

IN THE HIGH COURT OF SOUTH AFRICA
GAUTENG DIVISION, PRETORIA

Case No: 16402 / 17

In the matter between:

THE VOICE OF THE UNBORN BABY NPC

First Applicant

CATHOLIC ARCHDIOCESE OF DURBAN

Second Applicant

and

MINISTER OF HOME AFFAIRS

First Respondent

MINISTER OF HEALTH

Second Respondent

and

CAUSE FOR JUSTICE

First amicus curiae

WOMEN'S LEGAL CENTRE TRUST

Second amicus curiae

WISH ASSOCIATES

Third amicus curiae

CAUSE FOR JUSTICE

PRACTICE NOTE

The name of the parties, the case number and its number on the roll (if known)

1. The names of the parties and the case number are set out above. The matter has not been enrolled yet.

The names and telephone numbers of all counsel in the motion

2. The details of the other counsel are set out in their respective practice notes.
3. Cause for Justice is represented by Darryl Cooke (021 4220820 / 076 5708713).

The nature of the motion

4. The applicants seek orders declaring certain provisions in the Births and Deaths Registration Act 51 of 1992 inconsistent with the Constitution, together with ancillary relief.

An indication of the issues to be determined in the application

5. Cause for Justice makes submissions regarding the following issues:
 - 5.1. whether the impugned legislation is consistent with the value of human dignity;
 - 5.2. whether the right to bury should be extended to the mother (or father) of a child aborted under the Choice of Termination of Pregnancy Act 92 of 1996 (“CTOPA”).

The relief sought at the hearing by the party on whose behalf counsel is completing the practice note

6. Cause for Justice supports the relief sought by the applicants, subject to those revisions which the Court finds are necessary to ensure that a woman's rights under CTOPA are not compromised.

An estimate of the probable duration of the motion

7. One day.

If the matter is urgent and, if so, motivation for the urgency

8. The matter is not urgent.

Whether or not the papers need to be read and, if so, which portion thereof

9. For the purposes of Cause for Justice's argument, the Court needs to read the affidavit of Dr La Grange (record pg 616-631). Cause for Justice will also rely upon certain portions of the affidavits filed by the parties, especially those identified in the heads of argument.

Darryl Cooke

Chambers

Cape Town

21 June 2019