



THE SUPREME COURT OF APPEAL OF SOUTH AFRICA

MEDIA SUMMARY OF JUDGMENT DELIVERED IN THE SUPREME COURT OF APPEAL

FROM The Registrar, Supreme Court of Appeal
DATE 30 November 2016
STATUS Immediate

Please note that the media summary is for the benefit of the media and does not form part of the judgment.

Hohne v Super Stone Mining (Pty) Ltd (831/16) [2016] ZASCA 186 (30 November 2016)

This morning, in two separate judgments, the Supreme Court of Appeal (SCA) unanimously dismissed an appeal by Mr Dale Hohne against a decision of the Northern Cape Division of the High Court, Kimberley (Lever AJ), sitting as the court of first instance. Mr Hohne's employer, Super Stone Mining (Pty) Ltd had instituted a civil claim against him for the theft of diamonds. The case turned on the admissibility of the appellant's confessions to the acts in question as well as the quantum of loss. The appellant had been threatened with a criminal prosecution and adverse publicity in respect of the theft.

The SCA held that the high court had correctly found that there had been no unlawful duress and that the confessions were admissible. Accordingly, the appeal was dismissed with costs, including the costs of two counsel.

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