

PROTECTION ORDER SNAKES AND LADDERS

- ✓ 1. To sensitise learners to the difficulties of deciding to apply for a protection order and following the criminal justice process to completion.
- ✓ 2. To promote empathy and support for people who try to access protection from abusive relationships.

Game Board: 'Snakes and Ladders'
Game Cards

- ★ Dice and spinner
- Information Sheet: 'Domestic Violence and Protection Orders'

PROCEDURE

PRIOR TO CLASS

- 1 Print snakes and ladders game boards (provided). You will need one board for every 3-5 learners in the class. Printing the boards onto heavy paper/card will make them sturdier and more durable, but ordinary paper will also work.

IN CLASS

- 2 Divide learners into groups of 3-5 and have them sit in small circles around central desks. Hand out a board to each group.
- 3 Ask each learner to find a small object (coin, eraser) that they can use as their game piece.
- 4 Explain to learners that the game is about the process of applying for a protection order for domestic violence. Learners should imagine that they are victims of intimate partner violence, and have decided to go to the court to apply for a protection order.
- 5 Explain the rules of the game to the learners as follows:

a. Going in a circle, each player takes a turn by throwing the dice and moving the designated number of blocks on the board.

b. When landing on a space that has a ladder, the participant can climb up the ladder and in this way skip the intervening blocks. When landing on a snake, participants slide backwards as indicated.

c. When landing on the squares marked with '?' (a question mark), participants should draw a card from the question pile, and follow the instructions provided on it (that is, how many spaces to move ahead or backwards or skip a turn).

d. The object of the game is to reach the end of board.

- 6 Once learners have finished playing the game, debrief the activity with the entire class using the following questions

a. How did you feel when you received negative reactions from people who you asked for assistance?

b. How realistic is this activity?

c. What kind of support do victims of domestic violence need from friends, family and from the state?

d. How do you think victims of domestic violence feel when they do not have the support of those they love and care about?

e. Where can this support come from?

- 7 At the end of the lesson it is important to emphasise that reporting abuse and trying to get services from the state is a difficult and personal decision. Making the decision to report violence, may create anxiety for victims. Frequently, domestic violence victims are concerned not only for their own safety and well-being, but also for the safety of their children who are affected by the violence. There are a number of reasons why victims of domestic violence are reluctant to report, or may withdraw from the process once initiated. These include:

- They fear that they will not be believed by criminal justice agents.
- They fear an escalation in the violence – often because of past experiences.
- Their partner has made threats to harm or kill them, their children, or their pets.
- They worry that their partners will harm themselves or not be able to survive alone.
- They fear that they will lose their children.
- They may not have the financial resources to get to court to apply for the order.
- They may not have childcare to be able to attend court.
- They may not be able to take time off work to complete all the steps of the process.
- They may not have anywhere to go if they leave the house.
- They may not be able to find temporary housing at a shelter – for example because the shelters are full, or because they have an older male child.
- They may not feel that they have the support of key family members.
- They may not be ready to face the reality that the relationship is over.
- They live in hope that the abuser will change.
- The abuser has promised that he will change his behaviour.
- They may suffer from anxiety, depression, guilt and shame as a result of their abuse.

Chapter 9: Domestic Violence | Exercise 5

- 8 Close off the lesson by reminding learners that South Africa has one of the most progressive laws against domestic violence in the world. It gives protection to a wide range of complainants, and uses a comprehensive definition of domestic violence. Remind learners that the Domestic Violence Act also includes protection for victims of dating violence. There are a number of excellent sources of help and support for victims of domestic violence. Hand out a copy of the information sheet (provided).

Please provide learners with the following link for more information on domestic violence and the process of obtaining a Protection Order:

<http://www.mosaic.org.za/>

Mosaic provides resources, information, and support for victims of domestic violence. Their comprehensive booklet called 'It's an Order!' is available in print and online in English, Afrikaans and Xhosa.

TEACHER TIPS

General

Teaching about domestic violence is a difficult topic for both learners and teachers. In every class and school there are likely to be perpetrators and victims of domestic violence. It is important for teachers to be mindful of this and to make sure that the discussion doesn't single out individuals or vilify people. It is more helpful to focus on the abusers' behaviours, by saying things like 'it is wrong when someone verbally abuses someone else' rather than saying 'your dad is wrong to abuse your mother'.

Different people in the class may have different opinions on what constitutes domestic violence, and what is acceptable behaviour. Do not entertain long debates on this topic, rather refer to the definitions provided by the Domestic Violence Act.

Do not take on the role of counsellor during the class. If a learner discloses that they live in an abusive house, acknowledge their disclosure (by saying something like 'It was very brave of you to tell us that') and asking them to come to you after class so that you can provide more assistance. Be prepared with the telephone numbers and information of NGOs or other counselling services that they could contact for assistance.

Making the Link with Gender and Violence

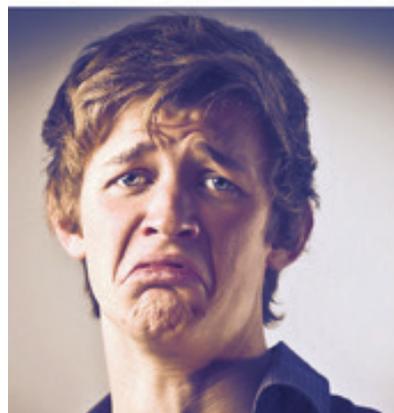
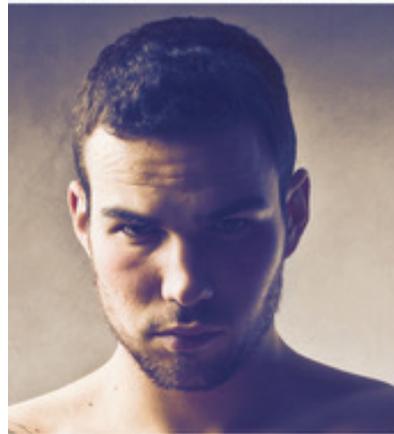
Although this exercise requires learners to engage with the issue of domestic violence and problems encountered by victims wanting protection from the courts and police, it is also useful in addressing common myths and misconceptions about getting a protection order. It highlights the practical issues that many victims face in getting assistance, which counteracts a commonly-held belief that victims of domestic violence stay in abusive relationships because they are too weak to leave.

Assessment Ideas

Learners can be required to research the process of obtaining a protection order. They can be tasked with creating a brochure, infographic or poster that explains the process to other people.

Learners can be required to collect a dossier of materials from NGOs which could be of use to a victim of domestic violence who wants to get a protection order.

Learners can be tasked with producing a brochure, poster, or public-service announcement. This should carry information of the myths or stereotypes about victims of domestic violence, and about the obstacles they face in accessing protection from the state.



CARDS

Print and cut out. Cards to be drawn when reaching a block on the board designated as ‘?’

You decide to tell a close friend about the abuse, who says that she has suspected something for a long time. She is thankful that you are being honest with her and acts no differently towards you.

MOVE FORWARD 1 SQUARES

You ask a friend what you can do about the abuse. She says that maybe you need to go to family counselling together. You have tried that before and it just made things worse.

MOVE BACK 2 SQUARES

You tell a friend about the abuse who says that she has to run to pick her children up from school. You are confident that she will eventually see your partner as the abusive person he is.

STAY WHERE YOU ARE

You tell your brother, and he says that is proud that you have decided to tell the truth about what's happening to you. He tells you that he will always be there to support you.

MOVE FORWARD 4 SQUARES

You tell your mom, but the conversation does not go exactly as you had planned. She says that you must have done something to infuriate your partner, and that you really should try to be a better wife in future.

MOVE BACK 2 SQUARES

You decide to tell your cousin. He says that if you were married to him this wouldn't be happening to you.

STAY WHERE YOU ARE

Your partner gets very abusive on a Friday night, and you decide to call the police. They tell you that there's nothing they can do, you need to go to the court.

SKIP A TURN

You go to court on Monday, but the queue is very long. You wait all day but you don't get to see the clerk to help you with your application.

SKIP A TURN

Your partner has locked you and the children out of the house in a fit of rage. You try to stay at your friend's house but she doesn't have space for all of you. You don't know what to do.

GO 1 SQUARE BACK

You go to the court and you get to speak to a wonderful lady from an NGO who gives you some counselling, and helps you with your application. You turn in your application and wait to hear what the outcome is.

MOVE FORWARD 3 SQUARES

You can't return to court to collect your protection order because you don't have anyone to look after your youngest child, who is sick. You just stay at home.

STAY WHERE YOU ARE

Someone tells your church leader that you are experiencing abuse. He reacts by telling you that you should be submissive to the wishes of your partner, and that you bring the violence upon yourself.

MOVE 2 SQUARES BACK

You need to go back to court to see the judge and get your protection order finalised. You can't get the day off work, and so you miss going to court. The case gets struck off the role.

GO BACK TO THE START

Someone tells your boss about your struggles, and she reacts supportively to your news, letting you know that you do good work and that's all that matters.

MOVE 1 SQUARE FORWARD

You go back to court on the return date and you find out that the police never served the Interim Protection Order papers on your partner. Your case can't go forward, and you have to wait for another court date.

STAY WHERE YOU ARE

You speak to the clerk about your application, and he tells you that the judge isn't going to issue a Protection Order unless you have proof of physical injuries. You don't have any because your partner always beats you where it doesn't show.

GO BACK 3 SQUARES

You have to flee from your house because you are worried about your safety and that of your children. You go to a shelter, but they don't have any space.

GO BACK 1 SQUARE

You go back to the shelter to see if they have space for you and your children. They luckily have space now, but they can't take you because you have a teenage son, and they don't allow teenage boys to stay in the shelter because of the risks to other abused women.

GO BACK 2 SQUARES

CARDS

Print and cut out. Cards to be drawn when reaching a block on the board designated as ‘?’

Your partner beats you severely on Friday night after he has been drinking with his friends. You call the police, and you want him arrested. They tell you they can't arrest people for domestic violence.

GO BACK 5 SQUARES

You go to an NGO that provides counselling and court support services who help you through the process of getting a Protection Order.

GO FORWARD 3 SQUARES

Your partner tears up your copy of the Interim Protection Order when you tell him you're going to phone the police.

GO BACK 1 SQUARE

Your partner has left the house after your last big fight, and he hasn't paid you any money for the household. You're down to your last R10, and you have no idea where he is.

STAY WHERE YOU ARE

Your partner has moved out, and you don't know where he is staying. He refuses to tell you, and he isn't working anywhere. The court tells you that without a contact address they can't serve the Protection Order papers on him, and the order isn't in force until that happens.

SKIP A TURN

You go to the police station after your partner's latest violent incident, and you speak to a wonderful police officer, who takes you to a special waiting room and explains all of your options to you. She tells you that you can lay a charge of assault against your partner, and they can arrest him if he breaches the protection order.

MOVE 4 SQUARES FORWARD

Your partner was arrested on Friday night for assaulting you, and he has spent the weekend in jail. You are worried that he isn't going to show up for work on Monday, and that he will be fired from his job. If that happens, you will lose your housing, which is provided by his work. You withdraw the case.

MOVE BACK 4 SQUARES

Your partner doesn't show up to the court date to finalise the Protection Order. You are present, and the papers are served on him. The judge confirms the order.

MOVE 5 SQUARES FORWARD

Your partner has gone to another court and gotten a Protection Order against you by telling the judge that you verbally abuse him. You are very upset, but you decide to wait until the return date to tell the judge the truth. You are going to take your neighbour with you as a witness.

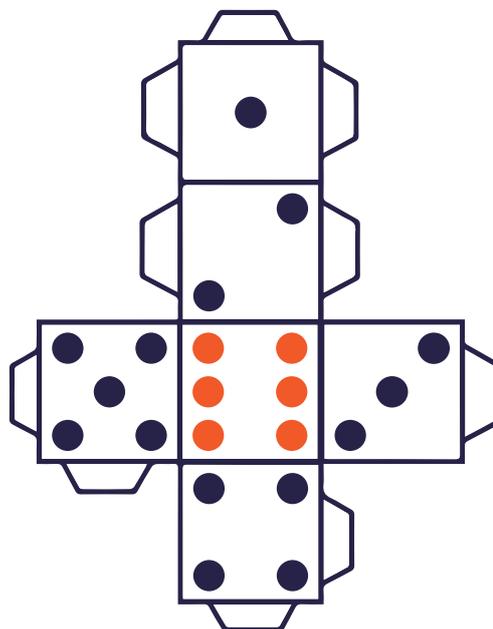
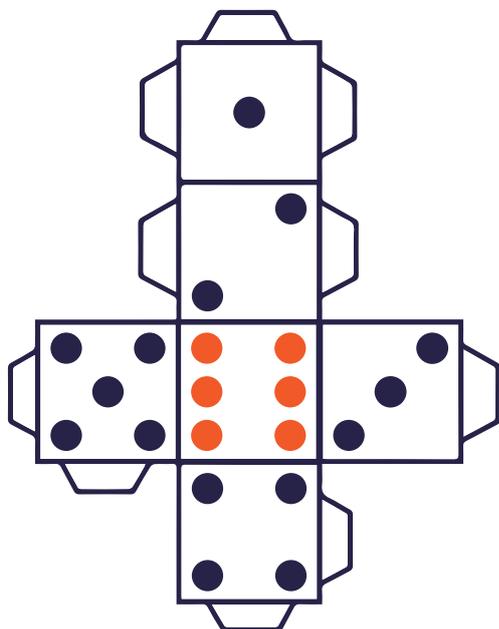
MOVE FORWARD 1 SQUARE

100	99	98	97	96	95	94	93	92	91
?	?		?			?			
81	82	83	84	85	86	87	88	89	90
		?		?					
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1	2	3	4	5	6	7	8	9	10
		?					?		

DICE

THE DICE

If you need dice, print and cut out the shapes below. One is a cube dice, which you cut out and glue into the correct shape. The other is a spinner - you cut it out and stick a match or pin through it so it spins. You can also cut a cube from an eraser, using a pencil to draw the numbers on it.



INFORMATION SHEET: DOMESTIC VIOLENCE AND PROTECTION ORDERS

The process of applying for a protection order is as follows:

1. You will apply for the order at your nearest magistrate's court.

- Go to the magistrate's court and fill out an Application for Protection Order form. Write out a statement (Affidavit) about the abuse. At some courts, there are volunteers to help you do this.
- The clerk will sign and accept your Application form and open a file for you.
- The Application will be given to a Magistrate, who will read your it together with your affidavit, and decide if you qualify for an Interim Protection Order.

2. The court will decide on the application and issue you with an Interim (temporary) Protection Order.

- The clerk will tell you whether you were given an Interim Protection Order or not.
- If you were granted an Interim Order, the clerk will give you copies of the documents.
- The court will set a return date, at which both you and the respondent can state your case to the Magistrate.

3. The Interim Protection Order will be served on the abuser (called the respondent).

- If you can afford to do so, you should have the Sherriff of the Court serve the order on the respondent.
- If you can't afford to pay for service, the police will serve the order for you.
- Whoever serves the order will have to take the Return of Service (proof that the respondent received the papers) back to the court. The clerk will add it to your file.

4. At the return date, the Magistrate will ask you and your abuser questions about the allegations of abuse that were in your original application. You can take a witness with you to support your allegations. The Magistrate will decide what to do based on the original affidavit, and the testimony from you, your abuser and any witnesses. The Magistrate can:

- Finalise the order with the same conditions that were in the Interim Protection Order.
- Vary (change) the conditions of the Protection Order.
- Set the Protection Order aside (cancel it).

5. If your Order is finalised, you will receive a copy of the Order, as well as a Suspended Warrant of Arrest that authorises the police to arrest the abuser if he breaches (breaks) the terms of the order.

6. When your Protection Order is finalised, it remains in force forever, unless you make an application to change it or set it aside (cancel it). The court will keep a copy of the order on file, so that if it is ever lost or destroyed you can ask for another copy.

INFORMATION SHEET: DOMESTIC VIOLENCE AND PROTECTION ORDERS

Some important things to remember:

- 1.** Teens can apply to the court for a Protection Order for a dating relationship. You do not need your parents to assist you (although it may be good to have them, or another trusted adult for support).
- 2.** It does not cost anything to apply to the court for a Protection Order.
- 3.** Your Interim Protection Order is not in force until the police/Sherriff has served the order on the abuser. Make sure that you have information on the best address to find the abuser so that these papers can be served as soon as possible.
- 4.** If you were abused again after you get your Protection Order, go to the police with your Protection Order and the Warrant of Arrest that goes with it. Tell the police you are in danger. You will have to write an affidavit (statement) about what has happened, and the police can then arrest the abuser for breaching (breaking) the terms of the Order.
- 5.** In addition to having the abuser arrested for breaching the Order, you can also lay a criminal charge (for example, assault) against him/her with the police.
- 6.** If the police don't want to help you, ask to speak to the Station Commissioner.
- 7.** If you can't attend court on the return date, make sure to phone the clerk and ask them to postpone the date of the hearing. If the abuser is there, and you are not, the court may well postpone the hearing, or cancel the temporary order.