



## 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** 23 March 2016  
**STATUS** Immediate

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

#### ***Mabaso v The State (200/2015) [2016] ZASCA 29 (23 March 2016)***

The Supreme Court of Appeal today upheld the appeal of the appellant who had been convicted of murder and sentenced to imprisonment for life by the KwaZulu-Natal High Court. The SCA held that there had been a flagrant disregard of the appellant's constitutional right to legal representation, as well as the unlawful production of a confession in the guise of a pointing-out by the appellant. Fatal to the case of the State was the fact that the handwritten notes made by the police officer in control of the pointing out, had not been read back to the accused. Therefore these notes did not constitute admissible probative material. In the result the SCA set aside the conviction of murder and the sentence of imprisonment for life imposed upon the appellant.

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