

# Media Statement



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**TO: ALL MEDIA**

**DATE: 06 OCTOBER 2015**

**RE: RAPIST SENTENCED TO LIFE IMPRISONMENT**

On 28 September 2015, the Mankweng Magistrates Court sentenced Mathabathaba Oupa Nkoana to life imprisonment for rape. The accused was a friend of the victim's brother. The victim was 14 years-old during the commission of the offence in 2012. The accused went to the victim's residence looking for his friend. The victim was alone at home at the time and the accused asked her to accompany him to see another friend within the village.

Based on the fact that she trusted him, she agreed to accompany him. They had to pass through the bush, along the way the accused hit the victim with a beer bottle he was carrying, she fell down and began to rape her. He proceeded with his journey leaving the victim bleeding after the rape act. She went home to report to her mother who immediately reported the matter to the police.

The accused was arrested and later released on bail. Whilst on bail, he went to Kagiso in the Gauteng province where he committed a similar offence of rape for which he was kept in custody. In the Kagiso case, he was sentenced to life imprisonment in June 2015.

On the current case he pleaded guilty and was convicted.

The State Prosecutor, Eugene Manganyi submitted the J88 to court, victim impact report and victim impact statement. The prosecutor relied on the case of state versus Malgas 2001(2) SA1222 SCA and the state versus Matyityi 2011(1) SACR 40(SCA) where the prosecutor argued that the court must not divert from the prescribed minimum sentence lightly and for flimsy reasons and the fact that the accused was not a first-time offender.

Given the prosecutor's argument, the magistrate could not find substantial and compelling circumstances from the accused circumstances to depart from the provisions of section 51(1) and schedule 2 of the Act 105 of 1997 and he was sentenced to life.

The National Prosecuting Authority welcomes this sentence. The heavy sentence is in line with our commitment to combat sexual offences and gender based violent crimes.

Kind Regards,

**Luvuyo Mfaku**

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