

# **LEGAL ADVICE HOW TO APPLY FOR A PROTECTION ORDER PART 1**



WOMEN'S LEGAL CENTRE



Easy-to-read





**WOMEN'S LEGAL CENTRE**

**Legal Advice**

**How to apply for a Protection Order Part 1**



**Easy-to-read version**



## How to Get a Protection Order Part 1

A **Protection Order** is a **legal** paper that helps keep you safe from someone who is hurting you.

Legal means it is a rule made by the court.

The law says the person must stop their harmful actions.

If they do not listen, the police can arrest them.



## How to Get a Protection Order

### 1. Go to the right court

Find the **Magistrates' Court** closest to you.

You can go to a court near where you **live, work, or study**.

You can also go to a court near where the **abuser** lives, works, or studies.

Go to the court where the abuse happened if it is different.



### 2. Take important documents

Take information about **you**:

- ID
- Address
- Phone number
- Work details



Take information about **the abuser**:

- Name
- Home address
- Work address



### 3. Fill in a form

Ask for a **Protection Order Form** at the court.

This form helps protect you from abuse.

If you do not understand, ask for help.

### 4. Write a statement



- Write about the **abuse** you have faced.
- Give as many **details** as you can.
- Write about what happened and when.
- Other people who know about the abuse can also write a statement.



## What Happens Next?

### 1. The court will check your application

The **clerk** will give your application and documents to the **Magistrate**.

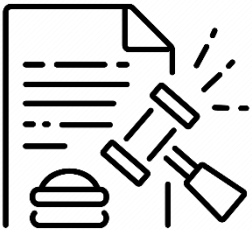
The **Magistrate** will read everything and make a decision.



## 2. The court will look at the evidence

The court must see **proof** that:

You may **be in danger** if the court does not act quickly.



## 3. The court may give a temporary order

The court may give an **Interim Protection Order**.

This order **protects you** while the case continues.

The abuser will get a date to **go to court** and explain why the order should not continue.

This **temporary order** is **not final**.

## If There Is No Temporary Order

### 1. The court will send a notice

If the court **does not** give a **Temporary Protection Order**, they will send a **notice** to the abuser.

The **abuser must go to court** on a set date.

The abuser must **explain** why the Protection Order should not be given.



### 2. You must return to court

- You must go **back to court** on the same date as the abuser.
- The **Magistrate** will listen to both sides.

- The Magistrate will **decide** if a Protection Order is needed.



### 3. What is a Notice to Show Cause?

This is a **document** telling the abuser to explain why a **Protection Order should not be given**.

This notice **does not** give you legal protection.

You **must wait** for the court to decide.



### Temporary Protection Order

#### 1. What is a Temporary Protection Order?

A **Temporary Protection Order** tells the **abuser** to stop hurting you.

The order is given **quickly** to protect you while the court decides on a final order.

The **court clerk** will tell you when the order is given.

#### 2. What happens next?

The police or the court will **give the order** to the abuser.

You must **return to court** on the date written on the order.

The **Magistrate** will decide if you need a **Final Protection Order**.

The **Temporary Protection Order** protects you **until the case is finished**.





### 3. How fast will the order be given?

A **Temporary Protection Order** must be given within **24 hours**.

A **Final Protection Order** must be given within **48 hours**.

A **police officer** may be asked to give the order to the abuser.



### Do You Need Legal Help?

If you are not sure if you are experiencing **domestic violence**, we can help.

Our legal advice is **free**.



You can **contact us**:



**Call or WhatsApp:** 079 421 8197



**Email:** [info@wlce.co.za](mailto:info@wlce.co.za)

**Office:** 021 424 5660





## **More Information Coming Soon**

**Part 2** of the Protection Order process will be shared next week.



Do you have other legal topics you want us to explain?



**Send us a message!**



**Women's Legal Centre wrote the original pamphlet**



National Council of & for  
Persons with Disabilities

**It was made Easy- to- read by the National  
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