

**IN THE SUPREME COURT OF APPEAL OF SOUTH AFRICA**

SCA Case No: 871/2017  
HC Case No: 23871/2015

In the matter between:

<b>CENTRE FOR CHILD LAW</b>	1 <sup>st</sup> Appellant
<b>KL</b>	2 <sup>nd</sup> Appellant
<b>CHILDLINE SOUTH AFRICA</b>	3 <sup>rd</sup> Appellant
<b>NATIONAL INSTITUTE FOR CRIME PREVENTION AND THE REINTEGRATION OF OFFENDERS</b>	4 <sup>th</sup> Appellant
<b>MEDIA MONITORING AFRICA TRUST</b>	5 <sup>th</sup> Appellant
and	
<b>MEDIA 24 LIMITED</b>	1 <sup>st</sup> Respondent
<b>INDEPENDENT NEWSPAPERS (PTY) LTD</b>	2 <sup>nd</sup> Respondent
<b>TIMES MEDIA GROUP LIMITED</b>	3 <sup>rd</sup> Respondent
<b>MINISTER OF JUSTICE AND CORRECTIONAL SERVICES</b>	4 <sup>th</sup> Respondent
<b>NATIONAL DIRECTOR OF PUBLIC PROSECUTIONS</b>	5 <sup>th</sup> Respondent

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**APPELLANTS' CHRONOLOGY**

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## CHRONOLOGY OF “KL”

DATE	EVENT	RECORD
28 April 1997	KL born in Groote Schuur hospital.	FA para 58, Record vol 1 p 35.
30 April 1997	KL kidnapped from hospital soon after birth.	FA para 52, Record vol 1 p 33
February 2015	KL “found” by biological parents.	FA para 54, Record vol 1 p 34; KL’s affidavit para 3, Record vol 1 p 59.
25 February 2015	The woman KL knew to be her mother arrested on charges of kidnapping.	FA para 54, Record vol 1 p 34; KL’s affidavit para 3, Record vol 1 p 59.
26 February 2015	News of KL’s case breaks in national and international media.	FA paras 46, 69, Record vol 1 pp 30, 39.
2 March 2015	Centre for Child Law (“CCL”) issues press release, requesting media to respect KL’s anonymity.	Annexure AMS 8, Record vol 1 pp 120 - 121.
3 March 2015	CCL writes to media seeking undertaking to protect KL’s anonymity.	Annexure AMS 9, Record vol 1, pp 122 – 124.
9 March 2015	Legal representatives of <i>YOU</i> magazine and <i>Huisgenoot</i> respond to CCL, refuse to give undertaking to protect KL.	Annexure AMS 10, Record vol 1 pp 125 – 126.
26 March 2015	Further letter to media seeking limited undertaking not to reveal KL’s identity pending outcome of litigation.	Annexures AMS 15A, 15B and 15C, Record vol 1 pp 131 – 140.
1 April 2015	Part A urgent application for interim relief filed.	Record vol 1, p 1.
21 April 2015	High Court grants interim relief in Part A, protecting KL’s identity pending Part B.	Annexure AMS 24, Record vol 2 pp 222 – 224.
28 April 2015	KL turns 18.	
27 July 2015	KL discovers that book containing identifying information about to be published.	Reply para 34.5, Record vol 4 pp 750 – 751. Annexure AMS 40, Record vol 5 pp 864

29 July 2015	CCL writes to author and publishers to prevent publication of book.	Annexure AMS 41, Record vol 5 pp 865 – 867.
22 April 2016	Press Ombudsman finds that <i>Daily Voice</i> breached Press Code in publishing pixellated pictures of KL.	Reply para 43, Record vol 4 p 757. Annexure AMS 47, Record vol 5 pp 877 - 881.
August 2016	KL testifies at trial. Hlophe JP orders that testimony be given in camera and that KL's anonymity be protected.	Annexure SA 2, Record vol 5 pp 919 – 920,
21 October 2016	Applicants file supplementary affidavit, detailing media reports on KL's pregnancy.	Record vol 5, pp 907 – 917.

### CHRONOLOGY OF “MVB”

DATE	EVENT	RECORD
27 January 2015	MVB and her family attacked by axe-wielding assailant, leaving MVB in a coma.	Adv Buikman SC's affidavit, para 6, Record vol 5 p 808.
January – April 2015	Media publishes MVB's name, photographs, details of the institutions where she was receiving treatment, and the name of her school.	Adv Buikman SC's affidavit para 7, Record vol 5 p 809.
2 April 2015	Adv Buikman SC appointed as MVB's curator ad litem.	Adv Buikman SC's affidavit, para 8, Record vol 5 p 809.
21 May 2015	Photographs of MVB's first public outings appear in <i>Huisgenoot</i> magazine.	Annexure LB 2, Record vol 5 pp 835 – 836.
30 June 2015	Desai J grants order compelling media to exercise care in reporting on MVB, in accordance with requirements of Press Code.	Annexure LB 4, Record vol 5 pp 841 – 842.
27 August 2015	<i>YOU</i> and <i>Huisgenoot</i> magazines publish articles based on interviews with MVB's aunt.	Adv Buikman SC's affidavit para 20, Record vol 5 pp 814-815; Annexure LB 7, Record vol 5 pp

2 September 2015	MVB's attorneys file complaint with the South African Press Council.	Adv Buikman SC's affidavit para 21, Record vol 5 p 815.
9 October 2015	<i>Netwerk 24</i> and <i>Die Beeld</i> publish story "New man in [MVB's] life"	Adv Buikman SC's affidavit para 25, Record vol 5 p 816; Annexure LB 10, Record vol 5 pp 861 – 862.

### CHRONOLOGY OF "PN"

DATE	EVENT	RECORD
2010	PN, then 15 years old, charged with murder of Eugene Terre'blanche, together with adult co-accused.	Supplementary Founding Affidavit ("SFA") para 33, Record vol 1 p 169.
2011	Media granted limited right of access to trial, subject to the protection of PN's anonymity.	SFA para 36 - 38, Record vol 1 pp 170-171. Affidavit of Mr William Bird paras 20 – 25, Record vol 2 pp 359 – 360.
21 May 2012	PN turns 18, the day before judgment.	SFA para 39, Record vol 1 p 171.
22 May 2012	Horn J hands down judgment on conviction, acquitting PN of murder but convicting him on lesser charge of housebreaking with intent to steal. PN named throughout judgment.	SFA para 39, Record vol 1 p 171.
	PN's photograph and name published in national newspapers.	Annexure WRB 6, Record vol 2, pp 377 – 385. Annexure AMS 26, Record vol 2 pp 225 – 226.
23 August 2012	Sentencing of PN and co-accused. PN's sentence wholly suspended for five years. Life-size effigy of PN's co-accused hung from tree outside court.	SFA para 42, Record vol 2 p 172. Annexure AMS 26, Record vol 2 p 225.

**CHRONOLOGY OF “DS”**

<b>DATE</b>	<b>EVENT</b>	<b>RECORD</b>
2012	DS, then 15 years old, charged with murder of his family.	SFA para 45, Record vol 1 p 172.
	Media gain access to DS’s trial.	SFA para 46, Record vol 1 p 173.
5 December 2013	Press Ombudsman finds that <i>Huisgenoot</i> breached Press Code by identifying DS. Appeal dismissed by Chair of Press Council.	Annexure AMS 27, Record vol 2, pp 244 – 267.
27 March 2014	DS convicted of rape and murder.	SFA para 48, Record vol 1 p 173.
13 August 2014	DS sentenced, two days before his 18 <sup>th</sup> birthday.	SFA para 48, Record vol 1 p 173.
14 August 2014	Newspapers display posters advertising that they will reveal DS’s identity the next day.	SFA para 49, Record vol 1 p 173. DS’s affidavit, para 12, Record vol 2 pp 271.
15 August 2014	DS turns 18. Media publishes DS’s name and photographs.	SFA para 49, Record vol 1 p 173. Annexure AMS 29, Record vol 2 pp 275 – 284.
28 August 2014	Moshidi J dismisses Media 24’s application to review decision of the Chairman of Press Council.	Annexure AMS 27, Record vol 2, pp 244 – 267.

**CHRONOLOGY OF “MO”**

<b>DATE</b>	<b>EVENT</b>	<b>RECORD</b>
January 2011	MO, then 17 years old, involved in motor vehicle collision, resulting in death of	

	a man and injury of two children.	
9 February 2011	MO's first appearance before Child Justice Court.	MO's affidavit para 6, Record vol 3 p 395.
7 March 2011	MO turns 18.	MO's affidavit para 7, Record vol 3 p 395.
7 April 2011	Magistrate orders that matter continue in camera and that MO's identity remain protected.	MO's affidavit para 7, Record vol 3 p 395.
4 – 9 May 2011	Newspapers publish MO's name.	Annexure AMS 31, Record vol 2 pp 285 – 286.
Late 2011	Independent Newspapers launched application to rescind magistrate's order. Application not pursued.	SFA para 55, Record vol 1 p 176.

#### CHRONOLOGY OF "P"

DATE	EVENT	RECORD
2002	P, then 12 years old, charged with murder of her grandmother.	P's affidavit para 3, Record vol 2 p 291.
2004	P convicted of murder and theft in High Court and given non-custodial sentence.	P's affidavit para 7, Record vol 2 p 292.
1 December 2005	On appeal, SCA imposed suspended sentence of imprisonment.	P's affidavit para 7, Record vol 2 p 292.  <i>DPP, KZN v P 2006 (3) SA 515 (SCA)</i>
2005 - date	P remained in her community, completed schooling and is married with two children.	P's affidavit paras 8 - 15, Record vol 2, p 292 - 293.

**CHRONOLOGY OF “X”**

<b>DATE</b>	<b>EVENT</b>	<b>RECORD</b>
2007	X, then 16 years old, convicted on a guilty plea of being an accessory after the fact to the murder of her parents.	X's affidavit para 2, Record vol 2 p 312.
	X due to testify as witness at murderer's trial but trial did not proceed due to guilty plea.	X's affidavit para 2, Record vol 2 p 312.
2007 - 2009	X declared to be a child in need of care and protection and moved to a children's home.	X's affidavit para 5, Record vol 2 p 312.
2009 - date	X completed schooling, proceeded to tertiary studies, and is now married with children.	X's affidavit paras 6 – 17, Record vol 2 pp 313 – 314.