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27 February 2023

Media Advisory

STATE V GUMEDE and OTHERS, 6-24 MARCH 2023, DURBAN HIGH COURT

Members of the media are advised that the trial in the matter State v Gumede and Others has been set down to be heard at the Durban High Court from 6 - 24 March 2023.

Media access to the venue will be by accreditation only. Members of the media interested in covering the proceedings are requested to apply for accreditation by submitting their details using the template provided here - <https://www.judiciary.org.za/index.php/news/media-accreditation> - to Ms Zininzi Makgoale at ZMakgoale@judiciary.org.za and CC LNtuli@judiciary.org.za, by no later than **12h00 on Wednesday, 1 March 2023**. **Accreditation applications not submitted using the provided template will not be considered.** Personal information will be processed in line with the Protection of Personal Information Act (Act No. 4 of 2013).

Accreditation cards will be distributed to approved applicants. Accreditation confirmations will be conducted via email.

Attention is drawn to an order of the court, which accompanies this media advisory. The order details the conditions for film and broadcast of this trial. Please scroll down for the order.

Broadcasters are requested to make their submissions to the court as follows: Ms K Marais, KMarais@judiciary.org.za by no later than **12h00, Wednesday, 1 March 2023**. Requests submitted after this deadline will not be considered. Kindly ensure that the submission adheres to the court order.

PROCEDURES TO BE AWARE OF:

1. Court users are encouraged to wear face mask during proceedings.
2. Your accreditation card will be your access to the courtroom.



Enquiries:

Ms. Lusanda D. Ntuli

Deputy Director: Communications

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Issued by the Office of the Chief Justice





**IN THE HIGH COURT OF SOUTH AFRICA
KWAZULU-NATAL LOCAL DIVISION: DURBAN**

CASE NO.: D7737/2022

BEFORE THE HONOURABLE MS JUSTICE BALTON

AT DURBAN ON 11th NOVEMBER 2022

IN THE MATTER BETWEEN:

e.sat (PTY) LIMITED

1ST APPLICANT

e.tv (PTY) LIMITED

2ND APPLICANT

NGWATO NKOSI HOLDINGS (PTY) LTD

3RD APPLICANT

SOUTH AFRICAN BROADCASTING
CORPORATION SOC LTD

4TH APPLICANT

AND

SENIOR PROSECUTOR ALISHA LUCKEN N.O.

1ST RESPONDENT

ZANDILE RUTH THELMA GUMEDE
& 21 OTHERS

2ND TO 23RD RESPONDENTS

IN RE:

THE STATE

And

ZANDILE RUTH THELMA GUMEDE & 21 OTHERS



UPON the Motion of Counsel for the Applicant and upon reading the *NOTICE OF MOTION* and the other documents filed of record

IT IS ORDERED (BY CONSENT)

1. The applicants, or any one or more of them, are permitted to set up equipment in accordance with the specifications below to film and broadcast this criminal trial (“the trial”) via any means, in whole or in part, on a live or delayed basis.
2. **The following equipment limitations shall apply:**
 - 2.1. Video: only one camera may be used at a time and the location of the cameras are not to change while the court is in session.
 - 2.2. Audio: the media may install their own audio recording system provided this is unobtrusive and does not interfere with proceedings or the official recording of the proceedings. Individual journalists may bring tape recorders into the court room for the purposes of recording the proceedings but the changing of cassettes in the court room is not permitted while the court is in session.
 - 2.3. All cameras, video and audio equipment must be in position at least 15 minutes before the start of proceedings and may be moved or removed only when the court is not in session. Cameras, cables and the like are not to interfere with the free movement within the court.
 - 2.4. Lighting: no movie lights, flash attachments or artificial lighting devices are permitted during court proceedings.
 - 2.5. Operating signals: no visible or audible light or signal may be used on any equipment.



3. **The following pooling arrangements shall apply:**

- 3.1. Only one media representative may conduct each of the audio, video and still photography activities.
- 3.2. This media representative is to be determined by the media themselves and is to operate an open and impartial distribution scheme, in terms of which the footage, sound, or photographs are to be distributed in a 'clean' form, that is, with no visible logos etc to any other media organization requesting same, on a cost sharing basis, and must be archived in such a manner that it remains freely available to other media.
- 3.3. If no agreement can be reached on these arrangements, no expanded media coverage may take place.

4. **Media representatives shall be subject to the following rules:**

- 4.1. Conduct must always be consistent with the decorum and dignity of the court.
- 4.2. No identifying names, marks, logos or symbols should be used on any equipment or clothing worn by media representatives.
- 4.3. All representatives (including camera crew) must be appropriately dressed.
- 4.4. Equipment must be positioned and operated to minimize any distraction while the court is in session.

5. **There shall be an absolute bar on:**

- 5.1. Audio recordings or close up photography of bench discussions;
- 5.2. Audio recordings or close up photography of communications between legal representatives or between clients and their legal representatives;



- 5.3. Close-up photographs or filming of judges, lawyers, or parties in court;
 - 5.4. Recordings (whether video or audio) being used for commercial or political advertising purposes thereafter;
 - 5.5. Use of sound bites without the prior consent of the presiding judge (this does not apply to extracts from judgments or order).
6. There shall be no order as to costs.

BY ORDER OF THE COURT


P.P. V PILLAY
REGISTRAR

SHEPSTONE & WYLIE
/nn

