IN THE HIGH COURT OF SOUTH AFRICA

(EASTERN CAPE DIVISION, MAKHANDA)

Case No.: CA&R 94/2025

In the matter between:

THE STATE Appellant

and

THURSHEUS EDIN FABIAN SNYDERS Respondent

JUDGMENT

RUSI J

[1] This appeal is brought by the State in terms of section 310A (1) of the Criminal Procedure Act 51 of 1977 (the CPA), with leave of this Court.[1] The State appeals against the sentence of correctional supervision and a wholly suspended term of term of 5 years' imprisonment which the Gqeberha Regional Court imposed on the respondent on 06 May 20025 upon his conviction on the offence of contravening section 10 of the Prevention and Combating of Corrupt Activities Act 12 of 2004 (PRECCA).

---

[1] Per the order of Lowe and Bloem JJ dated 24 June 2025.

[2] Section 10 of PRECCA prohibits corruption and corrupt activities involving persons in an employment relationship and another person, by providing that, any person–

‘(a) who is party to an employment relationship and who, directly or indirectly, accepts or agrees or offers to accept from any other person any unauthorised gratification, whether for the benefit of that person or for the benefit of another person; or

(b) who, directly or indirectly, gives or agrees or offers to give to any person who is party to an employment relationship any unauthorised gratification, whether for the benefit of that party or for the benefit of another person, in respect of that party doing any act in relation to the exercise, carrying out or performance of that party’s powers, duties or functions within the scope of that party’s employment relationship, is guilty of the offence of receiving or offering an unauthorised gratification.’

[3] The prosecution had alleged in the proceedings before the court a quo that during 2011 to 2014, the respondent, while in the employment of Kouga Local Municipality (the Municipality), unlawfully and directly or indirectly accepted unauthorized gratifications from a company controlled by one Werner Rust and Dary Karel Rust in the sum of R48 400.00 for his own benefit. The respondent was convicted of the above-mentioned offence on 06 March 2025 following his plea of guilty in terms of section 112 of the CPA.

The grounds of appeal

[4] The state contends that the sentence induces a sense of shock in that it is unreasonably lenient, and that the trial court misdirected itself in:

(i) Not adequately considering the extremely serious nature of the offence of corruption, the interest of society, the relevant case law pertaining to sentencing in corruption cases, and by overemphasizing the respondent’s personal circumstances.

(ii) Failing to provide reasons for finding direct imprisonment not suitable as a sentencing option and failing to provide the parties with the case law she relied on in imposing the sentence appealed against.

The factual background

[5] The respondent is the former employee of the Municipality whose offices are situated in Jeffreys Bay, Eastern Cape. He was employed by the Municipality as its Senior Administrative Officer, auxiliary services. His duties entailed assisting the Municipality with the procurement of office equipment such as landlines, cellular phones, copiers and fax machines, obtaining quotations for goods and services and completing requisitions for payment of invoices raised by suppliers of goods and services. As regards the Municipality's public procurement system, the respondent was also tasked with preparing and presenting evaluation reports for the Bid Evaluation Committee, and the provision of secretariat services to the Bid Adjudication Committee.

[6] Where the value of the goods and services to be procured exceeded R10 000, the respondent's task was to obtain three quotations from different service providers who were registered on the Municipality's supplier database.

[7] In so far as office equipment was concerned, the Municipality made use of the Private Automatic Branch Exchange telephone system (PABX) and data networks which were supplied to it by Gijima Holdings (Pty) Ltd (Gijima) in terms of a contract that expired in 2012. Gijima installed the Municipality's PABX system on six towers (the high sites). Four of the six high sites were the property of the Municipality while the other two belonged to a company called Plan B Wireless CC (Plan B). The provision of maintenance services of the six high sites was not part of the contract between the Municipality and Gijima.

[8] Mr Werner Rust (Rust) was Gijima's employee who resigned from his employment thereat in 2011. When Rust resigned from Gijima, he went to manage a telecommunications company called WOOA Telecom CC (WOOA) whose sole director was his wife, Darry Karel Rust. He was WOOA's sales manager and his duties entailed, inter alia, the provision of quotations for WOOA's services. WOOA also made use of the two high sites owned by Plan B in terms of a lease.

[9] In the course of 2011, Werner Rust formed a close relationship with the respondent. The respondent would ensure placement of WOOA in the services to be performed for the Municipality in exchange for gratifications. Those gratifications took the form of bank deposits and others were paid in cash. In February 2012, WOOA became registered with the Municipality as one of its service providers. Whenever the Municipality required quotations for goods and services, the respondent abdicated his duty of obtaining those quotations to Werner Rust. He permitted him to procure and submit quotations with higher values from suppliers so that WOOA's quotations for the goods and services would be the lowest and cheapest.

[10] In the course of 2012, the respondent gave advice to the Municipality's Accounting officer (the Municipal Manager), to conclude a 3-year contract with WOOA for the maintenance of the six high sites. On 17 July 2012 the respondent represented to the Municipal Manager that WOOA owned two of the high sites even though in actual fact they were owned by Plan B. This information was falsely presented in a letter which the Director of WOOA, Dary Karel Rust, had written. It was further represented in the said letter that since WOOA owned two of the high sites on which the Municipality's telephone system equipment was installed, access to those two high sites was restricted. On 20 July 2012, following a procurement process, the Municipality concluded

a three-year contract with WOOA for the provision of maintenance and support services.

[11] Two tenders were advertised by the Municipality for the provision of maintenance and support services in respect of its wireless network infrastructure and voice system. The one tender was Bid number 85/2012 and the other was 58/2013. In relation to tender 85/2012, the respondent recommended WOOA to the Bid Evaluation Committee as the successful tenderer. He made this recommendation despite the fact that WOOA's tender documents did not comply with the tendering specifications to the extent that the company failed to submit a valid tax clearance certificate and the verification of its Broad-Based Black Economic Empowerment (B-BBEE) status. The tender was subsequently re-advertised.

[12] When tender number 58/2013 was advertised, the respondent once again recommended WOOA as the successful bidder. When the Municipality's Bid Evaluation Committee made certain written queries on WOOA's tender documents, the respondent, with a view to affording WOOA an unfair advantage, emailed the committee's queries to Werner Rust and requested him to write the requested report himself. The arrangement was that the respondent would in turn submit this report to the Committee as his own. This tender was ultimately canceled without the appointment of a service provider.

[13] As a further facet of his corrupt relationship with WOOA, the respondent, between July 2012 and March 2014, took it upon himself to ensure that all the invoices that WOOA submitted were paid promptly. In this connection, he promptly completed all requisitions for payments of WOOA's invoices which amounted to R860 711.12. He further provided Werner and Dary Karel Rust with updates on the status of the invoices submitted.

[14] A total of 29 gratifications amounting to R48 400.00 were paid by WOOA to the respondent over a period between 2012 and 2014 as quid pro quo for his assistance in ensuring the placement of the Municipality's business with this company as the Municipality's service provider and to facilitate the prompt payment of its invoices by the Municipality. Other payments could not be quantified as they were made in cash. On 25 February 2014, the Municipality gave notice of termination of the contract it had with WOOA.

The sentencing proceedings

[15] The probation officer's report and the correctional supervision report were placed before the court a quo. It is not necessary to deal with their contents in detail. A crucial point to make is that the two reports were obtained so that the assertion that the respondent was the primary care giver of his minor grandson may be investigated. Ms Kiet, the probation officer who complied the probation officer's report was called to give evidence to clarify certain aspects of her report. She conceded that the respondent is not the primary caregiver to his grandson, a fact that the learned Regional Magistrate confirmed in the finding she made on this issue.

[16] The respondent's family background and his personal circumstances were provided to Ms Kiet by the respondent himself and his wife, as well as certain members of the respondent's church community. Both reports were accepted by the prosecution and the defence as being factually correct on these aspects.

Factors in mitigation and aggravation of sentence

[17] The respondent contented himself with submissions from the bar in mitigation of sentence. He also relied on the information contained in the pre-sentence reports. These were the respondent's personal circumstances: he was 48 years old, married with two adult children, a male and a female. His wife

was working as a store cashier earning R3 600.00 per month. His son, who was also employed, contributed R1 500.00 per month to the household. His daughter had a minor child, a boy, and she looked after him since she was not working. After his dismissal from the Municipality, the respondent obtained employment as a bricklayer where he earned R8 000.00 per month. With his salary he maintained his household, including his grandchild. His grandchild was a recipient of the child support grant. He assists his daughter in the upbringing of her child. He enjoys good health. It also emerged that the respondent received his pension benefit upon his dismissal by the Municipality.

[18] It was further submitted that the respondent had deposed to an affidavit before a police officer and had indicated his willingness to testify against his co-accused, and that by pleading guilty he took full responsibility for his unlawful actions. If he were to be given a custodial sentence, his family would suffer financially since he is their breadwinner.

[19] In aggravation of sentence Ms *De Klerk* emphasized the seriousness of the offence, its prevalence and impact on society and the economy. She highlighted the fact that the offence was committed over a long period of time and that the respondent was on one occasion brazen to the extent of actively seeking the gratification from Werner Rust. According to Ms *De Klerk,* even though the available records show only 29 payments that were made to the respondent from WOOA's bank account, there were gratifications which were made in cash and could thus not be quantified. While acknowledging that the respondent's plea of guilty and the affidavit he made to the police served to mitigate sentence, Ms *De Klerk* took the view that the respondent failed to take the court in confidence regarding what motivated his conduct. This, so the submission went, ought to have been done in evidence under oath.

The findings of the court a quo on sentence

[20] In imposing the sentence appealed against, the learned Regional Magistrate considered as a mitigating factor, the fact that the appellant lost his employment. As an aggravating factor, she considered the fact that the respondent’s corrupt relationship with WOOA and those who controlled it continued for more than three years. The learned Regional Magistrate reasoned that the respondent had an opportunity to reflect on his conduct and desist from it when the two tenders collapsed because of his unlawful actions, and that in the case of a serious offence such as the one of which the appellant stood convicted, there was a need in to impose a sentence which reflects the seriousness.

Counsel’s submissions on appeal

[21] In arguments before us, Ms *De Klerk* persisted with the contention that the sentence imposed by the court a quo was unreasonably lenient and induces a sense of shock when regard is had to the seriousness and prevalence of the offence. She further highlighted the fact that since the respondent gave no evidence in mitigation of sentence, what motivated his criminal conduct remains unclear. Ms *De Klerk* contended for a direct term of imprisonment as the appropriate sentence.

[22] On behalf of the respondent, Mr *Sojada* submitted that the penalty provision in section 26 of PRECCA suggests that the trial court had a discretion which, in the present case, was properly exercised. Mr *Sojada* conceded the factors that aggravated the offence, but he was of the view that a custodial sentence would not be appropriate. According to Mr *Sojada*, the suspended sentence that was imposed with correctional supervision was an appropriate deterrent to the respondent who took responsibility for his actions. He further submitted that the amount involved in the corruption was small and this served to mitigate the offence.

The legal principles

[23] A court of appeal cannot, in the absence of material misdirection, approach the question of sentence as if it were the trial court and then substitute the sentence arrived at by it simply because it prefers it.[2] For the appellate court to interfere with the sentence imposed by the trial court it must be satisfied that the trial court committed a misdirection of such a nature, degree and seriousness that shows that it did not exercise its sentencing discretion at all or exercised it improperly or unreasonably when imposing sentence.[3] This principle applies to the terms and conditions imposed by a sentencing court on how or when the sentence is to be served.[4]

[24] A 'striking' or 'startling' or 'disturbing' disparity between the trial court's sentence and that which the appellate court would have imposed will be a ground for the appellate court to disturb the findings of the trial court on sentence.[5]

Discussion

[25] Far from being a means of self-enrichment, the Country's Public Procurement Regulatory Framework aims to achieve constitutional and socio-economic objectives among which is promoting participation in the economy by individuals who were previously disadvantaged by unfair discrimination, small businesses, and black-owned enterprises. This is done by ensuring that government spending contributes to correcting structural imbalances in ownership and access to opportunities. It is unsurprising that the procurement process must be founded on fairness, equity, transparency, competitiveness, and cost-effectiveness.

---

[2] *S v Malgas* (117/2000) [2001] ZASCA 30; [2001] 3 All SA 220 (A); 2001 (2) SA 1222 (SCA); 2001 (1) SACR 469 (SCA) (19 March 2001) (*Malgas*), para 12.
[3] *S v Hewitt* 2017 (1) SACR 309 (SCA) at para 8.
[4] *Mokela v S* 2012 (1) SACR 431 (SCA) para 9.
[5] *Hewitt*, para 8; *S v Sadler* 2000 (1) SACR 331 (SCA) para 8.

[26] Corruption is among the ‘while-collar’ crimes which continue unabated, plaguing the society and the country’s socio-economic fabric. It the words of Koen JA in *Moremi Treasure v The State*,[6] ‘corruption and fraud are destroying the fabric of our society and must be countered by effective deterrent punishment, obviously with due regard to appropriate mitigatory and other factors.’[7]

[27] It is against this background, over and above the factors that are traditionally considered in passing sentence, as well as the known objects of sentence that the trial court must exercise its sentencing discretion in matters such as the present. This entails the crime, the personal circumstances of the offender and the interests of society; and the retributive, preventative, deterrent, and rehabilitative objects of sentencing .[8]

The sentence of correctional supervision

[28] In both pre-sentencing reports the sentence of correctional supervision was recommended. That being so, the recommendation did not mean that that sentence was a suitable sentence. Hence, no matter the conviction with which the recommendation is made, it remains the duty of the court to determine whether, in the exercise of its sentencing discretion, correctional supervision is the appropriate sentence having considered the factual milieu before it.

[29] The learned Regional Magistrate accurately recited the principles of the law regarding correctional supervision and how the higher courts have dealt with corruption when it comes to sentencing. I need not repeat the cases she cited for they are trite. While the challenge of large volumes of work that the lower courts are seized with is acknowledged, it behooved the Regional

---

[6] *Moremi Treasure v The State* (881/2024) [2025] ZASCA 137 (25 September 2025).
[7] Id, para 45.
[8] *S v Zinn 1969* (2) SA 537 (A); *S v RO and Another* 2010(2) SACR 248 para 30.

Magistrate to carefully embark on the application of the legal principles she cited to the facts of the present case.

[30] It bears mentioning that section 26 of PRECCA provides for the sentence of a fine or imprisonment for a maximum period of 18 years. I hold the view that this penal provision is indicative of the serious light in which the legislature intended to treat the offences created by the relevant parts of the said Act including the offence of which the respondent was convicted. But it in no way fetters the court's discretion in sentencing.

[31] The learned Regional Magistrate correctly found the seriousness of the offence and the fact that the respondent's corrupt relationship with WOOA and those who controlled it continued for more than three years, to be aggravating factors.

[32] The totality of what the learned Regional Magistrate said about correctional supervision as a sentencing option in the present case, is encapsulated in the following excerpt of the record:

"In terms of section 276(1) of the Criminal Procedure Act 51 of 1977, that is correctional supervision, correctional supervision is a sentence which may be passed upon a person convicted of an offence. It is trite that save for where there is a minimum sentence as provided for in Act 105 of 1997 the option of correctional supervision is available to a court in respect of any offence, even the so-called serious offences." (sic)

[33] It does not appear from the judgment on sentence that the learned Magistrate applied herself to the important question whether, in the specific circumstances of the case of the respondent, correctional supervision was an appropriate sentence. Her repetition of case law on corruption and on correctional supervision as a sentencing option is regrettably hollow if those legal principles are misapplied or not applied at all. It must inexorably follow that the learned Magistrate did not exercise her sentencing discretion reasonably

or at all. This is a material misdirection, and it vitiates the court a quo's decision on sentence.

[34] An important question that follows is whether this Court must consider the sentence afresh or whether the proceedings are to be remitted to the Regional Court for a proper consideration of sentence. The fundamental consideration in this regard is that save for the issue regarding the respondent being the primary care giver to his grandson in respect of which a finding was correctly made he is not, none of the remaining facts which the Magistrate had to consider in imposing sentence were in dispute. The abundance of the information that was placed before the court a quo in mitigation and aggravation of sentence whose summary I have provided, is part of the record before us. For these reasons, it is not appropriate to remit the matter to the Regional Magistrate for sentencing afresh.

What sentence is appropriate in the present case?

[35] As Friedman J once observed in *S v Banda and Others,*[9] finding the balance between the competing interests entailed in sentencing is not an easy task. The learned Judge said:

> 'The elements of the triad contain an equilibrium and a tension. A court should, when determining sentence, strive to accomplish and arrive at a judicious counterbalance between these elements in order to ensure that one element is not unduly accentuated at the expense of and to the exclusion of the others. This is not merely a formula, nor a judicial incantation, the mere stating whereof satisfies the requirements. What is necessary is that the Court shall consider, and try to balance evenly, the nature and circumstances of the offence, the characteristics of the offender and his circumstances and the impact of the crime on the community, its welfare and concern.'[10]

---

[9] 1991 (2) SA 352 (B).
[10] Id, at 355A-C

[36] The sentiments of the courts on 'white-collar' crime reverberate across the country's higher courts' jurisprudence. In *South African Association of Personal Injury Lawyers v Heath and Others*,[11] Chaskalson P said the following:

'Corruption and maladministration are inconsistent with the rule of law and the fundamental values of our Constitution. They undermine the constitutional commitment to human dignity, the achievement of equality and the advancement of human rights and freedoms. They are the antithesis of the open, accountable, democratic government required by the Constitution. If allowed to go unchecked and unpunished they will pose a serious threat to our democratic State. . .'[12]

[37] In setting aside the non-custodial sentence that was imposed by the trial court, Marais JA, in *S v Sadler*,[13] said the following:

'. . .So called "white-collar" crime has, I regret to have to say, often been visited in South African courts with penalties which are calculated to make the game seem worth the candle. Justifications often advanced for such inadequate penalties are the classification of "white-collar' crimes as non-violent crime and its perpetrators (where they are first offenders) as not truly being "criminals" or "prison material" by reason of their often ostensibly respectable histories and background. Empty generalisations of that kind are of no help in assessing appropriate sentences for "white collar" crime. Their premise is that prison is only a place for those who commit crimes of violence and that it is not a place for people from "respectable" backgrounds even if their dishonesty has caused substantial loss, was resorted to for no other reason than self enrichment, and entailed gross breaches of trust. . .These are heresies. Nothing will be gained by lending credence to them. Quite the contrary. The impression that crime of that kind is not regarded by the courts as seriously beyond the pale and will probably

---

[11] 2001 (1) SA 883 (CC).
[12] Id, para 4.
[13] Supra, footnote 5.

not be visited with rigorous punishment will be fostered and more will be tempted to indulge in it.'[14]

[38] In *Sadler*, the appellant, a Senior Bank Manager, had been convicted of 13 counts, involving corruption, forgery and fraud committed against the Bank. The trial court sentenced him to correctional supervision and to wholly suspended sentences of a fine or imprisonment. On appeal, these sentences were set aside and replaced with a term of 4 years' imprisonment with the respective counts taken as one for the purposes of sentence.

[39] As held in *Moremi*,[15] imprisonment is only appropriate if the offender's blameworthiness requires the imposition of such a sentence. It was further held in that case, that the seriousness of the crime; and whether the offender is a first offender or not, are uppermost in the determination as to the appropriateness of a custodial sentence, and that other factors are of secondary importance.[16] The court emphasized, however, that, the fact that an accused is a first offender does not mean that imprisonment may not be imposed, or that he is entitled to a suspended sentence, or, if he is suitable for a sentence of correctional supervision, that correctional supervision should be imposed. Each case must be determined on its own merits and facts.[17]

[40] In the context of the matter before us, it must be highlighted that the respondent played a pivotal role in the Municipality's Supply Chain Management Process. He was in an advisory role, and at the coalface of the procurement office. He was the key role player with regards to the collation of information that would be placed before the Municipality's procurement committees. He used the power of the position he held to advance his interests and those of the controlling individuals behind WOOA. In so doing, he

[14] Id, paras 11 to 12; see also *S v Phillips* 2017 (1) SACR 373 (SCA), para 14; *Mahlangu and Another v S* (2011 (2) SACR 164 (SCA)) [2011] ZASCA 64; 497/10 (1 April 2011), para 26 *(Mahlangu)*.
[15] Supra, footnote 6.
[16] Para 33.
[17] Id at para 41.

undermined the transparent and fair procurement procedure so as to give an unfair advantage to WOOA.

[41] Disquietingly, he continuously supressed other service providers and suppliers of goods so that WOOA from whom he received the gratifications was not displaced as a service provider and supplier of goods to the Municipality. His criminal conduct went beyond the realm of his corrupt relationship with WOOA and the Rusts – it resulted in the concentration of access to business opportunities on one business entity, and this undermined the spirit and purport of the public procurement system.

[42] It may very well be that over and above his other personal circumstances as outlined above, the respondent was a first offender. However, his conduct in perpetuating the corrupt relationship between himself and Werner Rust of WOOA was a carefully planned course which had far reaching implications for other businesses and suppliers of services which were excluded from the procurement process by means of his subversive conduct. On at least two occasions, the procurement process for tenders 85/2012 and 58/2013 collapsed at the behest of the respondent whose intent was set on securing business for WOOA. All of this must accordingly diminish the mitigating effect of his being a first offender.

[43] I am acutely alive to the fact that no two cases will be the same and that consistency in sentencing remains subservient to discretion. That discretion, however, is not exercised in abstract – the facts of each case are at the heart of the proper exercise of the court's discretion. It bears mentioning that in confirming the effective sentence of 4 years' imprisonment imposed by the trial court on two police officers against their conviction on a charge of corruptly

receiving or obtaining R650.00 from another person in exchange of ‘their withdrawal of a criminal case, the court, in *Mahlangu*,[18] held:

‘. . .Corruption has plagued the moral fibre of our society to an extent that to some it is a way of life. There is a very loud outcry from all corners of society against corruption which nowadays seems fashionable. Some even go as far as stating that corruption is rendering the state dysfunctional. It is the courts that must implement the penalties imposed by the legislature. It is also the courts that must ensure that justice is not only done but also seen to be done. . .’[19]

[44] In *S v Phillips*,[20] the appellant, a police officer, solicited and accepted a bribe of R900.00. Upon conviction by the trial court, he was sentenced to seven years’ imprisonment, two years of which were suspended for five years on specified conditions. On appeal this sentence was set aside and replaced with a sentence of four years’ imprisonment antedated to the date of sentencing in the trial court.

[45] The fact that some among these cases involved convictions under different statutes dealing with corruption does not detract from the fact that the sentences imposed in them convey judicial censure as far as corruption and other white-collar crimes are concerned.

[46] I am not unmindful of the loss that the respondent has suffered in the form of loss of his employment and reputation. It is not being insensitive, however, to state that all of this was self-inflicted especially since the respondent gave no evidence in which he explained his conduct in earnest. He contended himself with submissions made on his behalf from the bar to which we have given consideration in this appeal.

---

[18] Supra, para 10.
[19] Id, para 26.
[20] Supra footnote 10.

[47] A miscarriage of justice would ensue if, in every case where the accused is a first offender who pleaded guilty and who has a family, and the like, would be spared from a custodial sentence. On the facts of the present case, there was no comprehensible basis for the court a quo to avoid a custodial sentence. The seriousness of the offence, the moral blameworthiness of the respondent and the interests of society demanded such a sentence.

[48] With that said, the loss that the respondent suffered cannot be ignored in the determination of the length of such custodial sentence. Similarly, whatever period of the correctional supervision the respondent may have already served when the Director of Public Prosecution sought and was granted leave to appeal against the sentence in June 2025, must also be considered.

[49] It is perhaps beneficial to re-state the warning that was sounded in *S v Sonday & another*[21] when Thring J said that 'a sentence which is shockingly or strikingly or disturbingly too light is as much a miscarriage of justice as one which is shockingly or strikingly or disturbingly too heavy'. For all the fore going reasons, the appeal must succeed.

Order

[48] In the result, I would make the following order:

1. The appeal succeeds.
2. The sentence imposed by the Regional Magistrate, Gqeberha, is set aside and substituted for the sentence set out below:

'2.1 The accused is sentenced to undergo four years' imprisonment.'

3. The respondent is ordered to present himself to the South African Police Service Jeffreys Bay, Eastern Cape, within seven (7) calendar days from the date of this order, for the Station Commander or other officer in

---

[21] S *v Sonday & another* 1994 (2) SACR 810 (C) at 820d-e.

charge thereat, to ensure that he is immediately delivered to the St. Albans Correctional Centre, Gqeberha, to commence serving the sentence imposed in paragraph 2.

L. RUSI
JUDGE OF THE HIGH COURT

MTSHABE AJ:
I agree.

NR MTSHABE
JUDGE OF THE HIGH COURT
(ACTING)

Appearances:

Counsel for the appellant : *U L De Klerk*
Office of the Director of Public Prosecutions, Makhanda

Counsel for the respondent : *VM Sojada*
Legal Aid South Africa
Makhanda Justice Centre

Date heard: 15 October 2025

Date delivered: 10 March 2026