



THE SUPREME COURT OF APPEAL  
REPUBLIC OF SOUTH AFRICA

**MEDIA SUMMARY – JUDGMENT DELIVERED IN THE SUPREME COURT OF APPEAL**

From: The Registrar, Supreme Court of Appeal  
Date: 23 March 2015  
Status: Immediate

*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.*

***Cornelia Strydom v The State***

The Supreme Court of Appeal (SCA) today upheld an appeal against the dismissal of an application for leave to appeal in the Gauteng Local Division, Johannesburg.

The appellant was convicted of 36 counts of fraud. Taking then as one, the Magistrate sitting in Johannesburg, sentenced her to five years imprisonment. The magistrate invoked s 276B of the Criminal Procedure Act and ordered a non-parole period of three years. The appellant was not afforded an opportunity to address the court on that aspect prior to order being made. An application for leave to appeal against the sentence was dismissed by the magistrate. She petitioned the Gauteng Local Division for leave to appeal and this petition was also dismissed. However, that court granted leave to appeal against such refusal to this court.

This court found that the failure to afford such an opportunity to the appellant to address the court on the contemplated non-parole order constituted a misdirection and

consequently leave to appeal to this court was accordingly granted.