



DIRECTIVE

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FROM: THE HONOURABLE CHIEF JUSTICE

**TO: HONOURABLE JUDGES OF THE HIGH
COURT**

REGISTRAR OF THE HIGH COURT

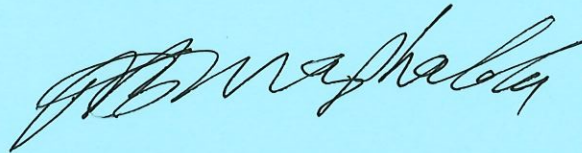
YOUR WORSHIP THE MAGISTRATES

DATE: 29TH NOVEMBER, 2022

RE: PRACTICE DIRECTIVE 1/2022

1. Due to the serious increase and prevalence in serious cases of rape with aggravated circumstances, all such cases will forthwith be heard by the High Court with effect from 1st December, 2022.

2. All part-heard cases of rape with aggravated circumstances pending before the Magistrates Court will be referred to the High Court for sentencing if in the opinion of the Presiding Officer the sentence of imprisonment likely to be imposed upon conviction will exceed fifteen years as contemplated by section 72 of the Criminal Procedure and Evidence Act No. 38 of 1967 as amended.
3. All fresh cases of rape with aggravated circumstances pending before the Magistrates Court will be forwarded to the Registrar of the High Court for enrolment accordingly.



M. C. B. MAPHALALA
HONOURABLE CHIEF JUSTICE



Cc: The Director of Public Prosecutions

The National Commissioner of Police

The Commissioner General of Correctional Services

All Practising Attorneys