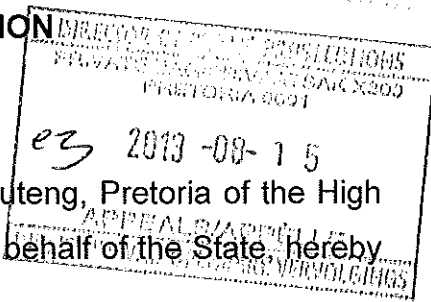


**IN THE HIGH COURT OF SOUTH AFRICA**

**NORTH GAUTENG DIVISION**



The Director of Public Prosecutions for North Gauteng, Pretoria of the High Court of South Africa, who prosecutes for and on behalf of the State, hereby informs the Honourable Court that

**OSCAR LEONARD CARL PISTORIUS**

A 26 year old male, with South African citizenship, residing at 230 Lawley Street, Waterkloof, Pretoria

(hereinafter referred to as the accused)

is guilty of the crimes of;

**COUNT 1:** MURDER – READ WITH THE PROVISIONS OF SECTION 51(1) OF ACT 105 OF 1997

**COUNT 2:** CONTRAVENTIONS OF SECTION 120(7) of the FIREARMS CONTROL ACT NO. 60 OF 2000

**ALTERNATIVE TO COUNT 2:** CONTRAVENTION OF SECTION 120(3)(b) of the FIREARMS CONTROL ACT NO. 60 OF 2000

**COUNT 3:** CONTRAVENTIONS OF SECTION 120(7) of the FIREARMS CONTROL ACT NO. 60 OF 2000

**FIRST ALTERNATIVE TO COUNT 3:** CONTRAVENTION OF SECTION 120(3)(a) of the FIREARMS CONTROL ACT NO. 60 of 2000

**SECOND ALTERNATIVE TO COUNT 3: CONTRAVENTION OF SECTIONS 120(4)(a) of the FIREARMS CONTROL ACT NO. 60 of 2000**

**COUNT 4: CONTRAVENTION OF SECTION 90 OF THE FIREARMS CONTROL ACT NO. 60 OF 2000**

**COUNT 1: MURDER – READ WITH THE PROVISIONS OF SECTION 51(1) OF ACT 105 OF 1997**

In that upon or about 14 February 2013 and at or near 286 Bushwillow Street, Silverwoods Country Estate, Silver Lakes in the District of Pretoria the accused did unlawfully and intentionally kill a person, to wit, REEVA STEENKAMP, a 29 year old female.

**COUNT 2: CONTRAVENTIONS OF SECTION 120(7) of the FIREARMS CONTROL ACT NO. 60 of 2000**

THAT the accused is guilty of the offence of contravening the provisions of Section 120(7) read with Sections 1, 103, 120(1)(a), Section 121 read with Schedule 4 and Section 151 of the Firearms Control Act, 60 of 2000 – Discharge of a firearm in built up area or any public place

IN THAT on or about 30 September 2010 and whilst travelling in a vehicle with other passengers, on a public road at or near Modderfontein, in the district of Kempton Park the accused, did unlawfully discharge a firearm without good reason to do so, by firing a shot with his own 9mm pistol through the open sunroof of the car they were travelling in.

**ALTERNATIVE TO COUNT 2: CONTRAVENTION OF SECTION 120(3)(b) OF THE FIREARMS CONTROL ACT, NO. 60 OF 2000**

THAT the accused is guilty of the offence of contravening the provisions of Section 120(3)(b) read with Sections 1, 103, 120(1)(a), Section 121 read with Schedule 4 and Section 151 of the Firearms Control Act, 60 of 2000 – RECKLESS ENDANGEREMENT.

IN THAT on or about 30 September 2012 and at or near Modderfontein in the district of Kempton Park, the accused in the circumstances mentioned in Count 2 above, discharged a firearm to wit his 9mm pistol with reckless disregard for the other passengers in the car and/or people in the vicinity.

**COUNT 3: CONTRAVENTION OF SECTION 120(7) of the FIREARMS CONTROL ACT NO. 60 of 2000**

THAT the accused is guilty of the offence of contravening the provisions of Section 120(7) read with Sections 1, 103, 120(1)(a), Section 121 read with Schedule 4 and Section 151 of the Firearms Control Act, 60 of 2000 – Discharge of a firearm in built up area or any public place.

IN THAT during January 2013 and at Tashas Restaurant, Melrose Arch in the district of Johannesburg the accused unlawfully discharged a firearm to wit, a Glock 27 pistol, without any good reason to do so. Tashas Restaurant is a public place.

**FIRST ALTERNATIVE COUNT TO COUNT 3: CONTRAVENTION OF SECTION 120(3)(a) OF THE FIREARMS CONTROL ACT, NO. 60 OF 2000**

THAT the accused is guilty of the offence of contravening the provisions of Section 120(3)(a) read with Sections 1, 103, 120(1)(a), Section 121 read with Schedule 4 and Section 151 of the Firearms Control Act, 60 of 2000 – NEGLIGENT DAMAGE TO PROPERTY.

IN THAT on or about January 2013 and at or near Tashas Restaurant, Melrose Arch in the district of Johannesburg the accused negligently used a firearm to wit a Glock 27 pistol and caused damage to the floor of the Restaurant.

**SECOND ALTERNATIVE TO COUNT 3: CONTRAVENTION OF SECTION 120(3)(b) OF THE FIREARMS CONTROL ACT, NO. 60 OF 2000**

THAT the accused is guilty of the offence of contravening the provisions of Section 120(3)(b) read with Sections 1, 103, 120(1)(a), Section 121 read with Schedule 4 and Section 151 of the Firearms Control Act, 60 of 2000 – RECKLESS ENDANGEREMENT.

IN THAT on or about January 2013 and at or near Tashas Restaurant, Melrose Arch in the district of Johannesburg the accused discharged a firearm to wit a Glock 27 pistol at a table in the restaurant amongst other patrons in a manner likely to endanger the safety of the people at his table and/or other patrons and the property of the restaurant. The accused had in discharging the firearm (mentioned) shown a reckless disregard for the safety of the patrons or property of the Restaurant.

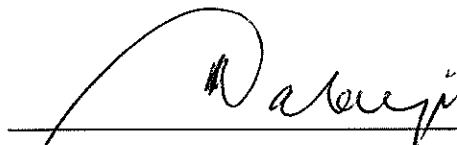
**COUNT 4: CONTRAVENTION OF SECTION 90 OF THE FIREARMS CONTROL ACT NO. 60 OF 2000**

THAT the accused is guilty of the offence of contravening the provisions of Section 90 read with Sections 1, 103, 117, 120(1)(a), Section 121 read with Schedule 4 and Section 151 of the Firearms Control Act, 60 of 2000 and further read with Section 250 of the Criminal Procedure Act, 51 of 1977 – Possession of ammunition.

IN THAT on or about 16 February 2013 and at or near 286 Bushwillow Street, Silverwoods Country Estate, Silver Lakes in the District of Pretoria the accused did unlawfully have in his possession ammunition, to wit 38 x 38 rounds without being the holder of

- (a) a licence in respect of a firearm capable of discharging that ammunition;
- (b) a permit to possess ammunition;
- (c) a dealer's licence manufacturer's licence, gunsmith's licence, import, export or in-transit permit or transporter's permit issued in terms of this Act;
- (d) or is otherwise authorized to do so.

Wherefore upon due proof and conviction, the said Director of Public Prosecutions prays for sentence according to the provisions of Section 51(1) of Act 105 of 1997 against the accused.

  
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**ADVOCATE GD BALOYI**  
**DEPUTY DIRECTOR OF PUBLIC PROSECUTIONS**  
**GAUTENG NORTH, PRETORIA**

## S V OSCAR LEONARD CARK PISTORIUS

### SUMMARY OF SUBSTANTIAL FACTS IN TERMS OF SECTION 144(3a) OF ACT 51 OF 1977

1. The accused was involved in a relationship with the deceased. The deceased chose to spend the night with the accused at his private residence. They were the only occupants of that residence at the time.
2. The deceased, a 29 year old woman, was shot and killed in the home of the accused just after 03:00am on the 14th of February 2013.
3. The deceased had locked herself into the toilet cubicle, situated adjacent to the main bedroom. The accused armed himself with his 9mm pistol and through the locked door, fired four shots at the deceased. The deceased was wounded and died on the scene. The cause of death is given in the post mortem report as "multiple gunshot wounds".
4. Some of the state witnesses heard a woman scream, followed by moments of silence, then heard gunshots and then more screaming.
5. The accused said to witnesses on the scene, that he thought she was an intruder. Even then, the accused shot with the direct intention to kill a person. An *error in persona*, will not affect, the intention to kill a human being.
6. On a separate occasion on 20 September 2010 the accused, who is the licensed owner of a 9mm pistol, fired a shot through the sun-roof of the car whilst travelling on a public road. There were other passengers in that car.

7. In January 2013, the accused whilst having lunch with friends at a restaurant in Melrose Arch in Johannesburg, handled the firearm of one of his friends and a shot was discharged. This shot narrowly missed his friend and hit the floor of the restaurant.

**LIST OF STATE WITNESSES AS READ WITH SECTION 144(3)(a)(i), (ii)**  
**AND (iii) OF ACT 51 OF 1977**

1. Ntome T. Sebetha  
Boschkop  
SAPS
2. Jacob T. Makgobaq  
Silverwoods Country Estate
3. Phillemon Ndimande  
Silverwoods Country Estate
4. Pieter J. Baba  
Silverwoods Country Estate
5. Donovan S. Jagga  
Netcare 911  
Pretoria East Base
6. Estelle van Der Merwe  
Silverwoods Country Estate
7. Jacques van der Merwe  
Sliverwoods Country Estate
8. Johan Stephanus Stipp  
Silverwoods Country Estate
9. Johan Stander  
Silverwoods Country Estate



10. Frank Chiziwani  
Silverwoods Country Estate
  
11. Colonel G.S. vanRensburg  
Boschkop SAPS
  
12. Dr. S.M. Lukhozi  
Mamelodi Thutuzela Medicolegal
  
13. Constable Mashimbi  
Boschkop SAPS
  
14. Ria Motshuane  
Silverwoods Country Estate
  
15. Daniel de Waal Pretorius  
Netcare 911  
Pretoria East Base
  
16. Jacobus Lottering  
Lombardy Office Park  
Pretoria East
  
17. Nyiko G. Maluleke  
Silverwoods Country Estate
  
18. Christo M. Menelaou  
Silverwoods Country Estate
  
19. Justin N. Divaris  
Rivonia Road Sandton

20. Lt. Colonel Van der Nest  
Forensic Science Laboratory  
Pretoria
21. Brigadier Labuschagne  
Forensic Services Division  
Pretoria
22. Warrant Officer J.N. Smit  
DPCI, Pretoria
23. Elizabeth J. de Jager  
South African Weather Service
24. Matthew Buirski  
Jurgen Street Johannesburg
25. Warrant Officer C.P. Smith  
Boschkop, SAPS
26. Constable P.S. Chauke  
Boschkop, SAPS
27. Warrant Officer J.A. Ras  
Boschkop, SAPS
28. Captain Maluleke  
Boschkop SAPS
29. Constable L.J. Mashishi  
Boschkop, SAPS

30. Constable M.N. Lekgoathi  
Boschkop, SAPS
31. Samantha Greyvenstein  
Dennis Road Athol
32. Heinrich W. Nolte  
ERGOTECH
33. Robert M. Rein  
Spartan Kempton Park
34. Kevin Lerena  
Johannesburg
35. Mark Batchelor  
Dainfern Estate Randburg
36. Melissa Rom  
The Willows  
Pretoria
37. Constable Mashiane  
Boschkop  
SAPS
38. Warrant Officer H.A. Maritz  
Boschkop  
SAPS
39. Carice B. Stander  
Silverwoods Country Estate

40. Samantha Taylor  
Somerset West
41. Patricia Ann Taylor  
Somerset West
42. Erin Joy Stear  
Woodstock  
Cape Town
43. Constable T.J. Mamphoki  
Boschkop  
SAPS
44. Captain C. Mangena  
Ballistics Section  
Forensic Science Laboratory
45. Lt. Colonel M. Thompson  
Forensic Science Laboratory
46. Lt. Colonel H.S. Motha  
Ballistics Section  
Forensic Science Laboratory
47. Constable A. Msiza  
Local Criminal Record Centre  
Pretoria
48. Brigadier D. Beukes  
SAPS  
Gauteng

49. Gina Myers  
Sandringham  
Johannesburg
  
50. Cecil Myers  
Johannesburg
51. Kim Myers  
Johannesburg
  
52. Desiree J. Myers  
Johannesburg
  
53. Lt. Colonel J.H. De Lange  
Psychology Unit  
SAPS
  
54. Darren James Fresco  
Norwood  
Johannesburg
  
55. Anne-Carine Stander  
Silverwoods Country Estate
  
56. Lt. Colonel S. Erasmus  
Forensic Science Laboratory
  
57. Colonel Jacobs  
Forensic Science Laboratory
  
58. Christelle M. Deysel  
Chief Forensic Analyst

59. Pieter J. van der Merwe  
Dept. of Pharmacology  
University of Free State
60. Lt. Colonel J.G. Vermeulen  
Forensic Science Laboratory
61. Warrant Officer L.M. Mdluli  
Local Criminal Record Centre
62. Warrant Officer W. Kruger  
Local Criminal Record Centre
63. Aimee J. Pistorius  
Waterkloof  
Pretoria
64. Heinrich W.C Pistorius  
Pretoria
65. Maria L. Loupis  
Melrose Arch  
Johannesburg
66. Jason Loupis  
Melrose Arch  
Johannesburg
67. Colonel M.G. Botha  
Detective Services  
Pretoria

68. Sergeant D.J. Nortje  
SAPS Gauteng
69. Daniel T. Nkutha  
Dept. of Health, Pretoria
70. Prof. Z. Lockhat  
Steve Biko Academic Hospital  
Pretoria
71. Joao S. Farinha  
Dept. of Health  
Pretoria
72. Modise J. Bontsi  
Dept. of Health  
Pretoria
73. Hermanus H. Venter  
Dept. of Health  
Pretoria
74. Marna-Richelle Claase  
Dept. of Health  
Pretoria
75. Captain I.M. van Aardt  
SAPS  
Pretoria
76. Hilton Botha  
Pretoria

77. Mrs Eontle Hillary Nhlengethwa  
Silverwood Estate

78. Michael Raymond Nhlengethwa  
Silverwood Estate

79. Charl Peter Johnson  
Silver Stream Estate

80. Michell Burger  
Silver Stream Estate

81. Warren Anthony Lahoud  
Kensington

82. Arnold Pistorius  
Waterkloof  
Pretoria

83. Geoffrey Boulton  
Netcare 911  
Midrand

84. Osterella Ntombenkosi Mkhwanazi  
Silverwood Estate

85. Bareng Job Kenneth Motshuane  
Silverwood Estate

86. Anette Stipp  
Silverwood Estate

87. Benise Kitshoff  
Netcare 911



88. Cst Kgothalany Arnold Mashiane  
SAPS, Boschkop
89. Sgt Hlope Glory Skosana  
SAPS, Pretoria
90. Brig Mathapele Mirriam Mangwani  
SAPS, Pretoria
91. Jacobus Johannes Stevens  
Witpoortjie, Roodepoort
92. Hendrik George Kinghorn  
Witpoortjie
93. Prof Gert Saayman  
Medico-Legal Laboratory  
Pretoria
94. Capt Mariane v/d Merwe  
SAPS, Boschkop
95. Const. Piet Sekoalaloala  
SAPS, Boschkop
96. Cst Christelle Prinsloo  
SAPS, Boschkop
97. John Trevernen Beare  
Lowveld Firearm Collectors Association  
Nelspruit

98. Sean Patrick Rens  
Walkerville
99. Capt Stephen de Vos  
SAPS,  
Germiston
100. Col Mike Sale  
DPCI, Pretoria
101. Capt Francois Moller  
DPCI, Pretoria
102. Sakkie Buthelezi  
Pretoria
103. WO Bennie van Staden  
LCRC, Pretoria
104. WO Dirk Johannes Booysen  
LCRC, Johannesburg
105. WO Cornelius Francois van Rensburg  
LCRC, Johannesburg
106. WO Busisiwe Caroline Moya  
NCRC  
Johannesburg
107. Brig Johan Phillip Lambert  
LLCRC, PHO  
Gauteng