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: 03 November 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

Gericke v The State; The Director of Public Prosecutions, Free State v Gericke (244/2024; 571/2024 and 754/2024) [2026] ZASCA 150 (03 November 2026)

Today, the Supreme Court of Appeal (SCA) dismissed the appeals by Mr Rudi Neville Gericke (Mr Gericke) against his convictions for murder and assault with intent to cause grievous bodily harm. The SCA also dismissed his appeal based on alleged irregularities during his criminal proceedings, as well as the cross-appeal by the Director of Public Prosecutions, Free State (the State), against his sentence for murder.

The matter arose from an incident on 8 January 2023, when Mr Gericke confronted Mr Reuter Albert Sorour (Mr Sorour) and his son, Mr Evan Felix Sorour (the deceased), after they had retrieved their cattle from a neighbouring farm. Mr Gericke assaulted Mr Sorour and pursued him and the deceased when they attempted to escape. During the confrontation, the deceased drew his firearm and fired at Mr Gericke, who returned fire, fatally wounding the deceased.

The Free State Division of the High Court, Bloemfontein (the high court), convicted Mr Gericke of murder and assault with intent to cause grievous bodily harm. It sentenced him to 12 years' imprisonment for murder and two years' imprisonment for assault, with the sentences running concurrently.

Before the SCA, Mr Gericke argued that he had acted in self-defence. He also alleged that statements in the police docket had been withheld, altered or removed, resulting in an unfair trial. The State, in its cross-appeal, argued that the murder was premeditated and that the sentence imposed was too lenient.

The SCA found that there was no evidence establishing that statements had been withheld or altered. It held that Mr Gericke had received a fair trial and that no material irregularity had occurred. Regarding the convictions, the SCA found that Mr Gericke was the aggressor. He had pursued and assaulted Mr Sorour and continued threatening the Sorours despite their attempts to escape. The deceased had acted lawfully in defending himself and his father. Mr Gericke could therefore not rely on self-defence to justify the killing.

On sentence, the SCA held that the State had not proved beyond a reasonable doubt that the murder was planned or premeditated. It also found no reason to interfere with the high court's finding that substantial and compelling circumstances justified a sentence below the prescribed minimum of 15 years' imprisonment. The SCA accordingly dismissed the appeals and the cross-appeal. Mr Gericke's convictions and effective sentence of 12 years' imprisonment remain in place.

Ends.