

# Media Statement



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**TO: ALL MEDIA**

**DATE: 19 February 2016**

**RE: NPA Successfully Prosecutes "Cold Case"**

On Wednesday, 17 February 2016, the High court sitting in Palmridge convicted three suspects accused of the murder of the late Thandiwe Betty Ketani.

The case came to the fore as a result of a discovery of a "confession letter" under a carpet during routine maintenance at the home of Conway Brown (who was one of the accused) in early 2012. Brown's home was also the same place where the body was buried, but later dug up to be dumped in the Kliprivier and Robinson Deep municipal dumping site.

The letter related to the gruesome murder and kidnapping of Miss Ketani in 1999 from Cranks Restaurant in Rosebank, where she used to work as a chef. The first attempt on her life was near the Block House, along the R59 Highway to Vereeniging. She however did not die and somehow landed up in the Kopanong Hospital in Vereeniging. She was subsequently kidnapped from the hospital and taken to a plot where she was eventually killed.

As a result thereof 6 accused were eventually arrested . Three of them, Conway Brown, Paul Toft Nielsen and Dirk Reinecke, entered into plea agreements with the state as referred to in Section 105A of the Criminal Procedure Act (CPA). Their cases were finalised on 22 July 2013 in front of Judge Mavundla .They pleaded guilty to charges such as attempted murder, accessory after the fact to murder and kidnapping respectively. They were sentenced to 5 years imprisonment in terms of Section 276 (1)(i) of the CPA and periods of suspended imprisonment. They later became essential witnesses for the state to prove the unfolding of events and corroboration for the confession.

After the conviction of the first three accused, as set out above, the trials were separated and the trial against the currently convicted accused, Carrington Roger Laughton and the

two brothers David James Ranger and Carel Ranger (who were policemen) commenced on 17 February 2014 in Palmridge in front of Judge Ranchod. Exactly 2 years later the three accused were convicted as follows:

Accused 1: Guilty :Count 2 :Attempted Kidnapping of Ruth Mncube (who was also a worker at Cranks )

Count 5: Kidnapping of Betty Ketani

Count 6: Attempted Murder of Betty Ketani

Count 7: Kidnapping of Betty Ketani

Count 8: Murder of Betty Ketani

Accused 2 & 3: Guilty: Count 7: Kidnapping of Betty Ketani

Guilty: Count 8: Culpable Homicide of Betty Ketani.

Dubbed "the cold case" due to the fact that the murder happened 17 years ago, the state was faced with a enormous task to prove the roles played by the accused in the offences as charged. One of the most experienced Deputy Directors of Public Prosecutions, Herman Broodryk SC, was at the helm of the case together with his Junior, Senior State Advocate Namika Kowlas.

The State faced several challenges, the most important being that there was no body and no forensic evidence as to the cause of death. After several attempts the burial site at 21A Leo Street was excavated and six small bones were recovered by a forensic team from the Victim Identification Centre. An initial identification on the scene and confirmation that the bones were of human origin by Claudia Bisso ,a forensic anthropologist and archaeologist employed by the NPA, the bones were transported to the Forensic Laboratory in Pretoria. As the bones were very old and degraded no DNA could be extracted and it was decided to send it off to the International Commission of Missing Persons (ICMP ) in Sarajevo ,Bosnia and Herzegovina for further analysis .Eventually the ICMP was able to do a comparison with control samples of children of the deceased and produced a statistical comparison report . Their report however was not unequivocal and merely stated that the chances were only 4740 more than otherwise, that the bone sample was in fact that of Betty Ketani. It was therefore only circumstantial evidence and standing alone could not prove that it was Betty Ketani.

The Head of the ICMP, Professor Thomas Parsons and his Quality Controller, Anna Bilic, was flown out to South Africa to testify. Adding to the challenges, Laughton not only denied that he was the author of the confession letter but also refused to give handwriting samples. The state managed to prove by leading the evidence of Colonel Marco van der Haarmen, a handwriting expert and Commander of the Disputed

Documents Unit of KZN that he was indeed the author of the confession letter. The last big challenge was the absence of hospital records of the treatment of the deceased.

Unforeseen delays in the matter were also caused by the removal of the original investigating officers who were replaced by an experienced member of the Hawks, Captain Gerhard van Wyk, who had to start afresh. Several witnesses had died or could no longer be traced whilst as expected, others' memories faded.

Several applications in terms of the Hearsay Act had to be launched by the state. It also defeated several defence applications in respect of an alleged unfair trial as well as special entries in terms of Section 317 of the CPA. Two further accused are in Australia and still have to be extradited.

This was a landmark case that brings development in South African Law and proves that the duration of the offence shall not be held against any member of the public in seeking justice.

The NPA welcomes the conviction and the Director of Public Prosecutions in the Gauteng Local Division, Advocate Andrew Chauke commends the commitment and selfless service rendered by both prosecutors.

Kind Regards,

**Hurbetin Phindi Louw**

**Regional Spokesperson: DPP South Gauteng**

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