

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 September 2008

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

S EYSSSEN v THE STATE

1. The Cape High Court convicted Mr Eyssen of two counts of racketeering, one count of criminal gang activities and three counts of housebreaking and robbery. The State's case against Mr Eyssen was that he was the leader of the Fancy Boys gang which committed a number of housebreakings and robberies in the Cape Peninsula during 2001 to 2003.

2. Leave to appeal to the Supreme Court of Appeal was granted on the racketeering counts only. The SCA set aside the convictions on those counts because it was not proved that the three robberies in which Mr Eyssen was found to have participated, were part of the affairs of the Fancy Boys gang, nor was it proved that he managed the operation or activities of the gang. The effective sentence was reduced from 20 to 15 years' imprisonment.

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