



THE SUPREME COURT OF APPEAL OF SOUTH AFRICA

MEDIA SUMMARY OF JUDGMENT DELIVERED IN THE SUPREME COURT OF APPEAL

FROM The Registrar, Supreme Court of Appeal

DATE 31 May 2013

STATUS Immediate

Please note that the media summary is for the benefit of the media and does not form part of the judgment.

Malgas and Others v the State (703/12) [2013] ZASCA 90 (May 2013)

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Today the Supreme Court of Appeal (SCA) dismissed an appeal by four persons, several of whom had been police officers, against their sentences handed down more than ten years ago. They had been found guilty in the Beaufort West Regional Court of theft and housebreaking with intent to commit theft of dagga that had been in police custody.

The appellants had been on bail since shortly after they had been convicted. In the appeal heard in the Western Cape High Court in Cape Town that court reduced the sentence of the first two appellants from ten years' imprisonment to eight years each and confirmed the eight year sentences for each of the other appellants. That court granted leave to appeal against these sentences to this court.

The appellants had themselves to blame for the delays in the hearing of the appeal by the Western Cape High Court.

It was held in this court that there were no exceptional circumstances to justify interference with the sentences currently in question.

The SCA dismissed their appeal.