ukwehlisa ukusilela kumatyala kunye nokuthintela iindleko ezingenyomfuneko nolibaziseko kwinkqubo yobulungisa kulwaphulo-mthetho. Ukugcwala ngokugqithisileyo ezintolongweni kunye neendleko kubahlawuli behafu zinokwehliswa ngokungaphaya.

- **Zinyusa ukubandakanyeka koluntu kwinkqubo yokusonjululwa kwembambano**

Ukuqukwa kunye nokuthabatha inxaxheba koluntu kwiinkqubo zokuBuyiselwa kwiSimo sangaPhambili kweXhoba noMoni zolula kwaye zisenza nzulu idemokhrasi yethu.

13. UQHAGAMSHELWANO

Iminingwana yokuthintana yakwa-DOJ &CD:

Undlunkulu	
Nksk C Kok INombolo yomNxeba: (012) 315 1259 I-imeyile: ckok@justice.gov.za	Gqwetha J.V Mbamali INombolo yomNxeba: (012) 315 1458 I-imeyile: VMbamali@justice.gov.za

Ii-ofisi zeMimandla (abalawuli beeNkonzo zomThetho)

<p>KwaZulu-Natal Nks P Moodley INombolo yomNxeba: (031) 301 5303 I-imeyile: pmoodley@justice.gov.za</p>	<p>Mpumalanga Mnu P Mthimunye INombolo yomNxeba: (013) 753 9333 I-imeyile: PMthimunye@justice.gov.za</p>
<p>Freyistata Mnu D.B Ramolibe INombolo yomNxeba: (051) 407 1800 I-imeyile: dramolibe@justice.gov.za</p>	<p>Mpuma Koloni Nks D.E Mongoato INombolo yomNxeba: (043) 702 7108 I-imeyile: dmngoato@justice.gov.za</p>
<p>Gauteng Mnu S Ramasodi INombolo yomNxeba: (011) 223 7681 I-imeyile: SRamasodi@justice.gov.za</p>	<p>Limpopo Mnu M Sebetso INombolo yomNxeba: (015) 297 5562 I-imeyile: msebetso@justice.gov.za</p>
<p>Mntla Koloni Gqwetha D Plaatjies INombolo yomNxeba: (053) 839 0052 I-imeyile: dplaatjies@justice.gov.za</p>	<p>Ntshona Koloni Nks D Kassan INombolo yomNxeba: (021) 462 5470 I-imeyile: DKassan@justice.gov.za</p>
<p>Mntla Ntshona Nks R Tladi INombolo yomNxeba: (018) 389 8305 I-imeyile: rtladi@justice.gov.za</p>	

Department of Justice and Constitutional Development
Chief Directorate: Promotion of the Rights of Vulnerable Groups
Tel: (012) 315 1458/357 8509
Fax: (012) 315 1851
www.justice.gov.za
2011