

Media Statement



Tel: +27 12 845 6000

Email:
media@npa.gov.za

Victoria & Griffiths
Mxenge Building
123 Westlake Avenue
Weavind Park
Silverton
Pretoria

www.npa.gov.za

TO : ALL MEDIA

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**RE : GANG MEMBER CONVICTED AND SENTENCED TO 28 YEARS
DIRECT IMPRISONMENT**

On Thursday, the Bellville Regional Court sentenced John Arnoldus to 28 years direct imprisonment after convicting The Convicts gang member on two counts of murder and attempted murder.

The court sentenced Arnoldus to 15 years imprisonment for each count of murder and 5 years for the attempted murder. It then ordered that 5 years on count two to run concurrently with count one. It further ordered that two years of the five years for the attempted murder count, must run concurrently with the 15 years in count two. This means the accused will serve 28 years for all the counts.

Bellville Regional Court Prosecutor, Khaya Mfeti secured this successful prosecution and sentence under very trying circumstances. If it was not for his persuasion, good co-operation of the investigating officer, the assistance of the Court Preparation Officer and the commendable work of the Witness Protection Programme, the state would not have been able to remove another murderer and gang member from the streets of Bellville south. "The eye witness was a friend of the accused. He was indeed reluctant to testify as he belonged to the same gang group known as "The Convicts" of the Bellville south. During consultation, I explained to him about the Witness Protection Programme and he indicated that he needed some time to consider it. On the first day of trial, he indicated to me that he is willing to testify, but he can't go back home because there were numerous threats from the accused's gang group for him not to testify. The investigative officer of this case was helpful and always in court and we both organised for the witness to be placed on the Witness Protection Programme. The court accepted his evidence although he was a single witness on identification of the accused." Mfeti said.

Events leading to this conviction and sentence started two years ago, on 4 January 2016, when the accused fatally shot a Somalian spaza shop owner in Bellville south. Early that morning, the accused and two unknown males shouted outside the spaza shop asking the owner to open as they pretended to be customers. As soon as the unarmed and unaware opened his door, the accused started to shoot.

The state witness was at a distance of 100 metres as he witnessed the shooting. Earlier he saw the accused in possession of a firearm prior to the shooting.

The same witness saw the accused shooting the deceased and complainant in count 3 on 30 January 2015. Regarding count 2 & 3, the witness was inside a yard in Bellville south when he heard shots fired and he saw the accused shooting the deceased and complainant in count 3.

The defence asked for the court to deviate from minimum sentence, arguing that there were substantial and compelling circumstances. The state argued to the contrary and asked the court not to deviate from the mandatory sentences in count 1 & 2 and the court agreed with the state.

The NPA welcomes the sentence

Kind Regards,

Eric Ntabazalila
Regional Communications Manager
DPP: Western Cape
Tel: 021 487 7308
Cell: 073 062 1222