

FORM 20
[Regulation 22]
WARRANT OF ARREST

SECTION 11(1)(a) OF THE PROTECTION FROM HARASSMENT ACT, 2011 (ACT NO. 17 OF 2011)

IN THE MAGISTRATE'S COURT FOR THE DISTRICT OF Kuils River
HELD AT Kuils River APPLICATION NO. H647 2022
In the matter between:
Ruben Theodor Fitchat (Complainant)
AND Tyrone Buchanan Johnson (Respondent)

TO ALL MEMBERS OF THE SOUTH AFRICAN POLICE SERVICE:

The attached protection order was granted against the respondent by the Magistrate's Court on the 7th February day of 2023; and

Whereas the complainant has stated in the attached affidavit that the respondent has breached a prohibition, condition, obligation or order of the protection order, you are therefore hereby authorised and ordered to forthwith arrest the respondent in terms of section 11(4)(b) of the Protection from Harassment Act, 2011 (Act No. 17 of 2011), if there are reasonable grounds to suspect that the complainant or related person is suffering or may suffer imminent harm as a result of the alleged breach of the protection order by the respondent.

GIVEN UNDER MY HAND AT Kuils River THIS 7th DAY OF February 2023


.....
MAGISTRATE
7/2/2023
.....
DATE



- Note to members of the South African Police Service:**
- In terms of section 11(5) of the Protection from Harassment Act, 2011, the member of the South African Police Service, in considering whether or not the complainant or related person is suffering harm or may suffer imminent harm, must take into account the -
 - risk to the safety or well-being of the complainant or related person;
 - seriousness of the conduct comprising an alleged breach of the protection order;
 - length of time since the alleged breach occurred; and
 - nature and extent of the harm previously suffered by the complainant or related person.
 - If the member of the South African Police Service is of the opinion that there are insufficient grounds for arresting the respondent on suspicion that the complainant or related person is suffering harm or may suffer imminent harm as a result of the alleged breach of the protection order by the respondent, he or she must, immediately, hand to the respondent a written notice contemplated in section 11(4)(c) of the Protection from Harassment Act, 2011, which calls upon the respondent to appear before a court on the date and at the time specified in the notice, on a charge of committing the offence referred to in section 18(1)(a) of the Act.



REPUBLIC OF SOUTH AFRICA

FORM 19
[Regulation 20(1)]
FINAL PROTECTION ORDER

SECTION 9(1), (4) AND (6) OF THE PROTECTION FROM HARASSMENT ACT, 2011 (ACT NO. 17 OF 2011)

(*Delete whichever is not applicable)

Take note: In terms of section 10(4) of the Protection from Harassment Act, 2011, the physical, home and work address of the complainant or related person must be omitted from the protection order (including any reference to such an address in documents annexed to the protection order), unless the nature of the terms of the order necessitates the inclusion of the address.

IN THE MAGISTRATE'S COURT FOR THE DISTRICT OF Kuils River

HELD AT Kuils River APPLICATION NO. H 647 2022

In the matter between:

Ruben Theodor Fitchat (Complainant)

AND

Tyrone Buchanan Johnson (Respondent)

1. PARTICULARS OF RESPONDENT

Name and surname: Tyrone Buchanan Johnson

Address: 19 Kleinbron Avenue
Kleinbron Estate
Brackenfell, 7560

Contact number (telephone number/cellular phone number/facsimile number/e-mail address (whichever is available)):

2. PARTICULARS OF APPLICATION

The complainant applied for a protection order against the respondent in terms of the Protection from Harassment Act, 2011 (Act No. 17 of 2011). This court, after considering the application, issued an interim protection order against the respondent on 15/9/2022 (date).

3. PARTICULARS OF FINAL PROTECTION ORDER

In terms of the interim protection order:

3.1 The respondent is prohibited by this court from —

(a) engaging in or attempting to engage in harassment of —

(i) the complainant;

(ii) the following related person/s:

- Applicant's wife
-
-
-
-

(b) enlisting the help of another person to engage in harassment of the complainant and/or above related person/s; and/or

(c) committing any of the following act/s:

(i) Not to verbally harass applicant or make any threats of violence towards him and his wife

(ii)

(iii)

3.2 The court imposes the following additional conditions that are necessary to protect and to provide for the safety and well-being of the complainant or related person/s:

(a) Respondent is ordered not to make any recordings (audio / video) of applicant's outings

(b)

(c)

*3.3 The court orders:

* (a)	That a member of the South African Police Service is to seize the following weapon(s):
* (b)	That a member of the South African Police Service is to accompany the complainant or related person to the following residence:..... to supervise the collection of the complainant's or related person's personal property set out in paragraph 8 of the application for a protection order, and such member is authorised to take all reasonable steps to effect the collection of the said property.

4. In terms of sections 9(6) and 15(a) of the Protection from Harassment Act, 2011, Miss I Nel
..... (name and surname), who is a *clerk of the court/*sheriff/
~~*peace officer~~, is hereby directed to serve –

- (a) the original of this protection order on the respondent; and
- (b) a certified copy of this order and the original warrant of arrest on the complainant,
in accordance with regulation 28 of the Protection from Harassment Regulations, 2013.

5. This protection order expires on 7/2/2028 (date).


.....
MAGISTRATE

7/2/2023
.....
DATE



TAKE NOTE:

(a) A warrant of arrest has been authorised for the arrest of the respondent, the execution of which is suspended subject to the respondent's compliance with any specified prohibition, condition, obligation or order contained in this protection order.

(b) A respondent who contravenes any specified prohibition, condition, obligation or order contained in the protection order is in terms of section 18(1)(a) of the Protection from Harassment Act, 2011, guilty of an offence and liable on conviction to a fine or imprisonment for a period not exceeding five years.