



PROVINCE OF KWAZULU - NATAL - ISIFUNDAZWE SAKWAZULU - NATALI  
DEPARTMENT OF TRANSPORT  
UMNYANGO WEZOKUTHUTHA

**MEDIA STATEMENT**

TO: ALL MEDIA

DATE: 13 April 2011

**MEC MCHUNU CONGRATULATES THE DEPARTMENT ON WINNING THE CASE AGAINST THE  
EASTMANS AND OTHERS AFTER SUING THE DEPARTMENT R30 MILLION.**

KZN MEC for Transport, Community Safety and Liaison Mr. Willies Mchunu would like to congratulate the department and the legal team on winning the appeal court case between the department and the Eastmans and others, after suing the department for R30 million for the damages after the accident occurred on Sani Pass in March 2005.

Reports reveal that the couple from Australia had visited South Africa for the wedding when the accident occurred. The couple and the driver were returning from a visit to the top of the Sani Pass (overlooking the Lesotho border) travelling towards Himeville. The vehicle they occupied left the gravel road and landed in a donga. The accident rendered Mr. Eastman a paraplegic and both Mrs. Eastman's arms were broken. Mr. Robert Mitchell, a retired professor, who was the driver of the vehicle, is also an Australian.

Subsequent to the lodge, the plaintiff had claimed that the roads were not properly maintained and the warning signs to motorists reflecting inherently dangerous road conditions were not displayed adequately. After the High court hearing the outcome was the Department was liable for 70% of the damages and the owner of the vehicle liable for 30% of the damages. The case was then appealed on the 14 July 2009 and leave to appeal was granted and the matter heard in the Bloemfontein Supreme Court of Appeal on the 02 March 2011.

The outcome of the appeal favored the Department therefore implicating that liability for damages suffered by the applicants in the matter, costs for the appeal including counsel's fees and expert witness will be borne by the applicants.

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**"I would like to commend the whole team that was behind this case. I would also want to extend my gratitude to The Office of the Premier, The Executive Council of KwaZulu-Natal, the Provincial Treasury and the Office of the State Attorney for their contributions towards the finalization of this case. Road Safety is everyone's responsibility and we will stop at nothing to educate our people about observing the rules of the road. Such matters could be avoided if people behave in an orderly manner on the roads," said Mchunu.**

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