

# Media Statement



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**TO: ALL MEDIA**

**DATE: 13 DECEMBER 2018**

**RE: MORTIMER SAUNDERS SENTENCED TO TWO LIFE SENTENCES FOR  
RAPE AND MURDER OF COURTNEY PETERSEN**

On Tuesday, the Western Cape High Court Judge Babalwa Mantame went beyond the norm as she ordered Mortimer Saunders' two life sentences to run consecutively. Saunders was convicted for the rape and premeditated murder of three year old Courtney Petersen. This case not only sent shock waves throughout the Western Cape, but throughout the rest of the country. It also prompted the then president of South Africa, Jacob Zuma, and government departments to visit the Elsies River area and launched initiatives to curb the spate of violence against women and children in that area and the rest of the province.

Tuesday's court outcome dates back to the morning of 04 May 2017, when three year old Courtney, entered the room of the 40 year-old Saunders who was her father's friend. In fact, the accused had lived for two years in the same house with the deceased and her parents. She innocently entered his room to watch DSTV at their humble home at 23 Pluto Street Salbarau, Elsies River. The accused claimed in his plea explanation that the child made noise.

It also came out that the accused and the child's mother were not in good terms, as the accused would create problems between the deceased's mother and her partner. The accused confessed that he poisoned the child with ant poison, strangled her and then dumped her body behind the factories at Bofor Circle, Epping. Video footage played in court during the trial shows him with the little girl's limp body as he entered the industrial area. However, during the trial, he denied that he intended to kill the child and that he raped her. He did confess to using his fingers in her private parts and this happened after she passed away.

The burden of proving that the murder was intentional and that the accused raped the child while she was still alive was left in the capable hands of Advocate Esmeralda Cecil. She did not disappoint, as she lined up experts to prove her case. The accused did not take the stand to defend himself but called a medical expert to testify in his defence. Advocate Cecil destroyed the accused's expert witness and he confessed in the end that he was at a disadvantage as he was not present during the autopsy and his expert evidence was based on post mortem reports, the post mortem photos, histology slides and affidavits of two state witnesses.

Advocate Cecil argued during the trial that the accused had to leave his room to get water from the kitchen in order to mix the poison with it. "The accused indicated that he only wanted to make the child sick. It is respectfully submitted that clearly this could not have been his intention. From the evidence of Jacobus Van Zyl, (a member of the International Association of Forensic Toxicologists, and the American Academy of Forensic Sciences) it was clear that a high quantity of poison (carbaryl) was administered as traces of it was found in the bile and blood of the deceased, nine days after her body was found. It is submitted that the accused allegedly panicked when the deceased started to scream and he hit her with an open hand. He alleged that he panicked, as he did not want anyone to find her in his room in the condition she was in. From his actions, it is evident that he wanted to permanently silence the deceased. The mechanisms used, suggested that he wanted to kill her and when the first mechanism (poisoning) was unsuccessful he closed her mouth with a towel. He did not stop. He then choked her with his hand around her neck. These are the actions of a person who wanted to finish what he had begun, she argued."

Advocate Cecil further argued that; "The state submits that the accused knew what he was doing and that his intention was clear. When her body became limp, he even placed her on a duvet in the corner of his room and still went about his duties. He waited for her to die. He gave a description in his plea that her lips were turning. It is submitted that, his actions throughout, were not of a person who wanted the child to become sick. It was clear from his actions that he was thinking clearly about his next step. His decision to get rid of the body indicated that he wanted to complete his plan. He alleged that he bought the poison 8 months ago for an ant problem in his room. Yet, none of the state witnesses who lived at the premises testified that there was an ant problem. It is submitted that the only reason why the accused had the poison was to use it to kill someone,".

The sentence serves as a good closure as the NPA and its partners in the JCPS Cluster finalised its programme of 16 Days of Activism of No Violence against Women and Children.

Kind Regards,

**Eric Ntabazalila**

**Regional Spokesperson: DPP Western Cape**

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