



THE SUPREME COURT OF APPEAL
REPUBLIC OF SOUTH AFRICA

MEDIA SUMMARY – JUDGMENT DELIVERED IN THE SUPREME COURT OF APPEAL

20 March 2009

STATUS: Immediate

Carter v Haworth (177/2008) [2009] ZASCA 19 (20 March 2009)

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

The SCA today made an order striking from the roll, an appeal by Mr John William Carter against the decision of the Cape High Court (NC Erasmus J), in which certain damages arising out of injuries suffered by a UK doctor, Ms Kathleen Shirley Haworth who was a passenger in a vehicle driven by Carter, were ‘allowed’.

It appeared that certain factual findings made by the trial judge in connection with Haworth’s claim for future loss of earnings were, by agreement, referred for actuarial calculation and were to be thereafter referred back to the trial judge for a decision, if the matter was not settled.

In the light of the above the SCA considered that the judicial process in the High Court had not been completed and that the appeal against the decision was therefore premature.

The appeal was accordingly struck from the roll.