



THE SUPREME COURT OF APPEAL  
OF SOUTH AFRICA

MEDIA SUMMARY – JUDGMENT DELIVERED IN THE SUPREME COURT OF APPEAL

From: The Registrar, Supreme Court of Appeal  
Date: 28 September 2012  
Status: Immediate

*Please note that the media summary is intended for the benefit of the media and does not form part of the judgment of the Supreme Court of Appeal*

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**Neutral citation:** *Daffy v Daffy* (659/2011) [2012] ZASCA 149 (28 September 2012)

The parties are brothers who formerly worked together in business, employed by a company known as Core Mobility of which the respondent was a director and shareholder.

After the appellant had been dismissed from his employment with Core Mobility, the respondent sought a protection order against him under the Domestic Violence Act of 116 of 1998. The magistrate's court dismissed the respondent's order but, on appeal to the South Gauteng High Court, that order was set aside and a protection order granted.

In a further appeal to the Supreme Court of Appeal, the court concluded that it had not been shown that the parties shared a 'domestic relationship' as envisaged by the Act and that the respondent had further failed to show that the appellant had committed any acts of 'domestic violence' as defined in the Act which had threatened his safety, health and well-being — this being a requirement for the issue of a protection order.

The court therefore upheld the appeal, set aside the high court's order and re-instated the order of the magistrate's court.

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