

Media Statement



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TO: ALL MEDIA

DATE: 04 NOVEMBER 2015

RE: RAPE VICTIM GETS JUSTICE

The Kagiso Magistrate Court sentenced a 30 year-old male, Ximediane Mazuze to 18 years imprisonment on Tuesday for raping a woman aged 30 from Soweto.

The incident took place when the complainant visited her mother in Kagiso where she met the accused through a street vendor well known to her. The complainant joined the vendor and the accused as they were having a conversation. It is during this conversation that the accused and complainant reached an agreement to go to Soweto, an area unknown to the accused as he claimed that he has never been to that area before.

Before leaving for Soweto the accused indicated that he wished to change his trouser and asked the complainant to accompany him to his place where he forcefully undressed the complainant and raped her.

The defence plea explanation was that the accused and the complainant had a relationship and they had consensual intercourse a day before she opened the case. However, during cross examination the accused contradicted his plea explanation and then stated that he slept with the complaint a week before the case was opened. He failed to explain that if that was the case, how DNA evidence could still be extracted from the complainant and why the doctor noted fresh injuries on the complainant.

State Prosecutor, Minah Mokoakoa begged the court not to deviate from the minimum sentence due to the seriousness and prevalent nature of rape offences. She asked the court to take into consideration amongst others, the victim impact statement and that the accused maintained his innocence throughout the trial forcing the complainant to relate her ordeal as well as the fact that the accused used a bottle to inflict injuries on the complainant in forcing her to open her legs.

The court found that the age, no previous convictions and the fact that the complainant went with someone she does not know to his place of residence to be substantial and compelling circumstances to deviate from imposing life imprisonment.

The NPA remains committed in persuading the courts to dispense sentences that befits the crime and equally seeks to protect society from heinous crimes.

The NPA welcomes the sentence.

Kind Regards,

Hurbetin Phindi Louw

Regional Spokesperson: DPP South Gauteng

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