

Supreme Court of Appeal of South Africa

MEDIA SUMMARY – JUDGMENT DELIVERED IN SUPREME COURT OF APPEAL

From: The Registrar, Supreme Court of Appeal

Date: 17 March 2006

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

On 17 March 2006 the Supreme Court of Appeal handed down judgment in *The State v Gert Johannes Roslee* setting aside sentences imposed by the Pretoria High Court on the basis that there were a number of misdirections and that the sentences were shockingly light.

On 29 October 2003, Mr Gert Johannes Roslee, the respondent, murdered his former girlfriend, 19-year-old Elizabeth Magdaleen Minny. Whilst waiting for her he murdered her new boyfriend's 21-year-old brother, Abraham Greyling, as well as a 23-year-old woman, Heloise van der Westhuizen and her three-year-old son, Donovan van der Westhuizen.

The Pretoria High Court had sentenced Roslee to an effective 18 years' imprisonment for all the murders.

This court held that the trial court had erred in not imposing the minimum prescribed sentence of life imprisonment for the premeditated murder of Elizabeth Magdalen Minny. It held further that the trial court erred in respect of the sentences imposed for the other three murders by not properly considering the seriousness of the offences and by not sufficiently taking into account the community interest. This court held that maintaining the sentences imposed by the trial court in respect of any one of the murders committed by the respondent would bring the administration of justice into disrepute.

In respect of the murders of Abraham, Heloise and Donovan the sentences were increased from 15 years' imprisonment to 20 years' imprisonment on each count.

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