



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: 1 October 2026

Status: Immediate

The following summary is for the benefit of the media in the reporting of this case and does not form part of the judgments of the Supreme Court of Appeal

Pace v The State (267/2024) [2026] ZASCA 132 (1 October 2026)

Today the Supreme Court of Appeal (SCA) refused an application for condonation and struck from the roll an appeal against the judgment of the Western Cape Division of the High Court, Cape Town.

The appellant had been convicted by the Wynberg Regional Court on several counts involving sexual offences against children and sentenced to an effective 15 years' imprisonment. The high court acquitted him on three counts, but sentenced him to 15 years' imprisonment on the remaining convictions, declared him unfit to possess a firearm and ordered that his name be entered in the register of sex offenders. The appellant was subsequently granted special leave to appeal to this Court.

The appellant failed to lodge his notice of appeal within the prescribed period, resulting in the appeal lapsing. Although he applied for condonation for the late filing of his notice of appeal, he did not apply for reinstatement of the lapsed appeal. Further procedural failures followed, including the late filing of the record and heads of argument.

This Court found that the explanation for the delays was inadequate and that the appellant's attorneys had adopted a lackadaisical approach to the appeal. It also criticised the State for failing to comply with the applicable rules concerning the filing and service of its heads of argument. This Court held that it was not in the interests of justice to grant condonation and struck the appeal from the roll. However, given the manner in which the appellant had been represented, this Court directed that he would not be liable for the costs, including professional fees and disbursements, of the application.

~~~~~ends~~~~~