

**IN THE HIGH COURT OF SOUTH AFRICA  
(WESTERN CAPE DIVISION, CAPE TOWN)**



In the matter between:

**CAROLINE PETERS**

Applicant

And

**MINISTER OF JUSTICE AND CORRECTIONAL SERVICES** First Respondent

**[REDACTED] G [REDACTED]**

Second Respondent

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**NOTICE IN TERMS OF RULE 16A**

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**KINDLY TAKE NOTICE THAT** that this application raises the following constitutional issue:

1. Whether s 154(2)(b) read with ss 153(3)(a) and (b) and 154(5) of the Criminal Procedure Act 51 of 1977 (CPA) is unconstitutional and invalid to the extent that it criminalises the publication of any details of a person charged with committing a sexual offence before such person has pleaded to the charge.

**KINDLY** place this notice on the notice board designated for this purpose in accordance with Rule 16A(1)(c), and place your stamp upon such notice to indicate the date upon which it has been placed on the notice board, whereafter kindly ensure that such notice remains on the notice board for a period of 20 days, in accordance with Rule 16A(1)(d).

**TAKE NOTICE FURTHER** that any interested party may, with the written consent of all the parties to the proceedings, given by no later than 20 days after the publication of this notice on the notice board, be admitted therein as *amicus curiae*, upon such terms and conditions as may be agreed upon in writing by the parties.

**TAKE NOTICE FURTHER** that the written consent referred to above shall, within 5 days of its having been obtained, be lodged with the registrar, and the *amicus curiae* shall, in addition to any other provision, comply with the times agreed upon for the lodging of written argument.

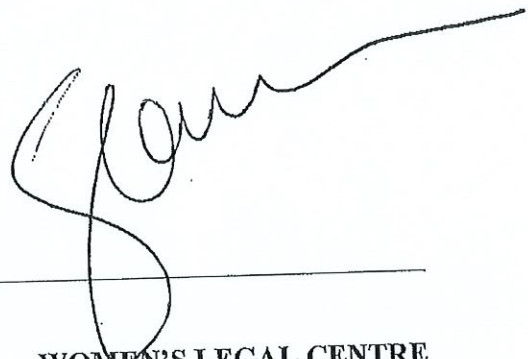
**TAKE NOTICE FURTHER** that the terms and conditions agreed upon may be amended by the court.

**TAKE NOTICE FURTHER** that if the interested party is unable to obtain the written consent as contemplated herein, it may, within 5 days of the expiry of the 20 days period referred to above, apply to the court to be admitted as an *amicus curiae* in the proceedings. Such application shall –

- (a) briefly describe the interest in the proceedings of the party seeking admission as *amicus curiae*;

- (b) clearly and succinctly set out the submissions which will be advanced by the party as *amicus curiae*, the relevance of those submissions to the proceedings, and the reasons for believing that the submissions will assist the court and be different from those of the other parties; and
- (c) be served upon all the parties to the proceedings.

DATED AND SIGNED AT CAPE TOWN ON THIS 29 DAY OF  
NOVEMBER 2022.

A handwritten signature in black ink, appearing to be 'Bronwyn', written over a horizontal line.

**WOMEN'S LEGAL CENTRE**

Applicants Attorneys

2<sup>nd</sup> Floor, 5 St Georges Mall

St George's Mall

Cape Town

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(REF: B Pithey)

**TO: THE REGISTRAR**  
HIGH COURT, CAPE TOWN

**AND TO: THE FIRST RESPONDENT**  
C/O THE STATE ATTORNEY, CAPE TOWN  
22 Long Street  
CAPE TOWN

STAATSPROKUREUR: KAAPSTAD  
2022 -12- 01  
STATE ATTORNEY: CAPE TOWN



**AND TO: THE SECOND RESPONDENT**

[REDACTED]  
[REDACTED]  
[REDACTED]

Khayelitsha  
CAPE TOWN