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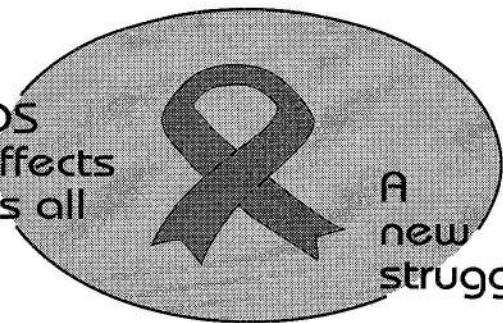
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We all have the power to prevent AIDS

AIDS
affects
us all



A
new
struggle

Prevention is the cure

**AIDS
HELPUNE**

0800 012 322

DEPARTMENT OF HEALTH

GOVERNMENT NOTICE GOEWERMENTSKENNISGEWING

SOUTH AFRICAN POLICE SERVICE

No. 1550

30 December 1999

The National Instruction regarding Domestic Violence is hereby published in terms of section 18(3) of the Domestic Violence Act, 1998 (Act No. 116 of 1998) for general information.

J G FIVAZ,
National Commissioner

NATIONAL INSTRUCTION 7/1999

DOMESTIC VIOLENCE

1. Background

The Domestic Violence Act, 1998 (Act No. 116 of 1998), (hereinafter referred to as the *Domestic Violence Act*) imposes certain obligations on a member who receives a complaint of domestic violence. This instruction is intended to provide clear direction to a member on how to respond to a complaint of domestic violence in order to comply with the obligations imposed upon him or her in terms of the *Domestic Violence Act*.

2. Definitions

In this instruction, unless the context otherwise indicates, -

complainant means any person who is or has been in a domestic relationship with another person and who is alleged to be or to have been subjected by such other person (hereinafter referred to as the *respondent*) to an act of *domestic violence* and includes any child in the care of the *complainant*;

domestic violence means any one or more of the following forms of conduct performed by a *respondent* in respect of a *complainant* which consists of:

- (a) **physical abuse**, consisting of any act or threatened act of physical violence;
- (b) **sexual abuse**, consisting of conduct that abuses, humiliates, degrades or violates the sexual integrity of the *complainant*;
- (c) **emotional, verbal and psychological abuse**, consisting of a pattern of degrading or humiliating conduct which may consist of -
 - repeated insults, ridicule, or name calling;
 - repeated threats to cause emotional pain; or
 - the repeated exhibition of obsessive possessiveness or jealousy which is such as to constitute a serious invasion of the privacy, liberty, integrity or security of the *complainant*;
- (d) **economic abuse**, which may consist of -
 - the unreasonable withholding of economical or financial resources from a *complainant* who is legally entitled thereto or which the *complainant* requires of necessity, including the withholding of household necessities from the *complainant* or refusal to pay mortgage bond repayments or rent in respect of the shared residence; or
 - the unreasonable disposal of household effects or other property in which the *complainant* has an interest;
- (e) **intimidation**, by uttering or conveying a threat or causing the

- complainant* to receive a threat which induces fear;
- (f) **harassment**, consisting of a pattern of conduct which induces fear of harm to the *complainant*, including repeatedly -
 - watching or loitering outside of or near the building or place where the *complainant* resides, works, carries on business, studies or happens to be;
 - making telephone calls to the *complainant*, whether or not conversation ensues, or inducing another to do so;
 - sending, delivering or causing the delivery of letters, telegrams, packages, facsimiles, electronic mail or other objects to the *complainant*;
 - (g) **stalking**, by repeatedly following, pursuing or accosting the *complainant*;
 - (h) **damaging of property**, consisting of the wilful damaging or destruction of property belonging to a *complainant* or in which the *complainant* has a vested interest;
 - (i) **entry into the residence of the *complainant* without consent where the parties do not share the same residence**; or
 - (j) **any other controlling or abusive behaviour towards a *complainant***; where such conduct harms, or may cause imminent harm to the safety, health or well-being of the *complainant*;

domestic relationship means a relationship between a *complainant* and the respondent where they -

- (a) are or were married to each other in terms of any law, custom or religion;
- (b) live or lived together in a relationship in the nature of a marriage (whether they are of the same or of the opposite sex);
- (c) are the parents of a child or have or had parental responsibility for the child (whether or not at the same time);
- (d) are family members related by consanguinity, affinity or adoption;
- (e) are or were in an engagement, dating or customary relationship: including an actual or perceived romantic, intimate or sexual relationship of any duration; or
- (f) share or recently shared the same residence;

residence also institutions for children, the elderly and the disabled; and

respondent means any person who is or has been in a *domestic relationship* with a *complainant* and who allegedly commits or has committed *domestic violence* against the *complainant*.

3. Responsibilities of station commissioner

- (1) Every station commissioner must liaise with local representatives of the Department of Welfare, the local Community Police Forum and any other relevant local institution, to identify local organisations which are willing

and able to provide counselling and other support services (including medical services and suitable shelter) to *complainants*.

- (2) After having identified the organisations referred to in subparagraph (1), the station commissioner must liaise with the said organisations to determine -
 - (a) the specific services that are rendered by each;
 - (b) whether the services are rendered after hours, during weekends and on public holidays;
 - (c) whether the services are rendered free of charge or at a fee; and
 - (d) the contact particulars of each.
- (3) The station commissioner must compile a list of the relevant organisations and include in it, in respect of each organisation, at least the information referred to in subparagraph (2) as well as information relating to hospitals, ambulance services and medical practitioners that may be utilised to provide medical treatment to *complainants*.
- (4) The original list referred to in subparagraph (3) must be kept by the station commissioner who must update it at least once every six months.
- (5) The station commissioner must ensure that a copy of -
 - (a) the *Domestic Violence Act*;
 - (b) the Regulations promulgated in terms thereof;
 - (c) this National Instruction;
 - (d) the station orders issued by him or her in terms of subparagraph (6); and
 - (e) the list referred to in subparagraph (3);are at all times available in the Community Service Centre and that a copy of the list referred to in subparagraph (3) is at all times available in each police vehicle at his or her station which is utilized to attend to complaints.
- (6) The station commissioner must, taking into account the unique circumstances prevailing in his or her specific station area, available resources, etc., issue station orders -
 - (a) requiring a member under his or her command to inform a *complainant* of the services rendered by organisations mentioned in the list and how to inform the *complainant* thereof (e.g. by providing the *complainant* with a copy of the list or allowing the *complainant* to peruse the list or reading the information from the list to the *complainant*);
 - (b) setting out the steps that must be taken by such member to assist the *complainant*, when requested thereto by the *complainant*, to gain access to any service rendered by an organisation mentioned

- in the list or to obtain medical treatment should this be required; and
 - (c) in general, instructing members under his or her command on any other matter relating to the treatment of *complainants of domestic violence* which he or she deems necessary to determine in respect of his or her specific station area.
- (7) Where a police station area forms part of a larger area consisting of more than one police station area and a radio control unit has been established to patrol and attend to complaints in such larger area, every station commissioner of a station in such larger area must, for information purposes, provide the commander of such radio control unit with a copy of -
- (a) the list referred to in subparagraph (3) and, when he or she has updated the list, a copy of the updated version thereof; and
 - (b) a copy of the station orders issued in accordance with subparagraph (6) and, if he or she amends the orders, a copy of the updated version thereof.

4. Receiving complaints of *domestic violence*: responsibility of Community Service Centre commander

- (1) Every Community Service Centre commander must ensure that copies of the documentation referred to in paragraph 3(5) (above) are at all times available in the Community Service Centre.
- (2) If an incident of *domestic violence* is -
- (a) telephonically reported to the Community Service Centre or to a radio control unit by the *complainant* or any other person; or is
 - (b) reported in person to the Community Service Centre by someone other than the *complainant*,
- the Community Service Centre commander or member receiving the report must endeavour to obtain sufficient information concerning the incident to make it possible to comply with subparagraph (3).
- (3) If an incident of *domestic violence* is reported in the manner referred to in subparagraph (2), the Community Service Centre commander or person answering the telephone, must, -
- (a) without any unreasonable delay, ensure that a police vehicle from the appropriate radio control unit or station is despatched to the *complainant* to attend to the matter;
 - (b) ensure that the crew of such vehicle is informed -
 - (i) whether any violence or threatened violence is allegedly or has allegedly been involved in the incident; and
 - (ii) who the *complainant* is.

- (4) If a *complainant* reports an incident of *domestic violence* in person at the Community Service Centre, the Community Service Centre commander must ensure that the steps set out in paragraph 5(2)(a)-(d) (below) are taken.

5. Responsibility of a member

- (1) A member who attends a scene of *domestic violence* must first of all determine whether the *complainant* is in any danger and take all reasonable steps to secure the scene as set out in paragraph 6 (below) and to protect the *complainant* from any danger.
- (2) Once the scene has been secured, the member must -
 - (a) render such assistance to the *complainant* as may reasonably be required in the circumstances (this is more fully set out in paragraph 7 (below));
 - (b) if it is reasonably possible to do so, hand the Notice, contemplated in paragraph 10 (below), to the *complainant* and explain the contents of such notice to the *complainant*;
 - (c) assist the *complainant* or make arrangements for the *complainant* to find a suitable shelter and to obtain medical treatment, as set out in paragraphs 8 and 9 (below); and
 - (d) investigate the alleged incident of *domestic violence* and gather all available evidence in respect of any offence which may have been committed during such incident.

6. Securing a scene of *domestic violence*

- (1) Due to the high risk inherent to and volatility of *domestic violence* incidents, a member must be extremely careful when responding to a call to a scene of *domestic violence* and should, whenever reasonably possible, not go alone to the scene.
- (2) Upon arriving at the scene, the member must attempt to locate the *complainant* and determine whether the *complainant* is in any danger.
- (3) If the *complainant* is located and he or she is not inside a building or similar structure, the *complainant* must be interviewed to determine whether he or she is in any immediate danger. If the *complainant* does not seem to be in any immediate danger, the steps set out in paragraph 5(2)(a)-(d) (above) must be followed. If the *complainant* is in any danger, the member must take the necessary steps to ensure the safety of the *complainant*.
- (4) If it is established that the *complainant* is inside a building or similar structure, the member must determine whether there are reasonable

grounds to suspect that an offence has been committed against the *complainant*.

- (5) If a member has reasonable grounds to suspect that an offence has been committed and that the *complainant* may furnish information regarding the offence, such member -
- (a) may, where necessary, if the *complainant* is inside a building or similar structure, exercise his or her powers in terms of sections 26 and 27 of the Criminal Procedure Act, 1977 (Act No. 51 of 1977) (hereinafter referred to as the *Criminal Procedure Act*), to enter the premises and building and interview and take a statement from the *complainant*, as this will enable him or her to determine whether the *complainant* is in any danger and what steps to take to protect the *complainant* from harm or further harm: Provided that a member may not, if the *complainant* is inside a private dwelling and the member is refused entry into the dwelling, forcibly enter the dwelling in terms of the said provisions;
 - (b) must, if the *complainant* is inside a private dwelling and the member is refused entry into the dwelling, take reasonable steps to communicate with the persons inside the dwelling to determine whether any person inside the dwelling is in any imminent danger, and -
 - (i) may, if he or she has reasonable grounds to believe that any person inside the dwelling is in imminent danger and that a forcible entry is necessary to protect the person, use minimum force to gain entry to the dwelling in order to protect the *complainant* or any other person from imminent physical harm (Circumstances which may indicate to the need for such action include cries for help, visible injuries or weapons, obvious signs that a struggle has occurred or the account of a witness that a crime has been committed and that the *complainant* could reasonably be expected to be injured and in need of urgent medical attention.); or
 - (ii) must, if he or she is satisfied that there are no reasonable grounds to believe that any person inside the dwelling is in any imminent danger, withdraw and make an entry in his or her Pocket Book (SAPS 206) setting out the reasons why he or she is so satisfied.
- (6) If the member does not have reasonable grounds to believe that an offence has been committed and that the *complainant* is inside a building or structure (including a private dwelling), the member may not act in terms of sections 26 and 27 of the *Criminal Procedure Act* and must request permission to enter the building or structure and,

- (a) if given permission to do so, enter the building or structure and interview the *complainant* to determine whether he or she is in any immediate danger. If the *complainant* does not seem to be in any immediate danger, the steps set out in paragraph 5(2)(a)-(e) (above) must be followed. If the *complainant* is in any danger, the member must take the necessary steps to ensure the safety of the *complainant*; and
 - (b) if refused permission to do so, act as set out in subparagraph (5)(b) (above).
- (7) Securing a scene of *domestic violence* may require the separation of the *complainant* and *respondent* and may include arresting the *respondent* in terms of section 3 of the *Domestic Violence Act* and section 40(1)(q) of the *Criminal Procedure Act*, which empowers a member to arrest without a warrant any person who is or has been in a domestic relationship with the *complainant* and whom the member reasonably suspects of having committed an offence containing an element of violence against the *complainant* (therefore including the offence of common assault). (See Standing Order 341 for general information concerning "Arrest").
- (8) Where a member has reason to believe that a person -
 - (a) who has threatened or expressed the intention to kill or injure himself or herself or any other person by means of a firearm; or,
 - (b) who is in possession of a firearm and whose possession thereof is not in his or her interest or in the interest of any other person as a result of his or her mental condition, his or her inclination to violence (whether an arm was used in the violence or not), or his or her dependence on intoxicating liquor or a drug which has a narcotic effect,such member may at any time, in terms of section 41(1) of the Arms and Ammunition Act, 1969 (Act No. 75 of 1969), without a warrant enter upon and search such place or search such person and seize any arm or ammunition, for the purposes set out in section 11 of the said Act (which *inter alia* provides that the National Commissioner may declare a person to be unfit to possess arms).
- (9) A member who seizes a firearm in accordance with subparagraph (8), must ascertain whether such firearm is licensed and, if not, include the offence in the docket.

7. Duty to render general assistance to the *complainant*

- (1) In terms of the *Domestic Violence Act* a *complainant* may approach the Service for assistance at any time, irrespective of when or where the

incident took place. Where a criminal charge is laid by the *complainant*, it is the responsibility of the member receiving the complaint to open a docket and have it registered for investigation and the member may not avoid doing so by directing the *complainant* to counselling or conciliation services.

- (2) When a member locates a *complainant* after having received a complaint of *domestic violence* or the *complainant* reports an incident of *domestic violence* at the Community Service Centre, such assistance as may reasonably be required in the circumstances must be rendered to the *complainant*.
- (3) To comply with this duty, a member -
 - (a) must render such assistance as may be required by station orders provided for in paragraph 3(6)(c) (above) including assistance to the *complainant* to lay a criminal charge; and
 - (b) may, where it is reasonable to do so, contact a family member or friend of the *complainant* to render support to the *complainant*.
- (4) Any assistance rendered to the *complainant* in terms of subparagraphs (1) - (3) must -
 - (a) if it is rendered at the Community Service Centre, be recorded in the Occurrence Book; or
 - (b) if it is rendered at another place, be recorded in the Pocket Book (SAPS 206) of the member rendering the assistance.

8. Duty to assist the *complainant* to find suitable shelter

- (1) In terms of the *Domestic Violence Act*, a member must assist the *complainant* to find suitable shelter or make arrangements for the *complainant* to find suitable shelter.
- (2) To comply with this duty, a member must comply with any station orders issued in this regard, as provided for in paragraph 3(6) (above), and must at least -
 - (a) provide the *complainant* with the names, contact numbers and/or addresses of any organisation in the area which may be able to provide suitable shelter and relevant support and/or counselling services;
 - (b) at the request of the *complainant* and where it is reasonably possible to do so, contact on behalf of the *complainant* an organisation which may render relevant assistance to the *complainant*; and
 - (c) at the request of the *complainant*, assist in arranging transport for the *complainant* to a suitable shelter or an organisation that may

be able to render relevant support and/or counselling (e.g. by contacting the family or friends of the *complainant* with a request to transport the *complainant*, arranging for a taxi at the expense of either the *complainant* or a willing family member or friend, etc.). A member may, only as a last resort, transport a *complainant* in a police vehicle to find a suitable shelter if such a vehicle is available and there is no other means of transport. In such an event the *complainant* must be informed that he or she is being transported at his or her own risk.

- (3) Any assistance rendered to the *complainant* in terms of subparagraphs (1) and (2) must -
 - (a) if it is rendered at the Community Service Centre, be recorded in the Occurrence Book; or
 - (b) if it is rendered at another place, be recorded in the Pocket Book (SAPS 206) of the member rendering the assistance.

9. Duty to assist the *complainant* to obtain medical treatment

- (1) In terms of the *Domestic Violence Act* a member must assist the *complainant* to obtain medical treatment or make arrangements for the *complainant* to obtain medical treatment.
- (2) To comply with this duty, a member must comply with any station orders issued by the station commissioner in this regard as provided for in paragraph 3(6) (above) and must at least -
 - (a) ask the *complainant* whether he or she requires medical treatment; and, if so,
 - (b) assist or make arrangements for the *complainant* to receive medical treatment; and
 - (c) if a criminal charge has been laid, issue a J88 and SAPS 308 to the *complainant* for completion by a registered medical practitioner. (Where possible and provided transport is available, the member must arrange for the *complainant* to be taken to the registered medical practitioner.) A member may, only as a last resort, transport a *complainant* in a police vehicle to receive medical treatment if such a vehicle is available and there is no other means of transport. In such an event the *complainant* must be informed that he or she is being transported at his or her own risk.
- (3) Any assistance rendered to the *complainant* in terms of subparagraphs (1) and (2) must -
 - (a) if it is rendered at the Community Service Centre, be recorded in the Occurrence Book together with a description of any injuries to

- the *complainant* that the member may have observed; or
- (b) if it is rendered at another place, be recorded in the Pocket Book (SAPS 206) of the member rendering the assistance together with a description of any injuries that the member may have observed.

10. Provide *complainant* with Notice and explain content to *complainant*

- (1) In order to ensure that a *complainant* is informed of his or her rights as well as the remedies at his or her disposal in terms of the *Domestic Violence Act*, the member must, where reasonably possible to do so, hand to the *complainant* a copy of the Notice as provided for in the *Domestic Violence Act* (Form 1 to the Regulations in terms of the Act) in the official language of the *complainant's* choice.
- (2) The remedies at the disposal of a *complainant* in terms of the *Domestic Violence Act*, are as follows:
 - (a) the right to lay a criminal charge;
 - (b) the right to apply for a protection order; or
 - (c) the right to lay a criminal charge as well as apply for a protection order.

It is important to inform the *complainant* that laying a criminal charge is not a prerequisite for applying for a protection order.

- (3) As the Notice must be provided to the *complainant* in the official language of his or her choice, the member must ascertain what language the *complainant* understands.
- (4) Once a member has determined what language the *complainant* understands, the following steps must be taken:
 - (a) If the language is one of the official languages of the Republic, the member must -
 - (i) if the member can speak and understand that language, hand a copy of the Notice to the *complainant* in that language and explain the contents thereof to the *complainant*;
 - (ii) if he or she cannot speak and understand that language and -
 - (aa) someone is available who can speak and understand that language, request such person to explain the contents of the Notice to the *complainant* in that language; or
 - (bb) if no one is available who can speak and understand that language, take all reasonable steps to find someone who can speak and understand that

language. If such a person is found, paragraph (aa) must be complied with.

For the purpose of this paragraph, use must be made of the different translations of the Notice into the official languages of the Republic.

- (b) If the language is not one of the official languages of the Republic the member must -
 - (i) if he or she can communicate in that language, convey the contents of the Notice to the *complainant* in that language;
 - (ii) if he or she cannot communicate in that language and -
 - (aa) someone is available who can communicate in that language, request such person to convey the contents of the Notice to the *complainant* in that language; or
 - (bb) if no one is available who can communicate in that language, take all reasonable steps to find someone who can communicate in that language. If such a person is found, paragraph (aa) must be complied with.
- (c) Any steps taken in terms of subparagraphs (a)(ii)(bb) or (b)(ii)(bb) must -
 - (i) if they are taken at the Community Service Centre, be recorded in the Occurrence Book; or
 - (ii) if they are taken at another place, be recorded in the Pocket Book (SAPS 206) of the member taking the steps.
- (5) The member must request the *complainant* to sign in the Occurrence Book or in his or her Pocket Book, whichever may be applicable, at the relevant entry referred to in subparagraph (4)(c). By so doing, the *complainant* acknowledges that he or she has been informed of his or her rights and remedies in terms of the *Domestic Violence Act* and that he or she understands the contents thereof.
- (6) If the *complainant* refuses to sign in the Occurrence Book or in the Pocket Book or is unable to do so, a third person, who witnessed the rights and remedies being explained to the *complainant*, must be requested to sign in the Occurrence Book or Pocket Book to certify that he or she has witnessed this and that the *complainant* refused to sign in the Occurrence Book or Pocket Book, whichever may be applicable.

11. Specific powers and duties of members in terms of the *Domestic Violence Act*

- (1) **Seizure of arms and dangerous weapons in terms of a court order**

- (a) The court may, in terms of section 7(2)(a) of the *Domestic Violence Act*, order a member to seize any arm or dangerous weapon in the possession or under the control of a *respondent*.
- (b) Any such firearm seized must be handed in at the police station to be dealt with in accordance with section 11 of the Arms and Ammunition Act, 1969.
- (c) Any dangerous weapon seized must be handed in at the police station and a SAPS 13 tag must be attached to such weapon and the weapon must be retained in police custody for such period of time as the court may determine and may only be returned to the *respondent* or, if the *respondent* is not the owner of the dangerous weapon, to the owner thereof, by order of court and on such conditions as the court may determine.
- (d) The normal procedures, as set out in Standing Orders 332-336, and which are applicable to exhibits or lost or stolen property must be followed, bearing in mind the provisions of section 9(3) of the Act which provides that such dangerous weapon may only be disposed of in accordance with an order of court.

(2) Arresting a person with a warrant who contravenes a protection order

- (a) Where a *respondent* has contravened any prohibition, condition, obligation or order contained in a protection order, a *complainant* may hand the warrant of arrest together with an affidavit, wherein it is stated that the *respondent* contravened such protection order, to any member.
- (b) If, upon receipt of the warrant of arrest together with the affidavit, referred to in subparagraph (a) (above), it appears to the member that there are reasonable grounds to suspect that the *complainant* may suffer imminent harm as a result of the alleged breach of the protection order, the member must arrest the *respondent* for contravening the protection order on the strength of the warrant.
- (c) In considering whether or not the *complainant* may suffer imminent harm, a member must take the following into account:
 - (i) the risk to the safety, health or well-being of the *complainant*;
 - (ii) the seriousness of the conduct comprising the alleged breach of the protection order; and
 - (iii) the length of time since the alleged breach has occurred:Provided that if the respondent is under the influence of liquor to such an extent that a Notice (referred to in subparagraph (d)(below)) cannot be handed to him or her, the respondent must be arrested.
- (d) If the member is of the opinion that there are insufficient grounds to arrest the *respondent*, he or she must immediately hand a

Notice to the *respondent* as provided for in Form 11 to the Regulations. The member must insert the first court day thereafter as date of appearance on the form and complete the certificate, provided for in the Notice. The member must put the duplicate original of this Notice in the docket which is opened for the contravention. This docket must be taken to court on the first court day thereafter.

- (e) Whenever a warrant of arrest is handed to a member of the Service as contemplated in subparagraph (a) (above), the member must inform the *complainant* of his or her right to simultaneously lay a criminal charge against the *respondent*, if applicable, and explain to the *complainant* how to lay such a charge.

(3) Service of documents

A member may be ordered by the court to serve an interim or final protection order. If a member is ordered to serve an interim protection order, the member must serve the order without delay as it only becomes binding on the *respondent* once the order has been served on him or her. As long as an interim protection order remains unserved, the *complainant* may be in danger. A final protection order becomes binding immediately upon it being issued even though it may not have been served.

(4) Accompanying *complainant* to collect personal property

- (a) The court may in a protection order, order a peace officer (which includes any member) to accompany the *complainant* to a specified place to assist with arrangements regarding the collection of the personal property specified in the order. It is important to note that the purpose of accompanying the *complainant* is to ensure the safety of such *complainant* and not to involve the member in any dispute regarding the ownership of such personal property. Such member must take reasonable steps to ensure the safety of the *complainant* during the collection of the property.
- (b) The *complainant* and the member may enter the premises mentioned in the protection order in order to collect the personal property of the *complainant* as stipulated in the protection order. Before entering a private dwelling, the *complainant* and the member must however audibly demand admission and must notify the occupant of the purpose for which they seek to enter the dwelling.
- (c) If, after having audibly demanded admission to a private dwelling, consent to enter is refused by the respondent, he or she contravenes the protection order and is therefore guilty of contempt of court. In such a case, the member may use such force as may be reasonably necessary in the circumstances to

overcome any resistance against entry, including the breaking open of any door or window of such premises and enter the premises and arrest the respondent, whereafter the *complainant* may collect the said personal belongings.

(d) If a member is approached by a *complainant* to accompany him or her and it is not possible to do so immediately, the member must, if no other peace officer is available to accompany the *complainant*, arrange a reasonable time when it will be suitable to do so.

(e) If a peace officer accompanies a *complainant* in accordance with a protection order to collect his or her personal property, the peace officer must ensure the safety of the *complainant* while he or she removes the property specified in such protection order.

12. Keeping of records relating to incidents of *domestic violence*

(1) All *domestic violence* incidents which are reported to a police station must be recorded in the Domestic Violence Register (SAPS 508(b)) and it is the responsibility of the station commissioner to ensure that an accurate record is kept of all *domestic violence* incidents.

(2) Members must fully document their responses to every incident of *domestic violence* on a "Report of Domestic Violence Incident"-form (SAPS 508(a)) regardless of whether or not a criminal offence has been committed. A file with reference 39/4/2/3 must be opened every month and all the forms SAPS 508(a) which are completed during that month, must be filed in it. The month concerned must be recorded after the reference number, for example all the SAPS 508(a) forms which are completed during January 2000 must be filed with the reference 39/4/2/3(1/2000).

(3) If a member attends a scene of *domestic violence* and no charges are laid or arrests made, the member must record the reasons why this was not done in his or her Pocket Book (SAPS 206).

(4) Certified copies of protection orders and of the warrants of arrest as provided for in the *Domestic Violence Act*, will be forwarded by the clerk of the court to the Community Service Centre of the *complainant's* choice. Particulars of the protection order must be entered in the appropriate columns of the Domestic Violence Register (SAPS 508(b)) where an entry has already been made in respect of the *complainant*. Where no entry exists, a new entry must be made.

(5) A copy of every protection order and warrant of arrest that is received,

must be filed in a separate file (under reference 39/4/3/1) which must be opened in accordance with the Registration and Record Control Procedure which forms part of the Record Classification System which was implemented on 15 September 1997. Every file must be allocated a case number to facilitate finding it (e.g. 39/4/3/1(1) Koos Nel). The number of the case (in the above example (1)), must correspond with the number appearing in the index system created as set out in the fourth paragraph under section 16.2 of the Registration and Record Control Procedure. These files must be kept in a place which is accessible after hours, to ensure that they are readily available for checking purposes in the event of an alleged breach of the protection order.

- (6) Disposal of the aforementioned files must take place in accordance with the approved disposal authorisation.

13. Complaints regarding non-compliance by members and notification of such non-compliance to the Independent Complaints Directorate

- (1) In terms of the *Domestic Violence Act*, a failure by a member to comply with an obligation imposed in terms of the Act or this National Instruction constitutes misconduct. Disciplinary proceedings must therefore be instituted, in accordance with regulation 8 of the Discipline Regulations, against a member who fails to comply with an obligation imposed in terms of the *Domestic Violence Act* or this National Instruction.
- (2) It is the responsibility of the commander of a member to institute disciplinary proceedings against such member who failed to comply with an obligation imposed in terms of the Act or this National Instruction. Where the commander is of the opinion that disciplinary proceedings should not be instituted against such member, the commander must apply to the Independent Complaints Directorate for exemption. Such an application must contain a full report, which includes the reasons for the application for exemption, and must be forwarded to the offices of the Area Commissioner within 30 days after the receipt of the complaint.
- (3) The Area Commissioner must, if he or she agrees that no disciplinary action should be taken, submit the application referred to in subparagraph (2) above, within 14 days after the receipt of the application, to the Provincial Commissioner, who must, if he or she agrees that no disciplinary action should be taken, immediately submit such application to the provincial office of the Independent Complaints Directorate.

- (4) The provincial office of the Independent Complaints Directorate has agreed to inform the Provincial Commissioner in writing, within 30 days after the receipt of the application for exemption, whether exemption has been granted or not and, in the event that the exemption has not been granted, of the reasons why such exemption was not granted.
- (5) Progress reports pertaining to disciplinary proceedings instituted against members in terms of section 18(4) of the Act, must on a monthly basis be forwarded by a commander to the Area Commissioner.

14. Keeping of record of complaints against members

- (1) Every station commissioner must keep a record of -
 - (a) the number and particulars of complaints received against members under his or her command in respect of any failure to comply with obligations in terms of the *Domestic Violence Act* or these instructions;
 - (b) the disciplinary proceedings instituted as a result thereof and the decisions which emanated from such proceedings; and
 - (c) steps taken as a result of recommendations made by the Independent Complaints Directorate.
- (2) Every allegation of misconduct regarding an alleged failure by a member to comply with any obligation in terms of the *Domestic Violence Act*, the Regulations in terms of that Act or the National Instruction issued in this respect, that was received during the previous month, must be recorded on the SAPS 508-form. This return must be submitted to the relevant Area Commissioner before the third working day of each month.
- (3) A consolidated return on SAPS 508 must be submitted by the Area Commissioner to the Provincial Commissioner before the seventh working day of each month. The Provincial Commissioner must furnish a consolidated return before the tenth working day of each month to the provincial office of the Independent Complaints Directorate and to the Divisional Commissioner: Crime Prevention for submission to Parliament, as required by section 18(5)(d) of the Act.
- (4) If disciplinary proceedings against a member have not been completed, the return of the subsequent month must again contain particulars concerning the complaint. In such a case, the monthly serial number in the first column must remain the same. (Example: The February return will, once again, refer to a complaint received in January, but which was not finalized in January before the January return was completed. Such an entry must appear on the return before any new complaints that were received in February. The January complaint will keep the January serial

number, example 13/1/2000.)

- (5) The Codes which must be recorded in column 6, are the following:
- DS1 Remedial steps after initial interview (not serious)
 - DS2 Verbal warning after initial interview (not serious)
 - DS3 Written warning (not serious)
 - DS4A Departmental investigation (serious): still under investigation
 - DS4B Departmental investigation (serious): guilty (state sentence)
 - DS4C Departmental investigation (serious): not guilty

SUID-AFRIKAANSE POLISIEDIENS**No. 1550****30 Desember 1999**

Die Nasionale Instruksie oor Gesinsgeweld word hiermee kragtens artikel 18(3) van die Wet op Gesinsgeweld, 1998 (Wet No. 116 of 1998) vir algemene inligting gepubliseer.

J G FIVAZ,**Nasionale Kommissaris**

NASIONALE INSTRUKSIE 7/1999

GESINSGEWELD

1. Agtergrond

Die Wet op Gesinsgeweld, 1998 (Wet No. 116 van 1998), (hierna verwys as die *Wet op Gesinsgeweld*) lê sekere verpligtinge op 'n lid wat 'n klagte van gesinsgeweld ontvang. Hierdie instruksie is daarop gerig om duidelike leiding aan 'n lid te verskaf oor hoe om op 'n klagte van gesinsgeweld te reageer om die verpligtinge wat ingevolge die *Wet op Gesinsgeweld* op hom of haar geplaas word, na te kom.

2. Woordomsrywings

In hierdie instruksie, tensy die konteks anders aandui, beteken -

klaer enige persoon wat in 'n *gesinsverhouding* met 'n ander persoon staan of gestaan het, en wat na bewering aan 'n handeling van *gesinsgeweld* deur so 'n ander persoon (hierna na verwys as die *respondent*) onderwerp is of was, en sluit enige kind in die sorg van die *klaer* in;

gesinsgeweld enige een of meer van die volgende vorms van gedrag gepleeg deur 'n *respondent* teenoor 'n *klaer* wat bestaan uit:

- (a) **fisiese mishandeling**, bestaande uit enige handeling of dreigement van fisiese geweld;
- (b) **seksuele mishandeling**, bestaande uit gedrag waardeur die *klaer* mishandel, verneder, verkleineer of sy of haar seksuele integriteit geskend word;
- (c) **emosionele, verbale en sielkundige mishandeling**, bestaande uit 'n patroon van verkleinerende of vernederende optrede wat kan bestaan uit -
 - herhaaldelike beledigings, bespotting of uitskellery;
 - herhaaldelike dreigemente om emosionele leed te veroorsaak; of
 - die herhaaldelike tentoonstelling van obsessionele besitlikheid of jaloesie, wat van so 'n aard is dat dit ernstig inbreuk maak op die *klaer* se privaatheid, vryheid, integriteit of sekuriteit;
- (d) **ekonomiese mishandeling**, wat kan bestaan uit -
 - die onredelike weerhouding van ekonomiese of finansiële bronne waarop 'n *klaer* regtens geregtig is of wat die *klaer* uit noodsaak benodig, insluitend die weerhouding van huishoudelike noodsaaklikhede van die *klaer*, of die weiering om verband paaieimente of huur ten opsigte van die gedeelde woning te betaal; of

- die onredelike vervreemding van huishoudelike besittings of ander eiendom waarin die *klaer* 'n belang het;
- (e) **intimidasie**, deur die uitspraak of oordra van 'n dreigement, of veroorsaking dat die *klaer* 'n dreigement wat vrees inboesem, ontvang;
- (f) **teistering**, bestaande uit 'n gedragspatroon wat vrees vir die berokkening van leed teenoor 'n *klaer* inboesem, insluitend herhaaldelike -
 - dophou van, of rondslenter buite of naby die gebou of plek waar die *klaer* woon, werk, besigheid bedryf, studeer of hom of haar bevind;
 - maak van telefoonoproepe na die *klaer*, ongeag of 'n gesprek daaruit voortvloei, of oorrading van 'n ander persoon om so te maak;
 - stuur, aflewering of die reël van aflewering, van briewe, telegramme, pakkies, faksimilee, elektroniese pos of ander voorwerpe aan die *klaer*;
- (g) **agtervolging**, deur die herhaaldelike volging, agtervolging of bydam van die *klaer*;
- (h) **beskadiging van eiendom**, bestaande uit die opsetlike beskadiging of vernietiging van eiendom wat aan die *klaer* behoort of waarin die *klaer* 'n gevestigde belang het;
- (i) **betreding van die *klaer* se woning sonder toestemming, waar die partye nie dieselfde woning deel nie; of**
- (j) **enige ander oorheersende of mishandelende gedrag teenoor 'n *klaer***, waar sodanige optrede die veiligheid, gesondheid of welstand van die *klaer* skaad, of dreigende leed kan meebring;

gesinsverhouding 'n verhouding tussen 'n *klaer* en 'n *respondent* waar hulle -

- (a) met mekaar getroud is of was ingevolge enige wet, gebruik of godsdienst;
- (d) saam woon of saamgewoon het in 'n verhouding wat die aard van 'n huwelik (ongeach of hulle van dieselfde of teenoorgestelde geslag is);
- (c) die ouers van 'n kind is of ouerlike verantwoordelikhede ten opsigte van die kind het of gehad het (ongeach of dit op dieselfde tydstip is of was);
- (d) familieledede is wat uit hoofde van bloedverwantskap, aanverwantskap of aanneming verwant is;
- (e) in 'n verlowings-, uitgaan- of gebruikelike verhouding is of was: insluitend 'n werklike of veronderstelde romantiese, intieme of seksuele verhouding van enige tydskuur; of
- (f) dieselfde woning deel of onlangs gedeel het;

woning ook inrigtings vir kinders, bejaardes en gestremdes; en

respondent 'n persoon wat in 'n *gesinsverhouding* teenoor 'n *klaer* staan of gestaan het en wat na bewering *gesinsgeweld* teenoor die *klaer* pleeg of gepleeg het.

3. Verantwoordelikhede van stasiekommissaris

- (1) Elke stasiekommissaris moet met plaaslike verteenwoordigers van die Departement van Welsyn, die plaaslike Gemeenskapspolisieforum en enige ander relevante plaaslike instansie skakel, om plaaslike organisasies te identifiseer wat bereid en in staat is om berading en ander ondersteuningsdienste (insluitende mediese behandeling en gepaste skuiling) aan *klaers* te voorsien.
- (2) Nadat die organisasies bedoel in subparagraaf (1) geïdentifiseer is, moet die stasiekommissaris met die genoemde organisasies skakel om die volgende te bepaal:
 - (a) die spesifieke dienste wat deur elkeen verskaf word;
 - (b) of die dienste na-ure, tydens naweke en op openbare vakansiedae verskaf word;
 - (c) of die dienste gratis of teen 'n fooi verskaf word; en
 - (d) die kontakbesonderhede van elkeen.
- (3) Die stasiekommissaris moet 'n lys van die relevante organisasies saamstel en daarby, rakende elke organisasie, minstens die inligting waarna in subparagraaf (2) verwys word, insluit, asook inligting rakende hospitale, ambulansdienste en mediese praktisyns wat gebruik kan word om mediese behandeling aan *klaers* te verskaf.
- (4) Die oorspronklike lys bedoel in subparagraaf (3), moet deur die stasiekommissaris bygehou word en hy of sy moet dit minstens eenmaal elke ses maande opdateer.
- (5) Die stasiekommissaris moet verseker dat 'n afskrif van -
 - (a) die *Wet op Gesinsgeweld*;
 - (b) die Regulasies ingevolge daarvan uitgevaardig;
 - (c) hierdie Nasionale Instruksie;
 - (d) die stasie orders deur hom of haar ingevolge subparagraaf (6) uitgevaardig; en
 - (e) die lys waarna in subparagraaf (3) verwys is;te alle tye in die Gemeenskapsdienssentrum beskikbaar is en dat 'n afskrif van die lys waarna in subparagraaf (3) verwys is, te alle tye beskikbaar is in elke polisievoertuig wat by sy of haar stasie gebruik word om klagtes by te woon.
- (6) Die stasiekommissaris moet stasie orders uitvaardig wat, inaggenome die unieke omstandighede wat in sy of haar spesifieke stasie area heers, die beskikbare hulpbronne, ens. -
 - (a) van 'n lid onder sy of haar bevel vereis om 'n *klaer* in te lig van die dienste wat deur organisasies vermeld in die lys verskaf word en

- die manier waarop die *klaer* daarvan ingelig moet word (bv. deur die *klaer* van 'n afskrif van die lys te voorsien of om die *klaer* toe te laat om die lys deur te lees of die inligting in die lys aan die *klaer* te lees);
- (b) die stappe uiteensit wat deur so 'n lid geneem moet word om, wanneer deur die *klaer* daartoe versoek, die *klaer* by te staan om toegang te verkry tot enige diens wat verskaf word deur 'n organisasie vermeld in die lys, of om mediese behandeling, indien dit benodig word, te verkry; en
 - (c) in die algemeen, lede onder sy of haar bevel, opdrag gee oor enige ander onderwerp rakende die behandeling van *klaers* van *gesinsgeweld* wat hy of sy, ten opsigte van sy of haar spesifieke stasie area, nodig ag.
- (7) Waar 'n polisiestasie area deel vorm van 'n groter area wat uit meer as een polisiestasie area bestaan en 'n radiobeheereenheid is gestig om sodanige groter area te patroleer en klagtes by te woon, moet elke stasiekommissaris van 'n stasie in sodanige groter area, vir inligtingsdoeleindes, die bevelvoerder van so 'n radiobeheereenheid voorsien van 'n afskrif van -
- (a) die lys waarna in subparagraaf (3) verwys word en, wanneer hy of sy die lys opgedateer het, 'n afskrif van die opgedateerde weergawe daarvan; en
 - (b) 'n afskrif van die stasie orders wat ooreenkomstig subparagraaf (6) uitgevaardig is, en, indien hy of sy die orders wysig, 'n afskrif van die opgedateerde weergawe daarvan.

4. **Ontvangs van klagtes van *gesinsgeweld*: verantwoordelikheid van Gemeenskapsdienssentrumbevelvoerder**

- (1) Elke Gemeenskapsdienssentrumbevelvoerder moet verseker dat afskrifte van die dokumentasie waarna in paragraaf 3(5) (hierbo) verwys is, te alle tye in die Gemeenskapsdienssentrum beskikbaar is.
- (2) Indien 'n voorval van *gesinsgeweld* -
 - (a) telefonies aan die Gemeenskapsdienssentrum of aan 'n radiobeheereenheid deur die *klaer* of enige ander persoon gerapporteer is; of
 - (b) persoonlik aan die Gemeenskapsdienssentrum deur iemand anders as die *klaer* gerapporteer is,moet die Gemeenskapsdienssentrumbevelvoerder of lid wat die klagte ontvang, poog om voldoende inligting met betrekking tot die voorval te verkry om dit moontlik te maak om die bepalinge van subparagraaf (3) na te kom.

- (3) Indien 'n voorval van *gesinsgeweld* op die wyse, soos in subparagraaf (2) uiteengesit, aangemeld is, moet die Gemeenskapsdienssentrum-bevelvoerder of persoon wat die telefoon beantwoord, -
 - (a) sonder enige onredelike vertraging, verseker dat 'n polisievoertuig van die toepaslike radiobeheereenheid of stasie na die *klaer* uitgestuur word om die voorval by te woon;
 - (b) verseker dat die bemanning van sodanige voertuig ingelig is -
 - (i) of enige geweld of dreigement van geweld na bewering in die voorval betrokke is of was; en
 - (ii) wie die *klaer* is.
- (4) Indien 'n *klaer* 'n voorval van *gesinsgeweld* persoonlik by die Gemeenskapsdienssentrum aanmeld, moet die Gemeenskapsdienssentrum-bevelvoerder verseker dat die stappe in paragraaf 5(2)(a)-(d) (hieronder) uiteengesit, geneem word.

5. Verantwoordelikheid van 'n lid

- (1) 'n Lid wat 'n toneel van *gesinsgeweld* bywoon, moet eerstens bepaal of die *klaer* in enige gevaar verkeer en alle redelike stappe neem om die toneel te beveilig, soos in paragraaf 6 (hieronder) uiteengesit en om die *klaer* teen enige gevaar te beskerm.
- (2) Nadat die toneel beveilig is, moet die lid -
 - (a) sodanige bystand aan die *klaer* verleen as wat redelikerwys in die omstandighede nodig is (dit word meer volledig in paragraaf 7 (hieronder) uiteengesit);
 - (b) indien dit redelikerwys moontlik is om so te doen, die Kennisgewing, wat in paragraaf 10 (hieronder) beoog word, aan die *klaer* oorhandig en die inhoud van sodanige Kennisgewing aan die *klaer* verduidelik;
 - (c) die *klaer* bystaan of reël vir die *klaer* tref om gepaste skuiling te vind en om mediese behandeling, soos in paragrafe 8 en 9 (hieronder) uiteengesit, te vind; en
 - (d) die beweerde voorval van *gesinsgeweld* ondersoek en alle beskikbare getuienis in verband met enige misdryf wat tydens so 'n voorval gepleeg kon gewees het, insamel.

6. Beveiliging van 'n toneel van *gesinsgeweld*

- (1) Weens die hoë risiko verbonde aan, en onbestendigheid van voorvalle van *gesinsgeweld*, moet 'n lid uiters versigtig wees wanneer hy of sy op 'n oproep na 'n toneel van *gesinsgeweld* reageer en moet, wanneer dit redelikerwys moontlik is, nie alleen na die toneel gaan nie.
- (2) By aankoms op die toneel moet die lid probeer om die *klaer* op te spoor

en vas te stel of die *klaer* in enige gevaar verkeer.

- (3) Indien die *klaer* opgespoor is en hy of sy is nie binne 'n gebou of soortgelyke struktuur nie, moet die *klaer* ondervra word om vas te stel of hy of sy in enige onmiddellike gevaar verkeer. Indien die *klaer* klaarblyklik nie in enige onmiddellike gevaar verkeer nie, moet die stappe wat in paragraaf 5(2)(a)-(d) (hierbo) uiteengesit is, gevolg word. Indien die *klaer* in enige gevaar verkeer, moet die lid die nodige stappe neem om die veiligheid van die *klaer* te verseker.
- (4) Indien dit vasgestel is dat die *klaer* binne 'n gebou of soortgelyke struktuur is, moet die lid vasstel of daar redelike gronde is om te vermoed dat 'n misdryf teen die *klaer* gepleeg is.
- (5) Indien 'n lid redelike gronde het om te vermoed dat 'n misdryf gepleeg is en dat die *klaer* inligting oor die misdryf kan verskaf, -
 - (a) kan sodanige lid waar nodig, indien die *klaer* binne 'n gebou of struktuur is, sy of haar bevoegdhede ingevolge artikel 26 en 27 van die Strafproseswet, 1977 (Wet No. 51 van 1977) (hierna verwys na as die *Strafproseswet*) uitoefen, om die perseel en gebou te betree om die *klaer* te ondervra en 'n verklaring van die *klaer* te verkry, aangesien dit hom of haar in staat sal stel om te bepaal of die *klaer* in enige gevaar verkeer en watter stappe om te neem om die *klaer* teen leed of verdere leed te beskerm: Met dien verstande dat, indien die *klaer* binne 'n private woning is en toegang om die perseel te betree, aan die lid geweier word, 'n lid nie die perseel ingevolge genoemde bepalinge met geweld mag betree nie;
 - (b) moet sodanige lid, indien die *klaer* binne 'n private woning is en die lid toegang tot die perseel geweier word, redelike stappe neem om met die persone binne die woning te kommunikeer, om vas te stel of enige persone binne die woning in enige dreigende gevaar verkeer, en -
 - (i) mag hy of sy, indien hy of sy redelike gronde het om te glo dat enige persoon binne die woning in dreigende gevaar verkeer en dat toegang met geweld nodig is om die persoon te beskerm, die minimum geweld gebruik om toegang tot die woning te verkry, om die *klaer* of enige ander persoon teen dreigende fisiese leed te beskerm (Omstandighede wat kan dui op die behoefte vir sodanige optrede sluit in hulpkrete, sigbare beserings of wapens, ooglopende tekens dat 'n geveg plaasgevind het of 'n getuie se weergawe dat 'n misdryf gepleeg is en dat verwag kan word dat die *klaer* redelikerwys beseer is en

- dringende mediese aandag nodig het); of
- (ii) moet hy of sy, indien hy of sy tevrede is dat daar geen redelike gronde bestaan om te glo dat enige persoon binne die woning in enige dreigende gevaar verkeer nie, onttrek en 'n inskrywing in sy of haar Sakboek (SAPD 206) maak en die redes waarom hy of sy so oortuig is, uiteensit.
- (6) Indien die lid nie oor redelike gronde beskik om te glo dat 'n misdryf gepleeg is nie en dat die *klaer* binne 'n gebou of struktuur (insluitend 'n private woning) is, mag die lid nie ingevolge artikel 26 en 27 van die *Strafproseswet* optree nie en moet toestemming om die gebou of struktuur te betree, versoek word en,
- (a) indien toestemming gegee word, die gebou of struktuur betree word en die *klaer* ondervra word om te bepaal of hy of sy in enige onmiddellike gevaar verkeer. Indien die *klaer* klaarblyklik nie in enige onmiddellike gevaar verkeer nie, moet die stappe in paragraaf 5(2)(a)-(e) (hierbo) uiteengesit, gevolg word. Indien die *klaer* in enige gevaar verkeer, moet die lid die nodige stappe neem om die veiligheid van die *klaer* te verseker; en
- (b) indien toestemming geweier word, moet die lid optree soos in subparagraaf (5)(b) (hierbo) uiteengesit.
- (7) Beveiliging van 'n toneel van *gesinsgeweld* kan die skeiding van die *klaer* en *respondent* vereis en kan die arrestasie van die *respondent* ingevolge artikel 3 van die *Wet op Gesinsgeweld* en artikel 40(1)(q) van die *Strafproseswet*, insluit. Daardie bepalings magtig 'n lid om, sonder 'n lasbrief, enige persoon wat in 'n *gesinsverhouding* met die *klaer* is of was en wat die lid redelikerwys vermoed 'n misdryf, wat 'n element van geweld bevat, teenoor die *klaer* gepleeg het, te arresteer (derhalwe insluitende die misdryf van aanranding (gewoon)). (Sien Staande Order 341 vir algemene inligting rakende "Arrestasie").
- (8) Waar 'n lid rede het om te glo dat 'n persoon -
- (a) wat gedreig het of die bedoeling uitgespreek het om homself of haarself of enige ander persoon met 'n vuurwapen te dood of te beseer; of,
- (b) wat in besit is van 'n vuurwapen en wie se besit daarvan nie in sy of haar beste belang, of in die belang van enige ander persoon is nie, as gevolg van sy of haar geestestoestand, sy of haar geneigdheid tot geweld (ongeach 'n wapen in die geweld gebruik is of nie), of sy of haar gebruik of afhanklikheid van sterk drank of 'n verdowingsmiddel wat 'n narkotiese uitwerking het,
- kan sodanige lid enige tyd, ingevolge artikel 41(1) van die *Wet op Wapens en Ammunisie, 1969* (Wet No. 75 van 1969), sonder 'n lasbrief, sodanige plek betree, en sodanige plek of sodanige persoon deursoek

en op enige wapen of ammunisie beslag lê vir die doeleindes uiteengesit in artikel 11 van die vermelde Wet (wat onder andere voorsien dat die Nasionale Kommissaris 'n persoon onbevoeg kan verklaar om wapens te besit).

- (9) 'n Lid wat op 'n vuurwapen ooreenkomstig subparagraaf (8) beslag lê, moet vasstel of sodanige vuurwapen gelisensieer is en, indien nie, die misdryf in die dossier insluit.

7. Plig om algemene bystand aan die *klaer* te verleen

- (1) In terme van die *Wet op Gesinsgeweld* kan 'n *klaer* die Diens enige tyd vir bystand nader, ongeag wanneer of waar die voorval plaasgevind het. Waar 'n klagte deur die *klaer* gelê word, is dit die verantwoordelikheid van die lid wat die klagte ontvang, om 'n dossier te open en dit vir ondersoek te registreer en die lid mag dit nie probeer vermy deur die *klaer* vir berading of versoeningsdienste te verwys nie.
- (2) Waar 'n lid 'n *klaer* opspoor nadat 'n klagte van *gesinsgeweld* ontvang is, of die *klaer* 'n voorval van *gesinsgeweld* by die Gemeenskapsdienssentrum aanmeld, moet sodanige bystand as wat redelikerwys in die omstandighede vereis word, aan die *klaer* verleen word.
- (3) Om hierdie verpligting na te kom, -
- (a) moet 'n lid sodanige bystand verleen as wat deur die stasie orders, soos in paragraaf 3(6)(c) (hierbo) beoog, vereis word, insluitende bystand aan die *klaer* om 'n klagte te lê; en
- (b) kan 'n lid, waar dit redelik is, 'n familielid of vriend van die *klaer* kontak om ondersteuning aan die *klaer* te verleen.
- (4) Enige bystand wat ingevolge subparagrafe (1) - (3) aan die *klaer* verleen word, moet -
- (a) indien dit by die Gemeenskapsdienssentrum verleen word, in die Voorvalleboek aangeteken word; of
- (b) indien dit by 'n ander plek verleen word, in die Sakboek (SAPD 206) van die lid wat die bystand verleen, aangeteken word.

8. Plig om die *klaer* by te staan om gepaste skuiling te vind

- (1) Ingevolge die *Wet op Gesinsgeweld*, moet 'n lid die *klaer* bystaan om gepaste skuiling te vind of om reëlings te tref vir die *klaer* om gepaste skuiling te vind.
- (2) Om hierdie verpligting na te kom, moet 'n lid enige stasie orders, wat in hierdie verband uitgereik is, soos in paragraaf 3(6) (hierbo) beoog, nakom, en moet hy of sy ten minste -

- (a) die *klaer* voorsien van die name, kontaknommers en/of adresse van enige organisasie in die area wat in staat kan wees om gepaste skuiling en relevante ondersteunings- en/of versoeningsdienste te verleen;
 - (b) op die versoek van die *klaer* en waar dit redelik moontlik is, namens die *klaer* 'n organisasie kontak wat relevante bystand aan die *klaer* kan verleen; en
 - (c) op die versoek van die *klaer*, hulp verleen met die reëlings van vervoer vir die *klaer* na 'n gepaste skuiling of 'n organisasie wat in staat kan wees om relevante ondersteuning en/of berading te verskaf (bv. deur die familie of vriende van die *klaer* te kontak met 'n versoek om die *klaer* te vervoer, reëlings vir 'n huurmotor op die koste van die *klaer* of 'n gewillige familielid of vriend te tref, ens.). 'n Lid mag, net as 'n laaste uitweg, 'n *klaer* in 'n polisievoertuig vervoer om 'n gepaste skuiling te vind, indien sodanige voertuig beskikbaar is en daar geen ander middel van vervoer is nie. In so 'n geval moet die *klaer* meegedeel word dat hy of sy op sy of haar eie risiko vervoer word.
- (3) Enige bystand wat ingevolge subparagrafe (1) en (2) aan die *klaer* verleen is, moet -
- (a) indien dit by die Gemeenskapsdienssentrum verleen word, in die Voorvalleboek aangeteken word; of
 - (b) indien dit by enige ander plek verleen word, in die Sakboek (SAPD 206) van die lid wat die bystand verleen, aangeteken word.

9. Plig om die *klaer* by te staan om mediese behandeling te verkry

- (1) In terme van die *Wet op Gesinsgeweld* moet 'n lid die *klaer* bystaan om mediese behandeling te verkry of reëlings vir die *klaer* tref om mediese behandeling te verkry.
- (2) Om hierdie verpligting na te kom, moet 'n lid enige stasie orders wat deur die stasiekommissaris in hierdie verband uitgereik is, soos in paragraaf 3(6) (hierbo) voorsien, nakom en moet ten minste -
 - (a) die *klaer* vra of hy of sy mediese behandeling verlang en; indien wel,
 - (b) die *klaer* bystaan of reëlings tref om mediese behandeling te verkry; en
 - (c) indien 'n klagte gelê is, 'n J 88 en SAPD 308 aan die *klaer* uitreik vir voltooiing deur 'n geregistreerde mediese praktisyn. (Waar moontlik en mits vervoer beskikbaar is, moet die lid reël dat die *klaer* na die geregistreerde mediese praktisyn geneem word.) 'n Lid mag, net as 'n laaste uitweg, 'n *klaer* in 'n polisievoertuig

vervoer om mediese behandeling te verkry, indien sodanige voertuig beskikbaar is en daar geen ander middel van vervoer is nie. In so 'n geval moet die *klaer* meegedeel word dat hy of sy op sy of haar eie risiko vervoer word.

- (3) Enige bystand wat ingevolge subparagrafe (1) en (2) aan die *klaer* verleen word, moet -
 - (a) indien dit by Gemeenskapsdienssentrum verleen word, in die Voorvalleboek aangeteken word, tesame met 'n beskrywing van enige besering aan die *klaer* wat die lid self waarneem; of
 - (b) indien dit by enige ander plek verleen word, in die Sakboek (SAPD 206) van die lid wat die bystand verleen aangeteken word, tesame met 'n beskrywing van enige beserings aan die *klaer* wat die lid self waarneem.

10. Voorsien *klaer* met 'n Kennisgewing en verduidelik inhoud aan *klaer*

- (1) Om te verseker dat 'n *klaer* van sy of haar regte, asook die regsmittele tot sy of haar beskikking ingevolge die *Wet op Gesinsgeweld* ingelig is, moet die lid, waar redelik moontlik, aan die *klaer* 'n afskrif van die Kennisgewing, soos voorsien in die *Wet op Gesinsgeweld* (aangeheg as Vorm 1 van die Regulasies ingevolge die *Wet*) in die amptelike taal van die *klaer* se keuse, oorhandig.
- (2) Die regsmittele ter beskikking van die *klaer* ingevolge die *Wet op Gesinsgeweld*, is as volg:
 - (a) die reg om 'n klagte te lê;
 - (b) die reg om vir 'n beskermingsbevel aansoek te doen; of
 - (c) die reg om 'n klagte te lê asook vir 'n beskermingsbevel aansoek te doen.

Dit is belangrik om die *klaer* in te lig dat die lê van 'n klagte nie 'n voorvereiste is om vir 'n beskermingsbevel aansoek te doen nie.
- (3) Aangesien die Kennisgewing aan die *klaer* in die amptelike taal van sy of haar keuse verskaf moet word, moet die lid vasstel watter taal die *klaer* verstaan.
- (4) Sodra 'n lid vasgestel het watter taal die *klaer* verstaan, moet die volgende stappe geneem word:
 - (a) Indien die taal een van die amptelike tale van die Republiek is, moet die lid -
 - (i) indien die lid daardie taal kan praat en verstaan, 'n afskrif van die Kennisgewing aan die *klaer* in daardie taal oorhandig en die inhoud daarvan aan die *klaer* verduidelik;

(ii) indien hy of sy nie daardie taal kan praat en verstaan nie en -

(aa) iemand is beskikbaar wat daardie taal kan praat en verstaan, so 'n persoon versoek om die inhoud van die Kennisgewing aan die *klaer* in daardie taal te verduidelik; of

(bb) indien niemand beskikbaar is wat daardie taal kan praat en verstaan nie, alle redelike stappe neem om iemand te vind wat daardie taal kan praat en verstaan. Indien so 'n persoon gevind word, moet paragraaf (aa) nagekom word.

Vir doeleindes van hierdie paragraaf, moet van die verskillende vertalings van die Kennisgewing in die amptelike tale van die Republiek gebruik gemaak word.

(b) Indien die taal nie een van die amptelike tale van die Republiek is nie, moet die lid -

(i) indien hy of sy in daardie taal kan kommunikeer, die inhoud van die Kennisgewing aan die *klaer* in daardie taal oordra;

(ii) indien hy of sy nie in daardie taal kan kommunikeer nie en -

(aa) iemand wat in daardie taal kan kommunikeer, is beskikbaar, so 'n persoon versoek om die inhoud van die Kennisgewing aan die *klaer* in daardie taal oor te dra; of

(bb) indien niemand beskikbaar is wat in daardie taal kan kommunikeer nie, alle redelike stappe neem om iemand wat in daardie taal kan kommunikeer, te vind. Indien so 'n persoon gevind word, moet paragraaf (aa) nagekom word.

(c) Enige stappe wat ingevolge subparagrafe (a)(ii)(bb) of (b)(ii)(bb) geneem is, moet -

(i) indien dit by Gemeenskapsdienssentrum geneem is, in die Voorvalleboek aangeteken word; of

(ii) indien dit by enige ander plek geneem is, in die Sakboek (SAPD 206) van die lid wat die stappe geneem het, aangeteken word.

(5) Die lid moet die *klaer* versoek om in die Voorvalleboek of in sy of haar Sakboek, watter een ookal van toepassing is, by die relevante inskrywing, waarna in subparagraaf (4)(c) verwys word, te teken. Hierdeur bevestig die *klaer* dat hy of sy van sy of haar regte en die regsmiddele ingevolge die *Wet op Gesinsgeweld* ingelig is en dat hy of sy die inhoud daarvan verstaan.

(6) Indien die *klaer* weier om in die Voorvalleboek of in die Sakboek te teken of nie in staat is om te teken nie, moet 'n derde persoon wat gesien het

dat die regte en regsmiddele aan die *klaer* verduidelik is, versoek word om in die Voorvalleboek of Sakboek te teken, om te bevestig dat hy of sy dit gesien het en dat die *klaer* geweier het om in die Voorvalleboek of Sakboek, watter een ookal van toepassing is, te teken.

11. Spesifieke bevoegdheids- en verpligtinge van lede ingevolge die *Wet op Gesinsgeweld*

(1) Beslaglegging op wapens en gevaarlike wapens ingevolge 'n hofbevel

- (a) Die hof mag, ingevolge artikel 7(2)(a) van die *Wet op Gesinsgeweld*, 'n lid beveel om op enige wapen of gevaarlike wapen in die besit of onder die beheer van 'n *respondent*, beslag te lê.
- (b) Enige sodanige vuurwapen waarop beslaggelê is, moet by die polisiestasie ingehandig en ooreenkomstig artikel 11 van die Wet op Wapens en Ammunisie, 1969, hanteer word.
- (c) Enige gevaarlike wapen waarop beslaggelê is, moet by die polisiestasie ingehandig word en 'n onderskeidende uitkenningsteken (SAPD 13) moet aangeheg word en die wapen moet in polisiebewaring gehou word vir die tydperk wat die hof bepaal, en mag slegs aan die *respondent* of, indien die *respondent* nie die eienaar van die gevaarlike wapen is nie, aan die eienaar daarvan, op bevel van die hof en op sodanige voorwaardes as wat die hof mag bepaal, teruggehandig word.
- (d) Die normale prosedures, soos in Staande Orders 332-336 uiteengesit, en wat van toepassing is op bewysstukke of verlore of gesteelde eiendom, moet gevolg word, inaggenome die bepalings van artikel 9(3) van die Wet wat bepaal dat daar net oor sodanige gevaarlike wapen beskik mag word ooreenkomstig 'n hofbevel.

(2) Arrestasie van 'n persoon met 'n lasbrief wat die beskermingsbevel oortree

- (a) Waar 'n *respondent* enige verbod, voorwaarde, verpligting of lasgewing vervat in 'n beskermingsbevel, oortree, kan 'n *klaer* die lasbrief vir arrestasie tesame met 'n beëdigde verklaring waarin verklaar word dat die *respondent* sodanige beskermingsbevel oortree het, aan enige lid oorhandig.
- (b) Indien dit, by ontvangs van die lasbrief vir arrestasie tesame met die beëdigde verklaring, waarna in subparagraaf (a) (hierbo) verwys is, aan die lid blyk dat daar redelike gronde is om te vermoed dat die *klaer* aan dreigende leed blootgestel is as gevolg van die beweerde verbreking van die beskermingsbevel, moet die lid die *respondent* weens die verbreking van die beskermingsbevel

uit hoofde van die lasbrief arresteer.

- (c) By die oorweging van die vraag of die *klaer* aan dreigende leed blootgestel is, moet 'n lid die volgende in ag neem:
 - (i) die risiko vir die veiligheid, gesondheid of welstand van die *klaer*;
 - (ii) die erns van die optrede wat 'n beweerde verbreking van die beskermingsbevel uitmaak; en
 - (iii) die tydsduur sedert die beweerde verbreking plaasgevind het.

Met dien verstande dat, indien die respondent in so mate onder die invloed van drank is dat 'n Kennisgewing (waarna in subparagraaf (d)(hieronder) verwys is) nie aan hom of haar oorhandig kan word nie, moet die respondent ook gearresteer word.
- (d) Indien die lid van mening is dat daar nie voldoende gronde is om die *respondent* te arresteer nie, moet hy of sy onverwyld 'n skriftelike Kennisgewing, soos beoog in Vorm 11 van die Regulasies, aan die *respondent* oorhandig. Die lid moet die eersvolgende hofdag as verskyningsdatum op die vorm aanbring en die sertifikaat in die Kennisgewing vervat, voltooi. Die lid moet 'n duplikaat oorspronklike van hierdie Kennisgewing in die dossier plaas wat weens die verbreking geopen word. Die dossier moet op die eersvolgende hofdag na die hof geneem word.
- (e) Wanneer 'n lasbrief vir arrestasie aan 'n lid van die Diens, soos in subparagraaf (a) (hierbo) voorsien, oorhandig word, moet die lid die *klaer* inlig van sy of haar reg om terselfdertyd, indien van toepassing, 'n klagte teen die *respondent* te lê, en aan die *klaer* verduidelik hoe om so 'n klagte te lê.

(3) Betekening van dokumente

'n Lid kan deur die hof beveel word om 'n interim of finale beskermingsbevel te beteken. Indien 'n lid gelas word om 'n tussentydse beskermingsbevel te beteken, moet die lid die bevel sonder vertraging beteken, aangesien dit slegs bindend word op die *respondent* wanneer die bevel op hom of haar beteken is. Solank as wat die tussentydse beskermingsbevel nie beteken is nie, kan die *klaer* in gevaar verkeer. 'n Finale beskermingsbevel word onmiddellik bindend wanneer dit uitgereik is, selfs al is dit nog nie beteken nie.

(4) Vergesel *klaer* om persoonlike eiendom af te haal

- (a) Die hof mag in 'n beskermingsbevel beveel dat 'n vredesbeampte (wat enige lid insluit) die *klaer* na 'n spesifieke plek vergesel om hulp te verleen met reëlins betreffende die afhaal van persoonlike eiendom wat in die bevel gespesifiseer is. Dit is belangrik om daarop te let dat die doel met die vergesel van die *klaer* is om die veiligheid van so 'n *klaer* te verseker en nie om die

lid betrokke te maak in enige dispuut oor eiendomsreg ten opsigte van persoonlike eiendom nie. So 'n lid moet redelike stappe neem om die veiligheid van die *klaer* tydens die afhaal van die eiendom te verseker.

- (b) Die *klaer* en die lid mag die perseel, vermeld in die beskermingsbevel, betree om die persoonlike eiendom van die *klaer*, soos in die beskermingsbevel bepaal, af te haal. Voordat 'n privaat woning betree word, moet die *klaer* of die lid egter hoorbaar toegang eis en die okkupeerder inlig van die doel waarvoor hulle die woning wil betree.
- (c) Indien, nadat toegang tot 'n private woning hoorbaar geëis is, toestemming om binne te gaan deur die *respondent* geweier word, oortree hy of sy die beskermingsbevel en is derhalwe skuldig aan minagting van die hof. In so 'n geval, mag die lid sodanige geweld gebruik as wat redelikerwys in die omstandighede nodig is om enige verset teen die betreding te bowe te kom, insluitend die oopbreek van enige deur of venster van so 'n perseel en die perseel betree en die *respondent* arresteer.
- (d) Indien 'n lid deur 'n *klaer* genader word om hom of haar te vergesel en dit nie moontlik is om dit onmiddellik te doen nie, moet die lid, indien geen ander vredesbeampte beskikbaar is om die *klaer* te vergesel nie, 'n redelike tyd reël wanneer dit gepas sal wees om so te doen.
- (e) Indien 'n vredesbeampte 'n *klaer* ooreenkomstig 'n beskermingsbevel vergesel om sy of haar persoonlike eiendom af te haal, moet die vredesbeampte die veiligheid van die *klaer* verseker terwyl hy of sy die eiendom wat in die beskermingsbevel gespesifiseer is, verwyder.

12. Byhou van rekords ten opsigte van voorvalle van gesinsgeweld

- (1) Alle voorvalle van *gesinsgeweld* wat by 'n polisiestasie aangemeld is, moet in die Gesinsgeweldregister (SAPD 508(b)) aangeteken word en dit is die verantwoordelikheid van die stasiekommissaris om te verseker dat 'n akkurate rekord van alle voorvalle van *gesinsgeweld* bygehou word.
- (2) Lede moet hulle reaksie op elke voorval van *gesinsgeweld* volledig in 'n "Verslag van voorval van Gesinsgeweld"-vorm (SAPD 508(a)) aanteken, ongeag of 'n misdryf gepleeg is. 'n Lêer met verwysing 39/4/2/3 moet elke maand geopen word en alle SAPD 508(a)-vorme wat gedurende die maand voltooi is, moet daarin geliasseer word. Die betrokke maand moet na die verwysingsnommer aangeteken word, byvoorbeeld al die SAPD 508(a)-vorme wat gedurende Januarie 2000 voltooi is, moet met verwysing 39/4/2/3(1/2000) geliasseer word.

- (3) Indien 'n lid na die toneel van *gesinsgeweld* uitgaan en daar geen klagtes gelê of arrestasies uitgevoer word nie, moet die lid die redes daarvoor in sy of haar Sakboek (SAPD 206) aanteken.
- (4) Gewaarmerkte afskrifte van beskermingsbevele en van die lasbriewe vir arrestasies soos voorsien in die *Wet op Gesinsgeweld*, sal deur die klerk van die hof na die Gemeenskapsdienssentrum van die *klaer* se keuse gestuur word. Besonderhede van die beskermingsbevel moet in die toepaslike kolomme van die Gesinsgeweldregister (SAPD 508(b)), waar 'n inskrywing rakende die klagte reeds gemaak is, aangeteken word. Waar geen aantekening bestaan nie, moet 'n nuwe inskrywing gemaak word.
- (5) 'n Afskrif van elke beskermingsbevel en lasbrief vir arrestasie wat ontvang is, moet in 'n aparte lêer (onder verwysing 39/4/3/1) wat ooreenkomstig die Registrasie en Rekordbeheer Prosedure wat deel vorm van die Rekordklassifikasiestelsel wat op 15 September 1997 geïmplementeer is, geliasseer word. Daar moet aan elke lêer 'n saaknommer toegewys word, om die opsporing daarvan te vergemaklik (byvoorbeeld 39/4/3/1(1) Koos Nel). Die nommer van die saak (in bovermelde geval (1)), moet ooreenkom met die nommer wat in die indekstelsel verskyn wat geskep is, soos wat in die vierde paragraaf onder afdeling 16.2 van die Registrasie en Rekordbeheer Prosedure uiteengesit is. Hierdie lêers moet geliasseer word op 'n plek wat na-ure toeganklik is sodat dit gereadig beskikbaar is vir die nagaan daarvan in die geval van 'n oortreding van die beskermingsbevel.
- (6) Beskikking oor bovermelde lêers moet geskied ooreenkomstig die goedgekeurde beskikkingsmagtiging.

13. Klagtes rakende nie-nakoming deur lede en verwittiging van so 'n nie-nakoming aan die Onafhanklike Klagtesdirektoraat

- (1) In terme van die *Wet op Gesinsgeweld*, maak 'n versuim van 'n lid om 'n verpligting ingevolge die Wet of hierdie Nasionale Instruksie na te kom, wangedrag uit. Dissiplinêre verrigtinge moet derhalwe, ooreenkomstig regulasie 8 van die Dissipline Regulasies, ingestel word teen 'n lid wat versuim om 'n verpligting ingevolge die *Wet op Gesinsgeweld* of hierdie Nasionale Instruksie na te kom.
- (2) Dit is die verantwoordelikheid van die bevelvoerder van 'n lid, wat versuim het om 'n verpligting ingevolge die *Wet op Gesinsgeweld* of hierdie Nasionale Instruksie na te kom, om dissiplinêre verrigtinge teen so 'n lid in te stel. Waar die bevelvoerder van oordeel is dat dissiplinêre verrigtinge nie teen so 'n lid ingestel behoort te word nie, moet die

bevelvoerder by die Onafhanklike Klagtesdirektoraat vir vrystelling aansoek doen. So 'n aansoek moet 'n volledige verslag bevat, wat die redes vir die aansoek vir vrystelling insluit, en moet binne 30 dae na ontvangs van die klagte, aan die kantoor van die Area Kommissaris gestuur word.

- (3) Die Area Kommissaris moet, indien hy of sy saamstem dat geen dissiplinêre stappe geneem behoort te word nie, die aansoek waarna in subparagraaf (2) (hierbo) verwys is, binne 14 dae na die ontvangs daarvan aan die Provinsiale Kommissaris stuur wat, indien hy of sy saamstem dat geen dissiplinêre stappe geneem behoort te word nie, die aansoek onmiddellik aan die provinsiale kantoor van die Onafhanklike Klagtesdirektoraat moet voorlê.
- (4) Die provinsiale kantoor van die Onafhanklike Klagtesdirektoraat het ingestem om die Provinsiale Kommissaris skriftelik, binne 30 dae na die ontvangs van die aansoek vir vrystelling in kennis te stel of vrystelling toegestaan is of nie, en in die geval waar vrystelling nie toegestaan is nie, van die redes waarom sodanige vrystelling nie toegestaan is nie.
- (5) Vorderingsverslae betreffende dissiplinêre verrigtinge wat teen lede ingevolge artikel 18(4) van die Wet ingestel is, moet op 'n maandelikse basis deur 'n bevelvoerder aan die Area Kommissaris gestuur word.

14. Byhou van rekord ten opsigte van klagtes teen lede

- (1) Dit is die verantwoordelikheid van elke stasiekommissaris om rekord te hou van -
 - (a) die aantal en besonderhede van klagtes ontvang teen lede onder sy of haar bevel, ten opsigte van 'n versuim om enige verpligting ingevolge die *Wet op Gesinsgeweld* of hierdie instruksies na te kom;
 - (b) die dissiplinêre verrigtinge wat as gevolg daarvan ingestel is en die besluite wat uit sulke verrigtinge voortvloei het; en
 - (c) die stappe wat geneem is as gevolg van aanbevelings wat deur die Onafhanklike Klagtesdirektoraat gemaak is.
- (2) Elke bewering van wangedrag rakende 'n beweerde versuim deur 'n lid om enige verpligting wat opgelê is ingevolge die *Wet op Gesinsgeweld*, die Regulasies ingevolge die Wet of die Nasionale Instruksie wat daarop betrekking het, wat ontvang is tydens 'n vorige maand, moet op die SAPD 508 aangeteken word. Hierdie opgawe moet aan die relevante Area Kommissaris voor die derde werksdag van elke maand voorgelê word.
- (3) 'n Gekonsolideerde opgawe op die SAPD 508 moet voor die sewende

werksdag van elke maand deur die Area Kommissaris aan die Provinsiale Kommissaris voorgelê word. Die Provinsiale Kommissaris moet 'n gekonsolideerde opgawe voor die tiende werksdag van elke maand aan die provinsiale kantoor van die Onafhanklike Klagtesdirektoraat en die Afdelingskommissaris: Misdaadvoorkoming voorsien vir voorlegging aan die Parlement, soos vereis deur artikel 18(5)(d) van die Wet.

- (4) Wanneer dissiplinêre verrigtinge teen 'n lid nog nie afgehandel is nie, moet die opgawe van die daaropvolgende maand weer eens besonderhede omtrent die klagte bevat. In so 'n geval moet die maandelikse volgnommer in die eerste kolom dieselfde bly. (Voorbeeld: Die Februarie opgawe sal weer eens verwys na 'n klagte wat in Januarie ontvang is, maar wat nie in Januarie afgehandel is voordat die Januarie opgawe voltooi is nie. So 'n inskrywing moet verskyn voordat die nuwe klagtes wat in Februarie ontvang is, op die opgawe verskyn. Die Januarie klagte sal steeds die Januarie volgnommer behou, byvoorbeeld 13/1/2000).
- (5) Die kodes wat in kolom 6 aangeteken moet word, is as volg:
- DS1 Regstellende stappe na voorlopige onderhoud (nie ernstig nie)
 - DS2 Mondelingse waarskuwing na voorlopige onderhoud (nie ernstig nie)
 - DS3 Skriftelike waarskuwing (nie ernstig nie)
 - DS4A Departementele ondersoek (ernstig): ondersoek duur voort
 - DS4B Departementele ondersoek (ernstig): skuldig (vermeld straf)
 - DS4C Departementele ondersoek (ernstig): onskuldig
-

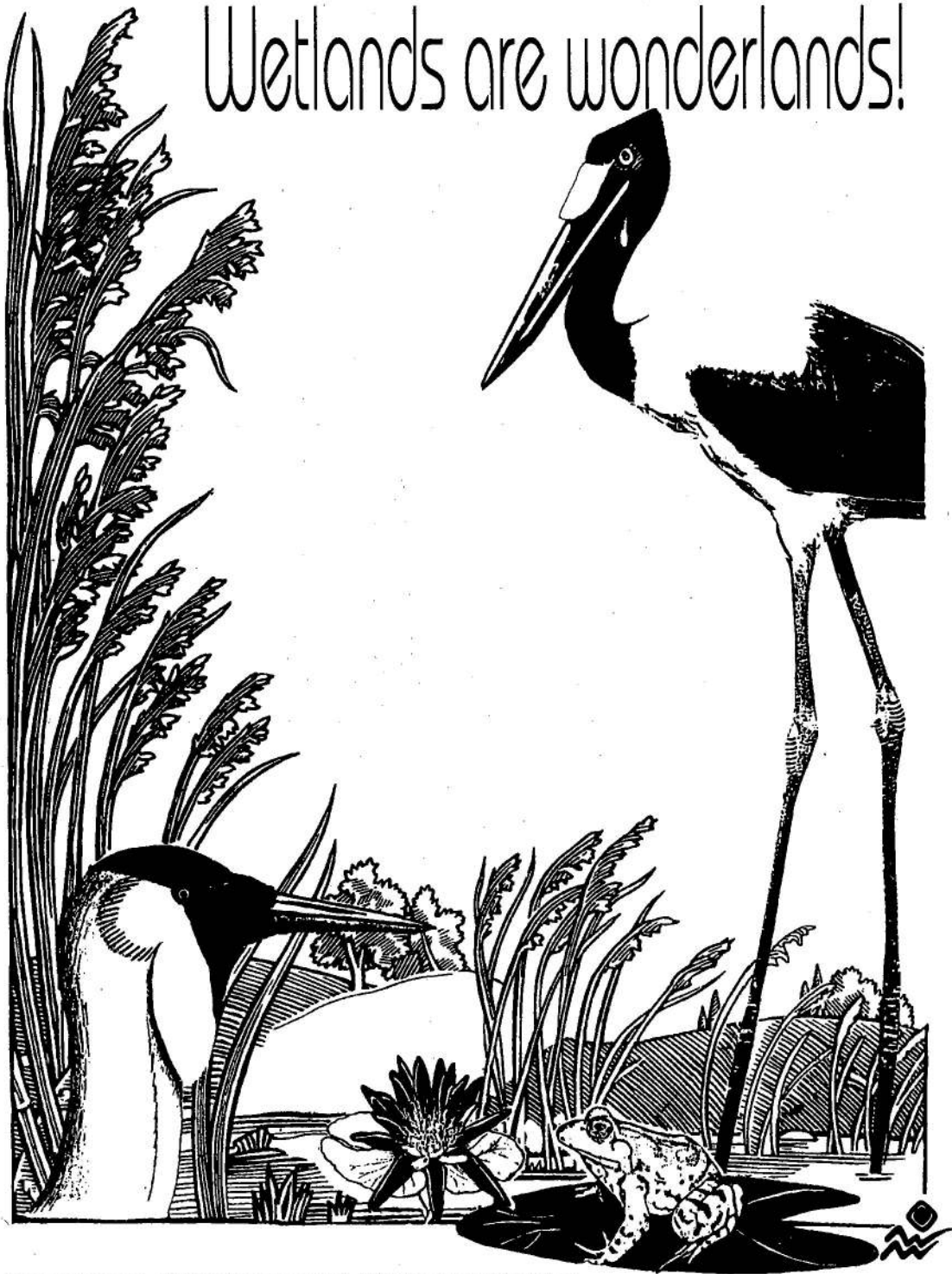
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