CONSTITUTIONAL COURT OF SOUTH AFRICA

Case CCT 61/16

In the matter between:

KLAAS LESETJA PHAKANE Applicant

and

THE STATE Respondent

DIRECTIONS DATED 8 FEBRUARY 2017

The Chief Justice has issued the following directions:

1. The parties are directed to file written submissions on—

   a) the application for leave to appeal;

   b) the merits of the appeal, in case leave to appeal is granted;

   c) whether the applicant's conviction and sentence should not be set aside on the basis that the absence of a complete record of the trial proceedings will render the appeal a violation of the applicant's rights in terms of section 35 of the Constitution.

2. Written submissions must be lodged by—

   a) the applicant, on or before Tuesday, 28 February 2017; and

   b) the respondent, on or before Friday, 10 March 2017.

3. Further directions may be issued.

MR KGWADI MAKGAKGA
REGISTRAR
CONSTITUTIONAL COURT

TO: KLAAS LESETJA PHAKANE
Applicant
Kgosi Mampuru II Central Correctional Centre
Kgosi Mampuru Street
PRETORIA
Tel: 012 314 1833 / 1819
Ref: Mr Klaas Lesetja Phakane / prisoner no: 209594809

AND TO: DIRECTOR OF PUBLIC PROSECUTIONS, GAUTENG DIVISION, PRETORIA
Respondent
Office of the Director of Public Prosecutions, Gauteng Division
28 Church Square
PRETORIA
Ref: Mr David Whitefield Melvyn Broughton