

NGIFISA SENGATHI NGANGAZI

incwadi yepharoli:

ebhalwe abantu abakupharoli beyibhalela abantu
abakupharoli

I-Zonk'izizwe Odds Development ne-Beyond the Bars, ngosizo lwe-Sonke
Gender Justice



SINGOBANI THINA?

I-Zonk'izizwe Odds Development yinhlango engenzi inzuzo ezinze e-Johannesburg eyasungulwa futhi yaphathwa abantu ababoshiwe kanye nababeboshiwe ngaphambilini (iziboshwa kanye nababeyiziboshwa ngaphambilini). Isebenza ukusiza ukuhlanganiswa kwabantu abakupharoli kanye nabanye abantu ababeboshiwe ngaphambilini nemiphakathi yabo, futhi kwenziwe usizo lwezinguquko emajele eNingizimu Afrika ukuqinisekisa ukuphepha kanye nokuphathiswa okwabantu kwabo bonke abantu abavalelwe.

I-Sonke Gender Justice yinhlango engenzi inzuzo esebenza nohulumeni, imiphakathi yabantu kanye nezakhamuzi kuzwelonke nakuzifundazwe, ukukhuthaza ukulingana ngokobulili, ukuvimbela udlame oluncike ebulilini kanye nokunciphisa ukusabalala kanye nomthelela we-HIV neNgculazi. Njengengxenywe yomsebenzi wayo, i-Sonke ikhankasela ukuguqula uhlelo lwamajele eNingizimu Afrika ngokuhlanganisa imfundo yomphakathi kanye nokugqugquzela, ukunxenxa abenzi bezinqumo, imikhankaso yabezindaba kanye namacala asenkantolo.

I-Beyond the Bars yiqembu elesekayo labantu ababeboshiwe ngaphambilini eliseGugulethu naseLanga eMpumalanga Kapa. Laqalwa amalungu abasebenzi be-Sonke Gender Justice ukusiza abantu ababekupharoli kanye nababekade beboshiwe ngaphambilini ngokuphinde libahlanganise nemiphakathi yabo.

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OKUQUKETHWE

1. INHLOSO YALE NCWADI.....	4
2. YINI 'IPHAROLI'?	4
3. NGIYILUNGELA NINI IPHAROLI?	4
4. YINI 'IMIBANDELA YEPHAROLI' FUTHI IZONGITHINTA KANJANI MINA?	5
5. UKUQINISEKISWA KOHLELO LWEKHELI.....	6
6. ZIYINI IZINZUZO KANYE NEZINSELELE ZEPHAROLI?	7
IZINZUZO	7
IZINSELELE	8
7. AMASU AVELA KUBANTU ABAKUPHAROLI OKUTHI UNGABHEKANA KANJANI NEPHAROLI.....	10
8. IGAMA ELIYISICI NOKUTHI UBHEKANA KANJANI NALO	12
YINI IGAMA ELIYISICI?	12
UKUBHEKANA NEGAMA ELIYISICI.....	13
9. UKUFINYELELA EKUNAKEKELWENI KWEZEMPILO	14
ABANTU ABAKUPHAROLI KANYE NE-HIV	15
10. UKUKHISHWA KWAMAREKHODI OBUGEBENGU	15
IZIDINGONGQANGI	18

1. INHLOSO YALE NCWADI

Le ncwadi yasungulwa ngabantu abakupharoli kanye neziboshwa zangaphambilini ukusiza abantu abakupharoli ngaphambi nangemuva kokudedelwa ukuthi bazi kabanzi ngokuthi iyini ipharoli nokuthi isebenza kanjani, kanye nokubanikeza usizo lokubalungiselela impilo ngokushesha ngemuva kokuba kade besejele. Khumbula ukuthi le ncwadi yimfishane kakhulu futhi izokunika izinto ezibalulekile kuphela. Ukuze uthole ulwazi oluthe xaxa, kufanele uxhumane nezinhlangano ezibalwe ngaphansi kwe'Zidingongqangi'.

2. YINI 'IPHAROLI'?

'Ipharoli' ngezinye izikhathi ibizwa ngokuthi 'ukusuphavayizwa kokulungisa' kulapho isiboshwa esigwetshiwe sinikwa ithuba lokuqhuba isigwebo saso ngaphandle kwasejele ngaphansi kokulawula koKuhlunyelelisa Kwezimilo Komphakathi - ingxenye encane yoMnyango Wezokuhlunyelelisa Kwezimilo ebhekene nomsebenzi wokwengamela abantu abakupharoli uma sebekhishiwe.



Ipharoli kuhloswe ngayo ukwenza abantu abakupharoli ukuthi bakwazi ukuphila impilo engenabugebengu futhi ekwazi ukubhekana nalokho okufanele bakwenze emphakathini, ukuze babuyiselwe esimweni esifanele nokubasiza ukuthi baphinde bahlanganise nemiphakathi yabo.¹

3. NGIYILUNGELA NINI IPHAROLI?

Iziboshwa azinalo ilungelo elisemthethweni lepharoli.² Ipharoli ithathwa ngokuthi yilungelo elikhethekile, futhi linganikezwa noma lingavunyelwa ngokuSuphavayizwa Kokuhlunyelelisa Kwezimilo kanye neBhodi Yepharoli noma, esimweni seziboshwa ezigwetshwe udilika jele, nguNgqongqoshe

¹ Umthetho Wezokuhlunyelelisa Kwezimilo Nombolo 111 ka-1998, isigaba 50.

² Isigaba 73(1) soMthetho Wokuhlunyelelisa Kwezimilo sithi ngokokuhlinzeka komthetho, umuntu owephule umthetho ogwetshiwe kufanele ahlale esikhungweni sokuqondiswa izigwegwe isikhathi esigcwele sesigwebo sakhe.

Wezokuhlunyeleliswa Kwezimilo. Kodwa-ke, umthetho uthi uma isiboshwa sikwazi ukukhombisa ukuthi sesibuyele esimweni esifanele futhi asisiyo ingozi emphakathini, asikho isizathu sokuthi zingalutholi usizo kupharoli.³ Ziningi izinto eziphathelene nokuthi uzonikwa yini noma angeke unikwe ipharoli. Uma unobunzima bokuthola ipharoli, kungcono ukubonisana nomeluleki wezomthetho. Imininingwane yokuxhumana nabeluleki bezomthetho ifakiwe engxenyeni 'yeZidingongqangi' ekugcineni kwale ncwadi.

*Uma ugwetshwe ukuhlala ejele isikhathi esingaphansi kweminyaka emibili, uzolungela ukuya kupharoli uma sewuseve isikhathi ongeke uthole ngaso ipharoli esishiwo kusigwebo sakho. Uma kungekho sikhathi esibekelwe ukuthi angeke uthole ngaso ipharoli esashiwo, uyolungela ukuthola ipharoli uma sewuseve **ikwata** yesigwebo sakho.⁴*

*Uma ugwetshwe ukuhlala ejele isikhathi esingaphezu kweminyaka emibili, uzolungela ukuya kupharoli uma sewuseve isikhathi ongeke uthole ngaso ipharoli esishiwo kusigwebo sakho. Uma kungekho sikhathi esibekelwe ukuthi angeke uthole ngaso ipharoli esashiwo, uyolungela ukuthola ipharoli uma sewuseve **uhhafu** wesigwebo sakho.⁵*

*Uma ugwetshwe udilika jele, kufanele useve okungenani **iminyaka engama-25** esigwebo sakho ngaphambi kokuba ulungele ukuthola ipharoli. Uma sewuseve isigwebo noma izigwebo ezikhulisiwe ezingaphezu kweminyaka engama-25, kufanele icatshangwe ipharoli.⁶*

4. IYINI 'IMIBANDELA YEPHAROLI' FUTHI IZONG-ITHINTA KANJANI MINA?

Uma unikwe ipharoli, ukudedelelwa kwakho ekuqashweni ngumphakathi kuncike ngokuvamile emibandeleni embalwa.⁷ Inhloso yale mibandela wukusiza abantu abakupharoli ngokubuyiselwa kwabo esimweni, kanye nokuvikela imiphakathi yabo ngokuvimbela abantu abakupharoli ekutheni baphinde benze obunye ubugebengu.

³ Lokhu kwashiwo yinkantolo ecaleni lika *Motsemme ebhekene noNgqongqoshe Wezokuhlunyeleliswa Kwezimilo Nabanye (Motsemme v Minister of Correctional Services and Others)* 2006 (2) SACR 277 (W).

⁴ Umthetho Wezokuhlunyeleliswa Kwezimilo, isigaba 73(6)(aA).

⁵ Umthetho Wezokuhlunyeleliswa Kwezimilo, isigaba 73(6)(a).

⁶ Umthetho Wezokuhlunyeleliswa Kwezimilo, isigaba 73(6)(b)(iv).

⁷ Le mibandela ishiwo kuzigaba 52 kanye no-52-72 zoMthetho Wezokuhlunyeleliswa Kwezimilo.

Le mibandela ingabandakanya:

- Ukungaqhubeki nokwenza ubugebengu;
- Ukuhlala ekhelini elingaguquki;
- Ukungaphuzi utshwala noma ukungasebenzisi izidakamizwa;
- Ukufuna umsebenzi;
- Ukuba nesikhathi obekelwe sona sokuhlala ngaphakathi endlini ungaphumi ngaphandle (ukuthi ube sekhaya phakathi kwamahora athize);
- Ukuhlanganyela emsebenzini womphakathi; kanye
- Nokuqashwa nguKuhlunyelelisa Kwezimilo Komphakathi

Abantu abakupharoli bahlelwa ngezigaba kanje 'ingozi ephansi', 'ingozi ephakathi nendawo' noma 'ingozi ephezulu' ngokokuboshwa kwabo kanye nezigwebo zabo. Kusebenza imibandela ehlukeneyepharoli kusigaba ngasinye. Kungenzeka ukuthi isigaba sengozi okuso sishintshe uma ungayiphuli imibandela yepharoli yakho futhi uqhubeka nokukhombisa ukuthi sewubuyele esimweni esifanele.

Ekuqaleni kwepharoli yakho, Umthetho Wezokuhlunyelelisa Kwezimilo uthi umsebenzi wezokuhlunyelelisa kwezimilo kufanele akwazise ngemibandela yepharoli yakho ngokokubhalela. Uma ungakwazi ukufunda, kufanele bakutshale ngomlomo, futhi kufanele uqinisekise ukuthi bakwenzile lokho.

5. UKUQINISEKISWA KOHLELO LWEKHELI

Uma iziboshwa zifaka isicelo sepharoli ngokusebenzisa Ikomiti Elibhekele Amacala elifanele eSikhungweni Sezokuhlunyelelisa Kwezimilo sazo, kudingeka ukuthi zinikeze Umnyango Wezokuhlunyelelisa Kwezimilo kanye neBhodi Yepharoli ikheli lapho ezizobe zihlala khona uma zinikwe ipharoli. Lokhu okulandelayo ngamathiphu awusizo okufanele uwakhumbule lapho uhlinzeka ngekheli:

- Uma kwenzeka, zama ukunikeza ikheli eliseduze nendawo esevisayo ebhekela abantu abakupharoli abangasebenzi ukuze ukwazi ukufinyelela khona kalula ngaphandle kokuthi kudingeke ukuthi uhambe amabanga amade futhi uchithe nemali ngokwenza njalo;
- Khumbula ukuthi uma udinga ukuthi kugcwaliswe nanoma yimuphi umsebenzi osemthethweni maqondana nepharoli yakho, njengokubika kokwepulwa kwepharoli, kuzodingeka ukuthi uye eZikhungweni

Zokuhlunyeleliswa Kwezimilo ezingekho kuwo wonke umphakathi, kanti lokhu kuhamba kuyoba yizindleko zakho.



Uma udinga ukushintsha ikheli lakho eliqinisekisiwe, kufanele ulandele lolu hlelo:

- Yana eSikhungweni Sokuhlunyeleliswa Kwezimilo (Isikhungo) ofakwe kuso bese ufaka isicelo sokushintshwa kwekheli eliqinisekisiwe ngokuthi ugcwalise ifomu elikhethiwe. Kuzothatha izinsuku zokusebenza eziyi-14 ukusebenza ngesicelo esifakiwe.
- Isikhungo ofakwe kuso sizofeksela isicelo sakho eSikhungweni esisha esiseduze nendawo entsha ohlose ukuhlala kuyo. Abasebenzi baseSikhungweni esisha bazovakashela ikheli ukuliqinisekisa ukuthi likhona yini nokuthi uzokwazi yini ukuhlala khona. Uma sebeliqinisekisile ikheli, bazothumela umbiko omuhle eSikhungweni owafakwa kuso.
- Uma umbiko omuhle uthunyelwe eSikhungweni sakho ofakwe kuso, kufanele uvakashele Isikhungo ofakwe kuso, ugcwalise ifomu elikhethiwe bese uthatha ikhophi yale fomu uyise eSikhungweni sakho esisha. Okwamanje, abasebenzi eSikhungweni ofakwe kuso bazohambisa ifayela lakho eSikhungweni esisha (noma balipose uma Isikhungo sakho esisha sikwesinye isifundazwe).
- Kuzodingeka ukuthi unike isizathu sokushintsha kwakho ikheli. Cabangisisa ukuthi kungani ushintsha ikheli nokuthi ingabe kunesidingo yini.
- Uma kunesimo esiphuthumayo futhi ingekho into ongayenza kodwa kufanele uhambe ngaphambi kokuthi isicelo sakho sisetshenzwe, kufanele uxhumane nesisebenzi esikhethiwe sepharoli yakho ukuze uxoxe ngakho naye.

6. ZIYINI IZINZUZO KANYE NEZINSELELE ZEPHAROLI?

IZINZUZO

Kunezinye izinzuzo eziphawulwe ngabantu abakupharoli kanye nabantu ababeboshiwe ngaphambilini:

- Awuvalelwe ejele. Nakuba ipharoli ikubekela imingcele, uzoba nethuba lokuseva ingxenye yesigwebo sakho ngaphandle kwasejele, emphakathini wakini.

- Uzokwazi ukuphila impilo ngaphandle futhi ukwazi ukuthola amathuba atholwa abantu ababeboshiwe ngaphambilini ukuthi ushintshe indlela yempilo yakho.
- Uzoba nethuba lokulungisa amaphutha owawenza akuholela ekutheni uye ejele.
- Uzoba nethuba lokuthi uphinde uxhumane nomndeni wakho kanye nabangane.
- Kungenzeka ukuthi ufinyelele kumathuba amaningi okufunda, okuthola amakhono noma okuthola umsebenzi kunokuba bewungawathola ngaphakathi ejele.
- Uzonikwa inhlonipho yesithunzi sakho ngaphandle ngezindlela obewungeke uhlonishwe ngazo ngaphakathi ejele.



"Ijele alisiyona indawo ephephile. Ngenye into abaningi bethu abazoyicabanga lapho ungaphakathi ejele. Ngesikhathi ungena evenini uyazi ukuthi manje sewuya esiteshini samaphoyisa bese kuthi emva kwesiteshi samaphoyisa kube yijele bese manje uqala ukushintsha indlela ocabanga ngayo bese uqala ukucabanga ngawe njengesiboshwa ... kunendlela ethize yokucabanga ejele...[futhi] awulali ejele njengoba ulala ngaphandle. Awuphumuli ejele...njalo uhlala ubhekile. Ejele njalo uqaphile. Kufanele njalo uphaphame". – Ilungu le-Beyond the Bars

IZINSELELE

Kunezinzuzo ezimbalwa zokuba kupharoli ezenza ukuthi kuthandekke kakhulu kunokuboshwa ngaphakathi ejele, kodwa khumbula ukuthi ipharoli isangaba nzima. Kunezinye zezinselele abantu abakupharoli abahlangabezane nazo kanye nabantu ababeboshiwe ngaphambilini:

- Kungaba nzima ukuphinde uthole ukwethenjwa ngumndeni wakho kanye nomphakathi. Kangingi uthelwa ngehlazo ngenxa yerekhodi lakho lobugebengu futhi abantu bakubheka ngokokusola. Ungaziphonsela inselele lezi zindlela zokucabanga uma kungukuthi uzizwa uphephile ukukwenza lokho. (Ukuze uthole olunye ulwazi, bona 'Igama eliyisici nokuthi ubhekana kanjani nalo' ekhasini 12.)
- Ukuthola umsebenzi kungaba nzima ngoba kungenzeka ukuthi awulungiselelwe ngokwanele ngaphakathi ejele ukufuna umsebenzi, futhi kungenzeka kube namagebe kukharikhulamu vithaye ('CV'). Abaqashi abaningi kungenzeka bangafuni ukuqasha umuntu onerekhodi

lobugebengu, kodwa umndeni wakho usangalindela ukuthi ubondle futhi isisebenzi sepharoli yakho kungenzeka silindele ukuthi uthole umsebenzi ngokushesha lapho udedelwa. Kudingeka ukwazi ukwenza imali yokuthola izinto ezibalulekile ezithize, njengezinto zokugeza kanye nokudla manje ngoba awusazitholi ejele.

- Imibandela yepharoli inemingcele futhi kunzima ukuyilandela, futhi kwenza ukuthi kube nzima ukufuna umsebenzi. Ngesikhathi usejele futhi ulindele ipharoli, kungenzeka ukuthi awuzilungiselele ukubhekana nemibandela enemingcele nenzima kanye nokuthi izokuthinta kanjani wena.
- Umthetho Wezokuhlunyeleliswa Kwezimilo uhlinzeka ngokuthi bonke ababoshiwe asebegwetshiwe kufanele bakulindele ukufakwa ezindaweni, ukudedelwa bese bephinda behlanganiswa nomphakathi ngokuhlanganyela ohlelweni lwangaphambi kokukhululwa.⁸ Kodwa-ke, ngokujwayelekile kubikiwe ukuthi izinhlelo zangaphambi kokudedelwa ezinikezwa ejele azikulungiseleli ngokwanele ukubhekana nomhlaba wangaphandle. Ngezinye izikhathi awunalo ngisho ithuba lokuya ohlelweni Lwangaphambi Kokukhululwa ngaphakathi ejele.
- Kufanele uyovela eKuhlunyelelisweni Kwezimilo ngokuvamile. Lokhu kungabandakanya ukuthi uhambe uye ngaphandle kwendawo ohlala kuyo futhi kuzoba nzima ukukwenza uma kungekho mali onayo noma ilungu lomndeni elikwesekayo noma umngane ozokuhambisa.
- Kungenzeka kube nzima ukuthola umtholampilo futhi ufinyelele emuthini wezifo ezingapheli, njengomuthi we-TB nowe-HIV. Uma unobunzima bokuthola umtholampilo, ungashayela inombolo yosizo ye-National AIDS Helpline. Inombolo ifakiwe engxenyeni 'yeZidingongqangi' ekugcineni kwale ncwadi.
- Izisebenzi zepharoli kaningi azikutsheli umuthi zizokuvakashela nini ukuzokuhlola ukuthi ubambelele yini emibandeleni yepharoli yakho. Kufanele ube sekhaya ngamahora akhethiwe ukuqinisekisa ukuthi awephuli imibandela yepharoli yakho.
- Kaningi kungaba nzima futhi kubize kakhulu ukufeza imibandela yepharoli yakho. Isibonelo, uma ungenayo imali, angeke ukwazi ukuthenga i-airtime

⁸Umthetho Wezokuhlunyeleliswa Kwezimilo, Isigaba 45(1). Olunye ulwazi lungatholakala ku-http://www.dcs.gov.za/?page_id=317.

yokuxhumana nesisebenzi sepharoli yakho uma ushiywa yisikhathi futhi kungenzeka weqiwe yisikhathi sakho sokuba ngaphakathi endlini obekelwe sona.

- Uma ungenaso isisebenzi sepharoli esiwusizo, noma ungenabo ubudlelwano obuhle nesisebenzi sepharoli yakho, ipharoli kungenzeka ibe nzima. Uhlelo lwepharoli luvulelekile ukuthi lungaxhashazwa ngabasebenzi abangazwelani nabantu ababoshiwe kanye nababeboshiwe ngaphambilini. Uma isisebenzi sepharoli yakho sixhaphaza amandla aso, noma sibukeka sengathi sinenkohlakalo, ungafaka isikhalazo eNhlokweni yeSikhungo Sezokuhlunyeleliswa Kwezimilo Somphakathi noma Ukhomishina Wendawo ofanele. Uma kwehluleka lokhu, ungaya kuMvikeli Womphakathi ukuze uthole usizo.



"Uhlelo lwepharoli alukaze lukubheke ukuthi uma udedelwe uya ebantwini owabazwisa ubuhlungu. Akunandaba, ungaba nemoto, ungaba nesudu, ungaba nendlu...kubantu uyohlala uyisiboshwa...lapho ubuya ejele uza elokishini. Abantu bakubheka ngamanye amehlo...kunabantu abazoba nendaba kodwa omunye u-80% awukulungele" - yilungu le-Beyond the Bars

7. AMASU AVELA KUBANTU ABAKUPHAROLI OKUTHI UNGABHEKANA KANJANI NEPHAROLI

- ✚ Sebenza ukwakha ubudlelwano obuhle nesisebenzi sepharoli yakho futhi uzuze ukukwethemba kwakhe. Mcele izeluleko ngokuthi ubhekana kanjani nobunzima okungenzeka ubhekane nabo.
- ✚ Buza umsebenzi eSikhungweni Sezokuhlunyeleliswa Kwezimilo ngamathuba omsebenzi kanye nokuthuthukiswa kwamakhono.
- ✚ Zama ngakho konke ukuthi ungayephuli imibandela yepharoli. Uma ukhathazekile ngokuthi kungenzeka wephule umbandela wepharoli, njengesikhathi okufanele ungaphumeli ngaso ngaphandle, yazisa isisebenzi sepharoli yakho ngaphambi kokuthi kwenzeka.

- ✚ Ungasondeli kubantu okungenzeka ukuthi baba nesandla ekutheni uye ejele ekuqaleni noma imikhuba okungenzeka ukuthi yone ukuthatha kwakho izinqumo, njengokuphuza kakhulu noma ukusebenzisa izidakamizwa. Ungachithi isikhathi nabantu okungenzeka ukuthi babandakanyeke ebugebengwini, ekuphuzeni noma ekusebenziseni izidakamizwa.
- ✚ Yakha inethiwekhi yokukweseka eqinile ngaphezu komndeni wakho kanye nabangane. Joyina iqembu lokweseka abantu abakupharoli noma uye enhlanganweni ezinze emphakathini, yezenkolo noma okungesiyona ekahulumeni esebenza nabantu abakupharoli kanye nabantu ababeboshiwe ngaphambilini. Uma kungekho maqembu okweseka abantu abakupharoli owaziyo endaweni yakini, qala eyakho.
- ✚ Ngesikhathi ungaphakathi ejele futhi ungaphandle ngepharoli, thatha nanoma yiliphi ithuba ukuthuthukisa amakhono akho nokwenza ngcono i-CV yakho - umbhalo obala imininingwane ngomsebenzi wakho kanye nemfundo okunika abantu okungenzeka babe ngabaqashi.
- ✚ Ngesikhathi ufuna umsebenzi, volontiya ezinhlanganweni ezidinga usizo. Lezi zinhlangozi ziyoyithokozela imisebenzi yakho futhi uzobe uthuthukisa amakhono akho bese wenza inethiwekhi.
- ✚ Yiba nokuqamba izinto lapho ufuna umsebenzi. Kangingi kulula ukwenza umsebenzi wakho kunokufuna umsebenzi, ngakho-ke uma unemadlana ongayisebenzisa, isebenzise ukuqala ibhizinisi. Bona uhlu lwezidingongqangi ngemuva kwale ncwadi ukubona izinhlangozi ezingasiza ngokukuqeqeshela ukuba ngusomabhizinisi omncane kanye nosizo.
- ✚ Kwezinye izimo, ubudlelwano bakho nomndeni kanye nabangane kungenzeka konakale, futhi kungenzeka kube nzima ukubulungisa lobu budlelwano. Kodwa-ke, qhubeka ubulungise futhi ukhombise ukuthi uzama ngakho konke okusemandleni akho. Kunezinye izinhlangozi nazo ezingasiza ngalokhu. Bona ingxenye yeZidingongqangi ekugcineni kwale ncwadi.
- ✚ Kungenzeka ukuthi ubhekane negama eliyisici emphakathini wakini, futhi kuyothatha isikhathi ukukunqoba lokhu. Kodwa-ke, ukuthola umsebenzi kufanele kube ngenye yezinto zakho zokuqala eziphezulu ohlwini. Uma umphakathi ubona ukuthi uyazama, siyethemba ukuthi bazoqala

ukukuthemba. Ukusebenza emphakathini ngokokuzithandela nakho kungakusiza ukuthi uphinde uthole ukwethenjwa ngumphakathi. Nikezela ngemisebenzi yakho ezinhlangothini ezininzi emphakathini emikhakheni onogqozi kuyo.

- ✚ Ngesikhathi ungaphandle, sukuma kuqala ngokubona usonhlalakahle ufune ukwelulekwa ngokwengqondo ukuze uthole ukwesekwa okwengezayo. Usonhlalakahle uzokuhlazeka ngamathuba omsebenzi anokuba khona futhi akukhombi ngasekuxhumaneni nabantu okuwusizo. Imisebenzi yezenhlalakahle iyatholakala eZikhungweni Zokuhlunyeleliswa Kwezimilo Zomphakathi kanjalo nangama-NGO.
- ✚ Bamba iqhaza emisebenzini ekujabulisayo, njengezemidlalo, ukufunda, ukugijima kanye neminye imisebenzi yamaqembu.
- ✚ Cela usizo nokwesekwa uma ukudinga.



"Qina ujoyine iqembu elesekayo." – yiLungu le-Beyond the Bars

8. IGAMA ELIYISICI NOKUTHI UBHEKANA KANJANI NALO

YINI IGAMA ELIYISICI?

Igama eliyisici yindlela yokucabanga embi umphakathi onamathelisa ngayo ihlazo kubantu noma emaqenjini ngenxa yezinto ezifana nesimo se-HIV, ukukhubazeka, ubuzwe noma irekhodi lobugebengu. Lezi zindlela zokucabanga nazo zingaqiniswa abezindaba. Igama eliyisici lingaholela ekubandlululweni nasekuxhashazweni kwamalungelo abantu, futhi kubeke engcupheni isithunzi sabantu.

Ukucabanga komuntu ngokuthi abizwe ngamagama ayizici kuyalimaza ngisho ngabe akukho ukubandlululwa kwangempela okwenzekayo, njengoba kaningi kuphazamisa indlela umuntu akaziphatha ngayo. Isibonelo, kungavimbela umuntu okupharoli ukuthi afake izicelo zemisebenzi ethize ngoba abakholwa ukuthi isicelo sabo sizophumelela, noma kungabaqeda amandla ekufuneni ukunakekelwa kwezempilo emtholampilo womphakathi

ngenxa yokwesaba ukuthi bazobandlululwa ngenxa yerekhodi labo lobugebengu. Amagama ayizici abhekiswe kubantu abakupharoli kanye nabantu ababeboshiwe ngaphambilini kukhonjwe njengesithiyo sokuthi baphinde bahlanganiswe nemiphakathi, ngakho-ke kubalulekile ukukwazi nokuzama ukusukuma kuqala ubhekane nakho.

Ngaphambi kokudedelwa, abantu abaningi ababoshiwe bakhathazeka ngamagama ayizici nokuthi kuzobuphazamisa kanjani ubudlelwano babo kanye namathuba omsebenzi. Yiqiniso ukuthi abantu abakupharoli kanye nababeboshiwe esikhathini esingaphambili kungenzeka babhekane namagama ayizici kanye nokubandlululwa emiphakathini yabo. Kodwa-ke, kunezinto eziningi ongazenza ukubhekana namagama ayizici noma nokukuvimbela.

UKUBHEKANA NEMAGAMA ELIYISICI

Kungaba nzima ukubhekana namagama ayizici futhi uma ucabanga ukuthi ukwenze njalo kungakubeka engozini kwamukelekile ngokuphelele ukuthi ungathathi sinyathelo. Kodwa-ke, amagama ayizici kungenzeka akwenze udangale futhi uzizwe ungabalulekile. Uma uthola ukuthi amagama ayizici anomthelela omubi ekuphileni kahle kwakho nasebudlelwani futhi ungathanda ukuthatha izinyathelo zokubhekana nalokhu, kunezinto ezimbalwa ongazenza ukuqeda le ndlela yokucabanga futhi uzakhele isithombe esisha ngawe nangabanye abantu abakupharoli.

- ✚ Funda ukuthi uwabona kanjani amagama ayizici bese uwaphonsela inselele uma ubona omunye umuntu ehlangabezana nawo, ngisho ngabe amagama ayizici awaphathelene namarekhodi abo obugebengu.
- ✚ Funa ukwesekwa futhi wamukele usizo, kungaba kubangane noma emndenini, amaqembu osizo, noma ngokusebenzisa izinhlangano ezihlinzeka ukweluleka ngokwengqondo (bona ingxenye 'Izidingongqangi' ekugcineni kwale ncwadi).
- ✚ Zifundise futhi wazise nabanye, kungaba ngomlando wamajele, umthelela wamajele emiphakathini, noma ngamazinga aphansi okwephula ipharoli. Qala izingxoxo zokwazisa nabangane, amalungu omndeni kanye nozakwenu emsebenzini. Ungakhuluma ngisho nangolwazi lwakho uma uzizwa uphephile ukwenza njalo.

- ✚ Zama ukubandakanyeka emphakathini wakini. Joyina amakomiti asezitaladini noma izinhlangotho zamaphoyisa omphakathi. Hlanganyela emisebenzini yokuzithandela ukwenza ngcono umphakathi noma ukujoyina ithimba lezemidlalo lasekhaya. Lokhu kuzokhombisa abantu ukuthi abantu abanamarekhodi obugebengu bangafaka isandla ngendlela enomqondo, futhi kuzosiza ukuqeda izithombe ezimbi ngabantu abakupharoli nababeboshiwe ngaphambilini.
- ✚ Khumbuza abantu ukuthi abantu abakupharoli kungenzeka babe nezimo zobunjalo ezinhle kanye namakhono, nokuthi kungenzeka ukuthi bazishintsha izimpilo zabo nokuthi akufanele bahlulelwe ngokuba nerekhodi lobugebengu nje kuphela.
- ✚ Uma uhlangabezana nokubandlululwa ngumnikezeli wokunakekelwa kwezempilo noma ngumsebenzi kahulumeni, kubandakanuy isisebenzi sepharoli yakho, kubalulekile ukuthi ukuphonsele inselele lokhu. Ungakwenza lokho ngokufaka isikhalazo nosuphavayiza womsebenzi noma ngenombolo yamahhala yezikhalazo. Uma kuhluleka lokhu, ungabhalisa futhi isikhalazo kuKhomishini Yamalungelo Abantu yaseNingizimu Afrika noma noMvikeli Womphakathi. Imininingwane yokuxhumana yale migwamanda kanjalo nezizimbali zamahhala zokukhalaza zifakiwe engxenyeni 'Izidingongqangi' ekugcineni kwale ncwadi.

9. UKUFINYELELA EKUNAKEKELWENI KWEZEMPILO

Kaningi abantu ababoshiwe abaphakathi ejele banokufinyelela ekunakekelweni kwezempilo okufana nodokotela kanye nemithi, nakuba izinhlangotho zokunakekelwa kwezempilo ejele zingahlali ziseqophelweni elanele. Lapho usudedelwe, kubalulekile ukuthi uthole umtholampilo futhi uthole imithi.

Ngezinye izikhathi, lokhu kungaba nzima. Ezinye izinselele okungenzeka ubhekane nazo zibandakanya:

- Ubunzima bokuthola umtholampilo eduze nalapho ohlala khona osiza umphakathi wakho, njengoba umtholampilo ngamunye uzosiza imiphakathi ethize ngqo kanti hhayi eminye.

- Ukulinda emigqeni emide emtholampilo njengoba kunabantu abaningi abazama ukufinyelela kuzinsizakalo zezempilo zomphakathi.
- Amazwi ayizici ashiwo umphakathi ngesimo sakho se-HIV noma se-TB. Khumbula ukuthi isimo sakho siyimfihlo nokuthi nguwe kuphela onelungelo lokudalula isimo sakho.

ABANTU ABAKUPHAROLI KANYE NE-HIV

Nakuba ungabandlululwa abasebenzi bokunakekelwa kwezempilo, khumbula ukuthi **onelungelo lomthethosisekelo** lokunakekelwa kwezempilo futhi ungeze wenqatshelwa ukufinyelela ekwelashweni kwe-HIV nokwe-TB noma izifo ezinye ezingapheli. Uma ucabanga ukuthi ubandlululiwe, ungakhalaza kumphathi wesibhedlela noma womtholampilo.

Khumbula: Uma bewuthola ukwelashwa, ikakhulukazi umuthi oyizidambisigciwane (ART) noma umuthi we-TB, kubalulekile kakhulu ukuthi uqhubeka nokuthatha imithi yakho futhi awulenzi iphutha lokungayithathi, njengoba lokhu kuyokugulisa, futhi uzodinga umuthi onamandla kakhulu nobiza ngokuthe xaxa ukukwelapha.

Buza udokotela wakho ngaphakathi ejele ukuthi ungaqhubeka kanjani nezinhlalo zezempilo ezithize obandakanyeka kuzo ngaphakathi ejele ngemuva kokuba sewudedelwe. Cela ukunikezelwa kwenyanga komuthi wakho emtholampilo wesikhungo sezokuhlunyeleliswa kwezimilo, kanjalo nefayili lakho lokwelashwa. Uma sewudedelwe, okokuqala ohlwini wukuthola umtholampilo lapho ongaqhubeka khona nokwelashwa kwakho.

10. UKUKHISHWA KWAMAREKHODI OBUGEBENGU

Ukukhishwa yinqubo lapho irekhodi lobugebengu lomuntu lisuswa khona ngokusemthethweni kuRejista Yobugebengu Kazwelonke. Ngokwesigaba 271B soMthetho Wenqubo Yobugebengu,⁹ abantu abakupharoli kanye nabantu ababeboshiwe ngaphambilini bangakwazi ukuthola ukukhishwa kwamarekhodi abo obugebengu. Akusiyena wonke umuntu ofanelekile ukuthola ukukhishwa kwamarekhodi obugebengu, kanti kuvamise ukuncika esigwebeni owasithola ngokona kwakho. Okulandelayo yincazelo elula kakhulu yezindlela ezincane okufanele uzigcine ukufaka isicelo sokukhishwa

⁹ Umthetho Wenqubo Yobugebengu 51 ka-1977.

kwerekhodi lakho lobugebengu. **Ukuthola olunye ulwazi, sincoma ukuthi uye kuwebhsayithi yoMnyango Wezobulungiswa, noma ukhulume nomeluleki wezomthetho.**

Ufanelekile ukufaka isicelo sokukhishwa kwerekhodi lobugebengu maqondana necala uma zonke zalezi zidingo ezilandelayo kuhlangukshazweni nazo:

1. Iminyaka eyishumi idlulile kusukela ngosuku lokuboshelwa lelo cala;
2. Awusitholanga isigwebo sokuboshwa okuqondile ngaphandle kokhetho lokuhlawula kwelinye icala ngesikhathi seminyaka eyishumi; futhi
3. Unikwe nanoma yisiphi sezigwebo ezilandelayo ngecala lasekuqaleni: Uthole isigwebo ngesimo sokuhlawuliswa kuphela u-R20 000 noma ngaphansi;
 - Uthole isigwebo sokushaywa ngaphambi kokuba ukushaywa kwathiwa akukho semthethwenisisekelo;
 - Wathola isigwebo sokuboshwa noma ukhetho lokukhokha inhlawulo ka-R20 000 noma ngaphansi;
 - Wathola isigwebo sokuboshwa esalengiswa ngokugcwele;
 - Wathola isigwebo sokuqashwa kokuhlunyeleliswa kwezimilo noma ukuboshwa izikhawu;
 - Waboshelwa ubugebengu obabungenaso isijeziso esiphansi esibekiwe (isibonelo, ubugebengu obubi kancane obungesikhona ukudlwengula, ukuhlasela noma ukubulala) futhi ukugwetshwa kwakho kwahlehliswa noma wexwayiswa wakhishwa kuncike kokuhlinzekwa nguMthetho Wenqubo Yobugebengu.
 - Waboshelwa ukuphula imithetho ethize ngokobuhlanga bakho noma icala elalingeke lithathwe njengecala emphakathini ovulelekile nobusa ngentando yeningi owakhelwe esithunzini sobuntu, ukulingana kanye nenkululeko ngaphansi kwesikhathi somthethosisekelo wentando yeningi ngemuva komhla ka-27 Ephreli 1994.

Angeke ufaneleke ukufaka isicelo sokukhishwa kwamarekhodi obugebengu uma:

- Singakapheli isikhathi esiyiminyaka eyi-10 kusukela waboshelwa icala, NGAPHANDLE kokuboshwa kwakho okwakuncike ebuhlangeni kanye/noma okwakuqhutshwa yezepolitiki, lapho isijeziso singekho khona kumthethosisekelo.
- Wawuboshelwe icala lezocansi owalenza enganeni noma kumuntu onokukhubazeka ngokomqondo.

- ☒ Igama lakho lifakwe kuRejista Kazwelonke Yabantu Abanamacala Aphathelene Nocansi noma kuRejista Kazwelonke Yokuvikela Izingane, ngaphandle uma igama lakho selisusiwe kula marejista.
- ☒ Wawuboshelwe icala elibi lapho isigwebo esigunyaziwe kungesinye sokuboshwa ngaphandle kokhetho lokukhokha inhlawulo, njengokuphanga, ukudlwengula, ukubulala kanye nokuhlasela ngenhloso yokulimaza umzimba ngendlela enesihluku.

Ukufaka isicelo sokukhishwa kwamarekhodi amacala, kufanele ugqwalise ifomu lokufaka isicelo elihlinzekwe kuZimiso zoMthetho Wenqubo Yobugebengu bese ulihambia kuMqondisi-Jikelele woMnyango Wezobulungiswa Nokuthuthukiswa Komthethosisekelo, kanye nalokhu:

- a) Isitifiketi sokwesulwa esivela eSikhungweni Samarekhodi Obugebengu soPhiko Lwamaphoyisa LwaseNingizimu Afrika esikhishwe eminyakeni eyi-10 ngemuva kokuboshwa kanye nokugwetshwa.
- b) Isiqinisekiso esithi igama lakho lisusiwe kuRejista Kazwelonke Yamacala Aphathelene Nocansi noma Irejista Kazwelonke Yokuvikela Izingane uma igama lakho kade lifakwe kunanoma iyiphi enye yala marejista.

Bheka ingxenye 'Izidingongqangi' ekugcineni kwale ncwadi ukuthola olunye ulwazi.

IZIDINGONGQANGI

Ukuthola olunye ulwazi ngepharoli kanye nomthetho, bheka **Izahluko VI no-VII zoMthetho Wezokuhlunyeleliswa Kwezimilo Nombolo 111 ka-1998** kanye nekhasi leZokuhlunyeleliswa Kwezimilo Komphakathi kuwebhusayithi yoMnyango Wezokuhlunyeleliswa Kwezimilo ku-**www.dcs.gov.za**

Ukuthola ulwazi oluthe xaxa ngokukhishwa kwamarekhodi obugebengu nokufinyelela kumafomu okufaka isicelo sokukhishwa kwamarekhodi, bona Izimiso zoMthetho Wenqubo Yobugebengu 51 ka-1977 nakuwebhusayithi yoMnyango Wezokuhlunyeleliswa Kwezimilo ku-www.justice.gov.za/expungements.html. Ukukhiphela ifomu elisebenzayo lokukhishwa, ungalandela lokhu kuxhuma: http://www.justice.gov.za/forms/form_expungement.html

I-Legal Aid South Africa wumgwamanda owenziwa wuMthetho Wosizo Lwezomthetho WaseNingizimu Afrika 39 ka-2014 ukuhlinzeka usizo lomthetho kanye nokumeleleka komthetho kubantu abangeke bakwazi ukukhokhela ukumelelwa komthetho. Inombolo yabo yamahhala kazwelonke ithi **0800 110 110**, kodwa futhi ungathumela u-Please Call Me ku-**079 835 7179**.

Umvikeli Womphakathi waseNingizimu Afrika yisikhungo esizimele esenziwa ngokwesigaba 181 soMthethosisekelo, ngegunya lokusiza kanye nokuqinisa ukubusa ngokwentando yeningi okulandela umthethosisekelo. Unamandla okuphenya, okubika ngokuziphatha okungafanele kanye nekhambi lalokhu kuziphatha kuzona zonke izindaba zikahulumeni. Umvikeli Womphakathi kufanele afinyeleleke kubona bonke abantu kanye nemiphumela. Noma ngubani angakhalaza kuMvikeli Womphakathi. **Inombolo yamahhala kazwelonke: 0800 112 040**

Ikhomishini Yamalungelo Abantu YaseNingizimu Afrika yisikhungo sikazwelonke esenziwa ukukhuthaza ukuhlonishwa kanye nokuvikelwa kwamalungelo abantu awo wonke umuntu. Uma uke wabandlululwa ngenxa yerekhodi lakho lobugebengu, ungafaka isikhalazo nabo. Ungathola ifomu kuwebhusayithi ku-www.sahrc.org.za, noma ungabashayela ucingo ku-**011 877 3600**.

Uma ubheka umtholampilo lapho ongakwazi ukuthola khona ama-ART akho, ungashayela **Inombolo Ye-AIDS Kazwelonke** ku-**0800 012 322**.

Umnyango Wezempilo weluleka ngokuthi iziguli kufanele ziqale ngokuhambisa izikhalazo zazo kumphathi wesibhedlela esifanele noma emtholampilo. Uma bengelisekile ngempendulo yomphathi, bangashayela **Izinombolo Zezikhalazo ZoMnyango Wezempilo Wesifundazwe:**

Mpumalanga Kapa	0800 032 364
Freyistata	0800 535 554
Gauteng	0800 203 886
KwaZulu-Natali	033 395 3275
Limpopo	0152936000
Mpumalanga	013 766 3031
Nyakatho Kapa	053 830 0633 / 053 836 2700
Ntshonalanga Kapa	0860 142 142
Uhulumeni Wesifundazwe SaseNyakatho Ntshonalanga	018 388 3456/4699

Izinhlangotho kanye namaqembu ahlinzeka usizo kubantu ababeboshiwe ngaphambilini:

- **I-South African National Institute for Crime Prevention and the Reintegration of Offenders (NICRO):** I-NICRO yinhlangotho kazwelonke okungesiyona ekahulumeni ehlinzeka usizo kubantu ababeboshiwe lokuhlanganiswa kwabo nemindeni yabo kusukela ngaphakathi ejele iqhubeka futhi nangemuva kokudedelwa. Ihhovisi Eliyinhloko LikaZwelonke: 021 462 0017

- **I-Zonk'izizwe Odds Development (ZOD):** I-ZOD yinhlangothi ezinze emphakathini iqhuba iqembu eliwusizo labantu abakupharoli kanye nababeboshiwe ngaphambilini eDobsonville, eGauteng. Abanayo iwebhusayithi kodwa ungathumela i-imeyili ku- zod.oddsdevelop@gmail.com noma bathole ku-Facebook.
- **Abameli baMalungelo Abantu** iphethe Uhlelo Lokuvuselela Lwephaneli olwenzelwa ukuvikelwa kwamalungelo abantu ababoshiwe kanye nababebanjwe. Bafuna ukuqinisekisa ukuhambisana nomthethosisekelo maqondana nokubekwa kwesijeziso, ukugwetshwa, ukwengamela okuzimele kanye nemibandela yokubanjwa. Basebenza ngezindaba ezibhekene nokugcwala ngokweqile kwamajele, ukwengamela okuzimele kanye nokuguqulwa kwesigwebo. Ukuthola olunye ulwazi ngokuthi yiluphi usizo abangaluhlinzeka kubantu abakupharoli, ungashayela ihhovisi labo eliseKapa ku-**021 424 7135**.
- **I-Beyond the Bars (BTB), i-Sonke Gender Justice:** I-BTB yiqembu elesekayo elaqalwa yi-Sonke Gender Justice eKapa lenzela abantu abakupharoli nababeboshiwe ngaphambilini. Linemihlangano ehlanganela e-Kraaifontein, eLanga naseKhayelitsha. Ihhovisi laseKapa: 021 423 7088
- **Inethiwekhi Yokweseka Yokunakekela Ejele** yinhlangothi engenzi inzuzo ezinze eKapa ehlinzeka ngokunakekelwa ngokomoya nangokwemizwa kanye nosizo kubantu ababoshiwe, abantu abakupharoli kanye nemindeni yabo. Ihhovisi laseKapa: 021 531 1348
- **I-Lifeline** ihlinzeka usizo, ukwelulekwa ngokwengqondo kanye nokudluliselwa kunanoma ubani onobunzima bakhe siqu noma bempilo yengqondo. Bahlinzeka ngokwelulekwa kwengqondo ngocingo kanye nocingo nge-WhatsApp izinsuku ezingama-365 ngonyaka, kanjalo nokwelulekwa ngokwengqondo ubuso nobuso mahhala phakathi nesonto. Banamahhovisi e-Johannesburg, ePitoli, e-Durban, naseKapa. Inombolo yabo kazwelonke ithi **0861 322 322**. Izinombolo zabo zokushaya ucingo ze-WhatsApp yilezi 063 709 2620 (Kapa) kanye no-065 989 9238 (e-Johannesburg). **Ungabathola futhi ku-inthanethi ku-:** www.lifelinewc.org.za (Kapa), www.lifelinejhb.org.za (Johannesburg), www.lifelinedurban.org.za (Durban).
- **I-Operation Hope South Africa** yinhlangothi yamazwe omhlaba ehlinzeka izinhlelo zokufunda ukubhala nokufunda ngezizimali kanye nezosomabhezini abancane entsheni nakubantu abadala. Ungabashayela ucingo noma ubathumele i-WhatsApp ku-**063 376 9152**, noma ubathumelele i-imeyili ku- **southafrica@operationhope.org**.
- **I-Cape Mental Health** yinhlangothi engenzi inzuzo ese-Observatory, eKapa, enikeza ukwelulekwa ngokwengqondo kanye nokwesekwa, kuvamise ukuthi kube mahhala, kubantu abanokugula ngengqondo,

kubandakanya ukudangala kanye nesifo se-bipolar. Ihhovisi laseKapa:
021 447 9040

- I-**Trauma Centre for Survivors of Violence and Torture** yinhlango engenzi inzuzo ezinze e-Johannesburg naseKapa enikeza ukwesekwa ngobuhlungu obenzakele kanye nokwelulekwa ngokwengqondo kwabantu, amaqembu kanye nemindeni. Ihhovisi laseKapa: 021 465 7373
- I-**Quirky30 NPC** yinkampani engenzi inzuzo futhi yinhlango esiza umphakathi ezinze eLanga, eKapa eyasungulwa ngababeboshiwe ngaphambilini. Banikeza ukuqeqesha, nokuthuthukiswa, kwamakhono okuhlaziya inkulumbo, amakhono okudizayina ngemifanekiso kanjalo namakhono athambile kanye nokuqeqeshelwa amakhono osomabhizinisi abancane mahhala. Ihhovisi laseKapa: 084 343 9290
- I-**Message Trust** yitrasti yokusiza abantu kanye nenhlango yoBukhrestu esiza umphakathi esebenza nentsha esengozini eKapa. Bakwenza lokhu ngokusebenzisa izinhlelo zamabhizinisi asejele, ukuguqulwa komphakathi, ukuthuthukiswa kwamabhizinisi amancane kanye nobuciko bokusingatha. Ihhovisi laseKapa: 021 685 1535 noma u-Gavin Wessels ku-0833586778 .
- I-**Mid-Way Services** yinhlango engenzi inzuzo enikeza ukuqeqeshwa ngokuqeqeshwa empilweni ukweseka amaqembu akhishelwe ngaphandle afana nentsha esengozini, abantu ababeboshiwe ngaphambilini, kubandakanya labo abelulama ekungenweni yizidakamizwa egazini, kanye nemindeni ebekeke engozini. Xhumana no-Jaun Truter: info@midway.org.za