

Media Statement



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TO : ALL MEDIA

DATE : 28 FEBRUARY 2018

RE : CATTLE FRAUDSTER SENTENCED TO TEN YEARS BEHIND THE BARS

Daniel (Danie) Smit was convicted for four counts of fraud totalling R6 887 820, 91 in the North West High Court, sitting in Mafikeng, on 12 December 2017. His wife, Cornelia Elizabeth Steinberg-Smit, was initially charged with Smit but charges against her were withdrawn as Smit pleaded guilty.

The accused, who resides in Botswana but does business mostly in the North West defrauded farmers in the North West area as well as a family member, who practises as a medical doctor in Canada.

The accused committed the crimes mainly by taking possession of cattle and maize without paying, receiving money to purchase cattle on behalf of complainants and failing to purchase the cattle and failing to return their money.

When Judge Gura sentenced the accused, he took into consideration that Smit has not repaid the money and that a large amount of money is involved. He stated that the accused was in a position of trust with all the complainants and that he was grossly dishonest. He added that the accused was motivated more by greed than by need and that the crimes were carefully planned and executed. The judge expressed his dissatisfaction that the accused defrauded farmers, who were already struggling with ongoing droughts.

Smit was sentenced to 10 years imprisonment, which was wholly suspended on the condition that he repays the complainants, Jan Le Roux, Gerhard Meyer, Johan Schikerling and Basie Spies a total amount of R4 400 000, 00 on or before 11 January 2018 and that he is not convicted of fraud, theft or any other crime involving an element of dishonesty committed during the five year period.

Smit failed to pay any amount to any of the complainants by 12 January 2018 and, according to the plea agreement and sentence imposed by the Court, appeared in the Mmabatho High Court on 15 January 2018. State Prosecutor, Advocate Jeanette Neveling from Specialised Commercial Crime Unit brought an application for his sentence to be implemented after he breached his agreement for the payment of R4.4 million to the complainants.

The matter was postponed to 29 January 2018, as Judge Gura was not available to proceed with the enquiry. The state also applied for Smit to be detained in custody, which was granted. Smit remained in custody until 29 January 2018 and was sentenced after failing to repay R4.4 million as per Plea and Sentence Agreement.

The NPA welcomes the sentence.

Kind Regards,

Frank Lesenyego

Regional Spokesperson: DPP North West