

Office of the National Director of Public Prosecutions



The National Prosecuting Authority of South Africa
Igunya Jikelele Labetshutshisi boMzantsi Afrika
Die Nasionale Vervolgingsgesag van Suid-Afrika

TO: ALL MEDIA

DATE: 22 OCTOBER 2008

RE: NPA GRANTED LEAVE TO APPEAL NICHOLSON JUDGMENT

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The National Prosecuting Authority (NPA) is pleased with the ruling by Mr Justice Nicholson in granting the NPA leave (permission) to appeal to the Supreme Court of Appeal (SCA) in Bloemfontein. The court granted the NPA leave to appeal on all 16 grounds identified by the NPA in the Nicholson judgement delivered on 12 September 2008 at the Pietermaritzburg High Court. The success of this application on all those grounds bolsters the NPA's confidence that a different and a higher court may arrive at a different finding on the contested issues.

We recognize the need to have this legal dispute resolved by the courts as a matter of urgency and will endeavour to have this appeal finalized as expeditiously as possible. To that end, the NPA will approach the SCA in a matter of days to explore a possibility for the court to accommodate this application as soon as possible given the high public and national interest the case has attracted.

It is important that certainty and finality is established on this matter in order for the NPA to make a decision in the main criminal case.

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Justice in our society, so that people can live in freedom and security