



JUTA'S ADVANCE NOTIFICATION SERVICE

APRIL 2015

Dear *South African Law Reports* and *Criminal Law Reports* subscriber

Herewith the cases in the April law reports.

JUDGMENTS OF INTEREST IN THE APRIL EDITIONS OF THE *SALR* AND *SACR*.

SOUTH AFRICAN LAW REPORTS

A judge in dual capacities?

It is competent for a judge of the high court to hear equality court proceedings and high court proceedings based on a constitutional challenge (of the provisions in terms of which the equality court proceedings were brought) in one consolidated case in the dual capacity of high court judge and duly designated equality court judge. *Qwelane v Minister of Justice and Constitutional Development and Others* 2015 (2) SA 493 (GJ)

Contempt of court

Are contempt proceedings against a municipality effective and appropriate? *Meadow Glen Home Owners Association and Others v Tshwane City Metropolitan Municipality and Another* 2015 (2) SA 413 (SCA)

A non-party's right to procedural fairness

The appeal court amended the trial court's order to the detriment of a non-party. Parties had a right to a fair public hearing, and the non-party's right to procedural fairness had been violated. *Stopforth Swanepoel & Brewis Inc v Royal Anthem (Pty) Ltd and Others* 2015 (2) SA 539 (CC)

SOUTH AFRICAN CRIMINAL LAW REPORTS

Murder and driving

An intoxicated driver killed pedestrians while racing his car against another. What was his subjective foresight? Were the trial court's findings as to the effect of intoxicating drugs on the accused's foresight compatible with *dolus eventualis*? *S v Maarohanye and Another* 2015 (1) SACR 337 (GJ)

Rhino horns

The accused was sentenced to 13 years' imprisonment and a fine of R1 million for fraudulently obtaining 26 permits to shoot and kill rhinoceros on the basis that professional hunters would shoot the rhino, but the persons who were listed on the permits did not in fact shoot them. *S v Lemthongthai* 2015 (1) SACR 353 (SCA)

Common purpose and a change of heart

Six people were killed during an attack and robbery on an armoured security vehicle. The accused had helped plan the robbery, but raised the defence that he had dissociated himself when he heard that the others planned to use explosives. *S v Wana and Others* 2015 (1) SACR 374 (ECP)

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Kind Regards

The Juta Law Reports Team

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- MEC for Local Government and Traditional Affairs, KwaZulu-Natal v Botha NO and Others 2015 (2) SA 405 (SCA)
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MV SILVER STAR

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