



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

Case No: A2082025

In the matter between:

**K[...] N[...]
NKOSIKHONA BABA**

**First Appellant
Second Appellant**

And

THE STATE

Respondent

Summary: Criminal law - murder – common purpose – identification-contradictions and discrepancies - Appeal against conviction Dismissed.

Sentence: whether substantial and compelling circumstances exist warranting a deviation from the prescribed minimum sentence of life imprisonment.

Coram: Nziweni J et Yake AJ

Heard: 06 February 2026

Delivered: 12 February 2026

JUDGMENT – APPEAL

Introduction

[1] On 1 April 2025, the two appellants were arraigned before Wynberg Regional Court (“The court *a quo*”) on a charge of murder read with the provisions of **section 51 (1)** read with Part 1 of Schedule 2 of the Criminal Law Amendment Act 105 of 1997 (“The CLAA”) which provides for the imposition of a mandatory sentence of life imprisonment unless there are substantial and compelling circumstances which justify the imposition of a lesser sentence.

[2] At the commencement of the trial, there were initially three accused that appeared before the court *a quo*. During the course of the trial proceedings, accused number three (“accused 3”) absconded. The State brought an application for separation of trials in terms of **section 157 (2)** of the Criminal Procedure Act 51 of 1977 which was not opposed by the defense and granted by the court.

[3] In convicting the appellants, the court *a quo* found that they acted in the furtherance of a common purpose in killing the deceased. On 12 June 2025 they were both subsequently sentenced to undergo life Imprisonment.

[4] Aggrieved by both conviction and sentence, the two appellants exercised their automatic right to appeal in terms of **section 309 (1) (a)** and **section 309B** of the Criminal Procedure Act 51 of 1977 and lodged this appeal, challenging both conviction and sentenced. The appeal is opposed by the respondent.

Proceedings in the court *a quo*

[5] The State case is premised on the testimony of four witnesses, Ms. Gcobisa Kekele (“Gcobisa”) an eyewitness, Mr. Thayanda Zwakala (“Thayanda”) who was present prior the stabbing of the deceased, Mr. Sibulele Zwakala (“Sibulele”) another eyewitness and warrant officer Fredericks (“Fredericks”) the investigating officer. Both appellants gave evidence in their defence and called no witness. The facts can be succinctly summarised as follows:

[6] On the night of 9 September 2020, Gcobisa was sitting at Manzini tavern with the second appellant drinking alcohol. The first appellant and accused 3 were also drinking with them but sitting at a different table. The visibility was clear inside as the lights were on. She knows the first appellant and accused 3 from the area and it was the first time to see the second appellant. The second appellant proposed love to her, and they spent about three hours chatting together. When the tavern closed, they all left and she went home.

[7] Whilst she was standing outside her home, she saw the second appellant stabbing Thayanda with a bottleneck in the forearm and legs. When witnessing this, she was standing at about four meters from them. The visibility was clear as the lights from the nearby shacks illuminated the area. After Thayanda was stabbed, he fell on the ground and screamed out the deceased name. At the time the second appellant was stabbing Thayanda, the first appellant and accused 3 were hiding behind the toilet. The deceased came and removed the second appellant from Thayanda. That is the time Thayanda managed to run away leaving the deceased who was unarmed engaged in a fight with the second appellant. The second appellant proceeded to stab the deceased on the neck. The first appellant and accused 3 emerged from hiding and also stabbed the deceased on his back, thereafter the three of them ran away. The deceased walked towards her bleeding on the neck and thereafter fell on the ground. He was taken to hospital where he later died.

[8] Thayanda confirmed hearing someone calling the deceased name whilst sleeping at home. Few seconds later, his brother Sibulele came inside the house, went towards the kitchen and then left again. He decided to follow Sibulele, but when he opened the door, he saw the deceased looking like someone who was in a hurry as if he was arguing with someone. He pulled the deceased behind him wanting to see the person he was arguing with. He saw the second appellant standing against the shack. The second appellant came straight to him, lifted his left-hand up and

stabbed him in the right palm. He did not see what he used to stab him as the incident occurred very fast. The second appellant stabbed him again on his left forearm, and he fell on the ground. The second appellant continued and tried to stab him whilst he was on the ground, but he used his feet to kick him away.

[9] The deceased came to his rescue and pushed the second appellant away. That is how he managed to run away leaving the deceased behind. He ran to the deceased sister's house. Few minutes later, a person named Siwe came shouting, saying they have stabbed the deceased. A transport was organised and they all went to hospital where he was treated and later informed that the deceased has passed away.

[10] Sibulele confirmed going in and out of the house as Thayanda testified. According to him, he went to fetch money to buy takeaway as the tavern was about to close. Whilst busy buying his takeaway, he heard someone saying there was a fight outside. He went outside and saw the deceased on the ground full of blood. The first appellant and accused 3 standing over the deceased stabbing him with knives. He knows the first appellant and accused 3, they both have brothers who reside in the area, and he had seen all three of them during the day. He did not see the second appellant doing anything.

[11] Fredericks testified that the first appellant went to hand himself over to the police for being involved in murder case. The first appellant informed him that his friend was taken away by the Manzini community, and he feared for his life. He went to pick his friend, the second appellant. The second appellant admitted being involved in murder and pointed out the third suspect who was also arrested. A few months later, he took a statement from Gcobisa on instruction of the prosecutor.

[12] After the close of the case for the prosecution, the attorney for the second appellant brought an application for his discharge in terms of **section 174** of the CPA, which was refused by the court on the basis that there was a case for the second appellant to answer. I could not find any fault on the ruling of the Magistrate. In my view she correctly exercised her discretion by refusing the discharge.

[13] The first appellant testified and admitted drinking at Manzini tavern with the second appellant and accused 3. He confirmed that the second appellant had an eye

on Gcobisa and was chatting with her inside the tavern. He did not dispute that he is known to Gcobisa and Sibulele. He testified that when the tavern closed, they all went out. Whilst outside, he saw Sibulele coming out of the passage. He called him but Sibulele turned and ran back into the passage. The second appellant chased Sibulele. Accused 3 also gave chase after the second appellant. Few minutes later, the second appellant and accused 3 came back following each other. The three of them left and went to the second appellant's house in Nyanga.

[14] On their arrival at the second appellant's house, he noticed that the second appellant takkies and pants had blood. The second appellant changed his takkies and they all went to another tavern that was in their area. Whilst at the second tavern, the community of Manzini came looking for them saying they have killed someone. The community got hold of the second appellant and he managed to escape and went to report the matter at the police station. He was then arrested. He denied stabbing the deceased.

[15] The second appellant save for confirming being at Manzini tavern with the first appellant and accused 3, denied almost everything. He denied chatting with Gcobisa and in fact according to him, he never even saw her at the tavern. He denied chasing after Sibulele and denied having blood in his pant and takkies. He also denied stabbing Thayanda and the deceased. According to him, the reason he ran away is because he was scarred as he saw a group people coming towards him.

Findings by the Regional Magistrate

On Conviction

[16] On conviction the court *a quo* accepted the evidence of all state witnesses. She found Gcobisa to be a credible and honest witness. Her view was that the discrepancies and contradiction in the evidence of the witnesses were not material. She rejected the evidence of the two appellants and found that they were ones who stabbed and killed the deceased whilst acting in the furtherance of common purpose.

On Sentence

[17] On sentence, the court *a quo* considered the submissions by the State and defence. She further considered the probation officer's report, the victim impact report and all the surrounding circumstances, she found that there were no substantial and compelling circumstances which warranted deviation and sentenced the two appellants to life imprisonment.

Grounds of Appeal

[18] The grounds of appeal raised by the appellant on conviction are two - fold:

[18.1] that the State failed to discharge its *onus* of proving guilt of the appellants beyond reasonable doubt, taking into account the material contradictions in the testimony of the witnesses which cast doubt on their credibility.

[18.2] the court *a quo* erred in finding that the witnesses were credible and rejecting the appellants version as not being reasonable possible true.

[19] The grounds for appeal on sentence are as follows:

[19.1] The court *a quo* unduly prioritised the interest of society and the principle of retribution.

[19.2] The court *a quo* failed to adequately consider the rehabilitative prospects of the appellants and the element of mercy inherent in sentencing.

Legal Principle

[20] It is the function of the trial court to analyse and evaluate evidence. A Court of Appeal may not interfere with the trial court's judgment or decision regarding either conviction or sentence unless it finds that the trial court misdirected itself as regards to its findings of facts or the law. It is the trial court that can better assess the

evidence as it has an advantage of seeing and hearing witnesses. This is a principle that is well established in our law.

[21] In a matter of **R v Dhlumayo and Another**¹ the majority, per Greenberg JA and Davis AJA (Schreiner dissenting) said the following:

“The trial court has the advantages, which the appeal judges do not have, in seeing and hearing the witness and being steeped in the atmosphere of the trial. Not only has the trial court the opportunity of observing their demeanour, but also, their appearances and whole personality. This should not be overlooked.”

[22] The principle was restated in **S v Hadebe and Others**² where the following was stated:

“Before considering these submissions it would be well to recall yet again, that there are well-established principles governing the hearing of appeals against findings of fact. In short, in the absence of demonstrable and material misdirection by the trial Court, its findings of fact are presumed to be correct and will only be disregarded if the recorded evidence shows them to be clearly wrong.”

[23] A similar approach was adopted in **S v Pistorius**³, which cited, *inter alia* *Dhlumayo* with approval:

“It is a time-honoured principle that once a trial court has made credibility findings, an appeal court should be deferential and slow to interfere therewith unless it is convinced on a conspectus of the evidence that the trial court was clearly wrong. R v Dhlumayo and Another 1948 (2) SA 677 (A) at 706; S v Kebana [2010] 1 All SA 310 (SCA) para 12. It can hardly be disputed that the magistrate had advantages which we, as an appeal court, do not have of having seen, observed and heard the witnesses testify in his presence in court. As the saying goes, he was steeped in the atmosphere of the trial. Absent any positive finding that he was wrong, this court is not at liberty to interfere with his findings.”

¹ 1948 (2) SA 677 (A) at 705

² 1997 (2) SACR 641 (SCA) at 645e - f

³ 2014 (2) SACR 315 (SCA) para 30

Evaluation

[24] The main issue to be considered on this appeal is whether the discrepancies and the contradictions between the evidence of the State witnesses, their *viva voce* evidence in court vis-a-vis the statements made to the police are material so as to affect their credibility and warranted rejection by the court *a quo*. If the answer is in affirmative, then the court *a quo* misdirected itself in convicting the appellants. It stands to reason if the appeal court found misdirection on conviction by the court *a quo*, the conviction should be set aside, and sentence will automatically fall away. However, if no misdirection is found on the court *a quo*'s decision, then the appeal court will proceed to consider sentence. When considering sentence, the appeal court will consider whether there are any substantial and compelling circumstances which warrant deviation from the prescribed minimum sentence.

[25] Counsel for the appellants raised several contradictions in the testimony of the witnesses in both her papers filed on record and during her argument in court. She contends that the contradictions were material and the court *a quo* failed to consider them. The contradictions she referred include *inter alia*; the fact that Sibulele testified that he did not see Gcobisa at the scene; the role played the first appellant and accused 3 during the stabbing of the deceased; the fact that Gcobisa made her statement late, identification of the second appellant and discrepancies between the witness statements.

[26] The appellant's contention that there are material contradictions in the State case, especially in light of discrepancies in the witnesses' statements to the police and their *viva voce* evidence, with reference to Thayanda and Sibulele cannot in my view be regarded as material. The court *a quo* adequately addressed the question of contradictions as well as the applicable law thereto in her judgment.

[27] The court *a quo* could not make any negative finding on Gcobisa's statement which was taken months after the incident. Instead, the court *a quo* made positive credibility findings in favour of Gcobisa and accepted the manner in which she presented her evidence. I could not find that the court *a quo* misdirected itself in its

findings based on the following:

[27.1] Gcobisa was adamant in her testimony that both appellants together with accused 3 stabbed the deceased.

[27.2] Her identification of the two appellants was consistent throughout and could not be successfully challenged by the appellants.

[27.3] She knew the first appellant from the area, she spent approximately three hours at the tavern with the second appellant.

[27.4] Her evidence of identification pertaining to the second appellant finds corroboration in the first appellant's testimony who confirmed seeing her sitting with the second appellant at the tavern.

[28] In **S v Mthethwa**⁴ the court said the following regarding identification:

"Because of the fallibility of human observation, evidence of identification is approached by the courts with some caution. It is not enough for the identifying witness to be honest: the reliability of his observation must also be tested. This depends on various factors, such as lighting, visibility, and eyesight; the proximity of the witness; the opportunity for observation, both as to time and situation; the extent of his prior knowledge of the accused; the mobility of the scene; corroboration; suggestibility; the accused's face, voice, build, gait and dress; the result of any identification parades, if any; and of course the evidence on behalf of the accused. The list is not exhaustive. These factors or such of them as are applicable in a particular case, are not individually decisive, but must be weighed one against the other, in the light of the totality of the evidence, and the probabilities."

[29] Upon reading record, I agree with the findings of the court *a quo* that Gcobisa appeared to be honest in her observation of the witnesses. She had an opportunity to observe the appellants as she was within their close proximity when the incident occurred, the visibility was clear and she had prior knowledge. Same as the court *a quo*, I could not find any biasness on her against the appellants.

[30] Same with the court *a quo*'s finding on Thayanda, I could not find any misdirection. Thayanda testified that he saw the second appellant earlier that day.
He

⁴ 1972 (3) SA 766 (A) 768A-C

was able describe his clothing and had an opportunity to observe him during the stabbing. See *S v Mthethwa supra*. The contention by the appellant's counsel that the discrepancies in Thayanda's evidence may affect the weight of his evidence has been adequately addressed. Once more, I cannot fault the reasoning and findings of the court *a quo* in accepting Thayanda's evidence.

[31] In weighing up the contradiction in Sibulele's evidence and statement, the court *a quo* considered that the first appellant and accused 3 were known to Sibulele. In **Abdullah v S**⁵, the Supreme Court of Appeal stated:

"...when seeing a person who is known to you, it is not a process of observation that takes place but rather one of recognition. This is a different cognitive process which plays a vital role in our everyday social interaction. The time necessary to recognize a known face as opposed to identifying a person for the first time, is very different. It has been recognized by our courts that where a witness knows the person sought to be identified, or has seen him frequently, the identification is likely to be accurate."

[32] The court *a quo* found that Sibulele had an opportunity to observe the first appellant and accused 3 when they were carrying knives with blood in their hands. The evidence of Sibulele is consistent with the evidence of first appellant who admitted carrying knife on the day. The court *a quo* found the contradictions not material that it detracts the truth. In my view the court *a quo* did not misdirect itself in accepting Sibulele's evidence.

[33] In evaluating contradictions and discrepancies in the State's case, the court should first established whether the contradictions are material or not. In **S v Bruiners and Another**⁶ the question of contradictions and witness statement was addressed as follows:

"two or more witnesses hardly ever gave identical evidence with reference to the same incident or events. It was thus obligatory on the trial court to decide, considering the evidence holistically, to hold whether such differences were material to warrant the rejection of the State's version."

⁵ [2022] ZASCA 33 (31 March 2022) para 13

⁶ 1998 (2) SACR 432 (SE) 435 a-b

[34] In S v Mafaladiso⁷ the court held that:

"The court must handle discrepancies between different versions of the same witness with circumspection. First the court must ascertain what the witness meant to say in order to determine whether there was a discrepancy and the extent of the discrepancy. The court must take into account the following: the fact that a statement to the police was not subjected to cross-examination, language and cultural differences between the witness and the person who took the statement, and the fact that the police did not require any explanation of a statement. Secondly, not every error by, or discrepancy in the statement affects the witness credibility. Thirdly, the different versions must be evaluated holistically. This evaluation includes the circumstances in which the versions were given, reasons for the discrepancies, the effect of the discrepancies on the witness's credibility and whether the witness had sufficient opportunity to explain the discrepancies. Lastly, the witness's statement to the police must be weighed up against the witness's viva voce evidence".

[35] It must be remembered that contradictions per se do not lead to total the rejection of a witness's evidence because they may not be indicative of dishonesty or untruthfulness but error. Moreover, not every error made by a witness affects his credibility. See *S v Mkohle*⁸.

[36] The findings by the court *a quo* on a question of fact and credibility of witnesses, is in my view presumed to be correct, as it was the one with an advantage of seeing and hearing witnesses and was in the best position to determine where the truth lies. See *S v Hadebe and Others supra*.

[37] Turning to the appellant's version, it is trite that the proper approach is to look at the evidence holistically in order to determine whether the guilt of the appellants has been proved beyond reasonable doubt. In Tshiki v S⁹, the court explained this approach as follows:

⁷ 2003(1) SACR 583(SCA) (594a-g)

⁸ 1990 (1) SACR 95 (A)

⁹ [2020] ZASCA 92 (18 August 2020)

“In a criminal trial, a court’s approach in assessing evidence is to weigh up all the elements that point towards the guilt of the accused against all that which is indicative of their innocence taking proper account of inherent strengths and weaknesses, probabilities and improbabilities on both sides and having done so, to decide whether the balance weighs so heavily in favour of the State as to exclude any reasonable doubt about the accused’s guilt. . .’

[38] The evidence of the two appellants was riddled with improbabilities. The first appellant tried very hard to give exculpatory evidence and negate any wrongdoing on his part whilst the second appellant was distancing himself from the incident. In analysing the appellant’s case the court *a quo* found that the first appellant gave evidence which was consistent on material aspects with the State case, in that he confirmed that second appellant was chatting with Gcobisa, He even placed the second appellant at the scene as the person who chased Sibulele and came back with blood in his takkies and pants. He admitted carrying knife but denied using it.

[39] For the second appellant, the court *a quo* found that his evidence lacked sufficient detail and understanding. He contradicted himself and adapted his evidence as he went along. He brought new evidence under cross examination without being able to give explanation thereto. In my view, the court *a quo* correctly rejected the version of both appellants.

[40] In considering the totality of the evidence, it is clear that from reading of the record, the court *a quo* carefully considered and evaluated the evidence before it. The State witnesses corroborated each other on all material respect, and the identification of the appellants was not really placed in dispute. The two appellants acted in the furtherance of common purpose in that they both stabbed the deceased and thereafter fled. There was no material misdirection that I could pick up from the findings of the court *a quo*. I am not persuaded that in convicting the appellants, the court *a quo* misdirected itself in any material respect in its assessment of evidence. The version of the appellants is clearly not reasonably possibly true and stands to be rejected.

[41] I align myself with Bosielo JA in ***S v Engelbrecht***¹⁰ when he pointed out that: *"Having read the transcript, I am unable to find any fault with the assessment of these witnesses by the trial court, which had the advantage of seeing them testify and observing their reactions to questions during cross-examination. This gave the trial court an advantage which this court does not have as a court of appeal. In the absence of any misdirection by the trial court, I decline to interfere with such a finding"*.

[42] In the result, the appeal on conviction must therefore be dismissed.

[43] Having found that the court *a quo* did not misdirect itself in convicting the appellants, I turn to consider the appeal against sentence. It is trite that the task of imposing sentence is pre-eminently a matter which falls within the domain and discretion of the trial court, and an appeal court should not easily interfere with such discretion unless it is satisfied that it has not been judicially and properly exercised.

[44] The appellants were convicted of murder committed in furtherance of a common purpose, which carries a mandatory life sentence.¹¹ **Section 51 (3) (a)** of the CLAA provides that the court may only deviate from the prescribed minimum sentence if it finds substantial and compelling circumstances which warrant deviation. The courts have been warned not depart from the prescribed sentence lightly and for flimsy reasons, there must truly be convincing reasons to deviate.¹²

[45] Counsel for appellants submitted and urged this Court to exercise its discretion and impose a sentence that reflects mercy, proportionality and constitutional imperative to prioritise rehabilitation. She argued that the court should deviate from the prescribed minimum sentence considering that both appellants are still young.

[46] The respondent strongly opposed the appeal submitting that the sentence imposed by the court *a quo* is fair and appropriate under the circumstances. According to the respondent, both appellants showed no remorse. The second appellant callously took the life of the deceased, robbing a mother of her son whilst

¹⁰ 2011 (2) SACR 540 (SCA) at para 18

¹¹ Section 51(1) of the Criminal Law Amendment Act 105 of 1997

¹² *S v Malgas* 2001 (1) SACR 469 (SCA) paras 9 and 25.

the first appellant attacked the deceased whilst he was already injured. The respondent contends that the court *a quo* did not misdirect itself as it took into consideration all the relevant factors when sentencing the appellants.

[47] In considering an appropriate sentence, the court *a quo* took into account what is commonly referred to as the triad in **S v Zinn**,¹³ namely, the crime, the offender and the interests of society. The personal circumstances of the first appellant are that: he is 35 years old, single with one minor child aged 6 and the child resides with his mother. He was employed and was contributing towards the maintenance of his child. He is HIV positive and receives ongoing treatment. He is a first offender. The personal circumstances of the second appellant that he is 29 years old, single with two children who are residing in Eastern Cape. He was employed and financially supporting his children. He is standing before the court as a first offender.

[48] The court *a quo* also considered that the deceased was still young, 19 years old and was unarmed when attacked by three people which led to his demise. After considering the personal circumstances of both appellants, the probation officer's reports, the victim impact reports as well as submissions by attorneys of both appellants and submissions by the State, the court *a quo* found that there were no substantial and compelling circumstances which justified a deviation from the prescribed minimum sentence.

[49] It is trite that the phrase '*substantial and compelling circumstances*', has not been defined by our legislature. It has been left to the court to decide what constitutes substantial and compelling circumstances having regard the surrounding circumstances of each case which include the factors traditionally considered by courts when sentencing offenders. For circumstances to qualify as substantial and compelling, they 'need not be *'exceptional'* in the sense that they are seldom encountered or rare, nor are they limited to those which diminish the moral guilt of the offender' (see S v Pillay **2018 (2) SACR 192** (KZD) at paragraph 10).

¹³ S v Zinn 1969 (2) SA 537 (A) at 540G-H.

[50] In **S v Pillay**¹⁴ the issue which concerned the court was whether to impose the prescribed minimum sentences of life imprisonment in respect of murder and 15-years' imprisonment in respect of possession of firearm, or whether to deviate from such sentences. *Henriques J* stated that where a court is convinced, after considering all the factors, an injustice would follow if the minimum sentence is imposed, then it can characterise such factors as constituting substantial and compelling circumstances and deviate from imposing the prescribed minimum sentence.

[51] In **S v Vilakazi**¹⁵ the court explained that particular factors, whether aggravating or mitigating, should not be taken individually and in isolation as substantial or compelling circumstances. In deciding whether substantial and compelling circumstances exist, one must look at traditional mitigating and aggravating factors and consider the cumulative effect thereof. When sentencing, a court considers the personal circumstances of an accused. However, only some carry sufficient weight to tip the scales in favour of the accused to impact on the sentence to be imposed. Often the fact that the accused is young and is a first offender has the effect of reducing a sentence.

[52] I am conscious to the fact the offence of murder is by its nature a very serious offence as it is an irreversible act. A person's constitutional right to life in terms of **section 11** of the SA Constitution Act 1098 of 1996 has been infringed. Sadly, no amount of punishment that any court can impose will undo what has been done and return the life that was wrongfully taken away. It is concerning that most often than not, when alcohol is involved; someone's life will be lost. This is a serious scourge which needs serious attention and intervention. That is why when imposing sentence the focus should be on the offender as that is the person who needs to reflect on his actions and probably be rehabilitated to become a better person. By doing so, hopefully the influx that we see alcohol related murders will decrease. Ours is not to give effect to vengeance or revenge but to consider retribution as part of our sentencing rationale.

¹⁴ 2018 (2) SACR 192 (KZD)

¹⁵ 2009 (1) SACR 552 (SCA)

Conclusion

[53] Having carefully considered the submissions by both parties and regard to the mitigating as well as aggravating factors. Without trivialising the offence, I am of the view that the traditional factors normally taken when considering a sentence still plays a vital role. I find that the personal circumstances of both appellants, the fact that they have clean records and that alcohol may have played a role in the commission of this offence, the seriousness of the offence, the interest of the family of the deceased as well as the interest of community at large, those factors if taken cumulatively constitute substantial and compelling circumstances which warrants this court to deviate from the prescribed minimum sentence.

[54] Notwithstanding, that there are substantial and compelling circumstances in the matter, I am of the view that a long term of imprisonment is without any doubt warranted in this matter. In the results, the sentence imposed by the court a quo is set aside.

ORDER

[55] Accordingly, in respect of both appellants; I make the following order:

[55.1] Appeal against conviction is dismissed.

[55.2] Appeal against sentence is upheld. The sentenced of life imprisonment is set aside and replaced by a sentence of 20 years imprisonment.

S. YAKE
Acting Judge of the High Court

I agree, and it is so ordered

C. N. NZIWENI
Judge of the High Court

Appearances:

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