

# Media Statement



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**TO: ALL MEDIA**

**DATE: 28 June 2016**

**RE: MEN JAILED FOR RACIAL DISCRIMINATION**

Yesterday the Tzaneen District Court sentenced Hermanus Marius van Dyk (36) and Danie Le Roux (29) to two years and 18 months imprisonment respectively for assault with intent to do grievous bodily harm and crimen injuria.

During the night of 18 June 2016 both accused assaulted a petrol attendant at SASOL garage in Tzaneen after he told the driver that 95 unleaded petrol was out of stock. The complainant tried to run for cover but they followed the victim and assaulted him further. The driver who was in the company of both accused tried to calm the situation but he failed after they over-powered him. The Close Circuit Television( CCTV) footage in the garage captured the incident. The court accepted the video as the evidence of the court.

They both pleaded guilty and further admitted that they kicked the complainant with booted feet and hit him with fists.

Addressing the court, the Director of Public Prosecution in Limpopo, Advocate Ivy Thenga mentioned that racial discrimination against any person has reached alarming proportions in the country and that it is the duty of the court to stop racism by sending the two accused to jail.

Passing the judgment, Magistrate Helen Mabuza-Mkansi said the court cannot accept such conduct after 22 years of democracy. The court noted that both accused after assaulting the complainant celebrated by hugging each other. She further highlighted the fact that the conduct of both accused was inhumane. The magistrate further mentioned that the accused undermined the human dignity of the complainant and should be sentenced accordingly for disregarding both the constitution and the rule of law. The accused were further declared unfit to possess a fire arm.

The NPA welcomes the sentence with the hope that it will deter other people who might have the urge to engage in racial conduct.

Kind Regards,

**Mashudu Malabi-Dzhang**

**Regional Spokesperson: DPP Limpopo**

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