

Media Statement



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RE: NPA forfeits vehicle used by poachers

On Friday 29 January 2016, the Asset Forfeiture Unit of the NPA obtained an order in the Pretoria High Court in terms whereof a Mazda pick-up vehicle was declared forfeited to the victim of a rhinoceros poaching incident, namely the Care for Wild Africa Wildlife Rehabilitation Centre. Petronella Nieuwoudt is the owner and manageress of Care for Wild Africa.

Care for Wild Africa is a wildlife rehabilitation centre near Nelspruit, Mpumalanga that specializes in the nurturing of infant rhinoceroses that had lost their mothers due to poaching or injury. It includes emergency medical care, veterinary services and daily maintenance of the infant rhinoceroses.

On 25 June 2015 the AFU obtained a High Court preservation order in respect of the Mazda as a result of a poaching incident that occurred on Friday, 8 August 2014 at the farm where the Centre is situated.

On the day, an infant white rhinoceros calf named "Sabie" was found shot in his enclosure at the Centre and his small horns were removed. The Mpumalanga Tourism and Parks Agency, in conjunction with the South African Police Service's Organised Crime Unit in Nelspruit, conducted a thorough investigation. Five men were subsequently arrested in connection with this poaching incident, including Thokozani Jabulani Ngwenya who was working at the Centre as a security guard who looked after the infant rhinoceroses and the owner of the Mazda, namely Kenneth Alex Mthombothi. The group of poachers allegedly sold Sabie's horns for R34 000 to a Chinese national.

The SAPS seized the Mazda on 21 August 2014 from the possession of Mthombothi, because it was used as an instrument to commit the mentioned offences at the Centre. The Mazda was used to transport the group of poachers, the firearm that was used to

shot Sabie and Sabie's cut off horns to and from the Centre. The criminal case against the five suspected poachers is still pending in the Nelspruit Regional Court.

Nieuwoudt made an affidavit on behalf of the Centre to the Pretoria High Court, wherein she requested that the Mazda be forfeited to the Centre. In her affidavit, Nieuwoudt stated that as a result of the poaching of Sabie, the Centre was forced to improve security. They employed security guards to conduct regular patrols on the farm where the Centre is situated. The Mazda will be used to conduct these patrols as it is perfectly suited to fulfil this function given the rugged terrain of the farm. The Mazda will also be used to fulfil day to day tasks on the farm, like the transportation of feed and medicines for the infant rhinos. Nieuwoudt stated that the Centre is a registered non-profit rehabilitation organisation that is dependent upon donations. Accordingly, the Centre will immensely benefit from the forfeiture of the Mazda to them.

The NPA and the SAPS are committed to the implementation and enforcement of the provisions of the 2007 Service Charter for Victims of Crime that enshrined the concept of restorative justice. In terms of the Victims' Charter a victim of crime has a right to compensation from the offender for loss of or damage to property that was suffered as a result of a crime. A victim also has a right to restitution from the offender in cases where he/she was unlawfully dispossessed of goods or property, or where goods or property have been damaged unlawfully. The provisions of the Prevention of Organised Crime Act 121 of 1998 are a very effective tool for the NPA's AFU to implement and enforce the provisions of the Victim's Charter and to ensure that the principle of restorative justice in our society is achieved.

The forfeiture of the Mazda to the Centre is a prime example of how POCA can be used to fulfil the provisions of the Victim's Charter.

Kind Regards,

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