MEDIA SUMMARY – JUDGMENT DELIVERED IN THE SUPREME COURT OF APPEAL

From: The Registrar, Supreme Court of Appeal
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Please note that the media summary is intended for the benefit of the media and does not form part of the judgment of the Supreme Court of Appeal

Ramokolo v The State (251/10) [2011] ZASCA 77 (26 May 2011)

On 26 May 2011, the Supreme Court of Appeal dismissed an appeal brought by Mr Bruce Ramokolo against the judgment of the Eastern Cape High Court, Mthatha which upheld his conviction for extortion and sentenced him to undergo four years imprisonment.

Ramokolo is an engineer and a director of Manong & Associates (Pty) Ltd, a consulting civil, structural development engineering company which was appointed as the consulting engineer in a Department of Public Work tender for the upgrading, rehabilitation and improvement of certain urban roads in Ngangelizwe, Mthatha. The tender was awarded to Mageba Construction (Pty) Ltd and Ramokolo was Manong's project manager in the venture.

The high court confirmed Ramokolo's conviction by the regional magistrate for extortion of the directors of Mageba Construction, Ms Vatiswa Poswa and Mr Sakiwo Poswa which was based on evidence that he coerced them (by threatening not to pay their company for work it had done if they did co-operate) to pay him a sum of R300 000 from funds earmarked for the project and falsifying a variation order in the sum of R274 978.42 for presentation to the Department of Public Works to pay them and buy their silence when they disclosed the extortion to the authorities.

The SCA found that the conviction was proper. The SCA held that a custodial sentence was the most appropriate sentence in the circumstances of the case having regard to seriousness and prevalence of white-collar crimes involving dishonesty such as extortion and corruption. The sentence of four years imprisonment, two years of which were conditionally suspended, was confirmed.
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