

Media Statement



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TO: ALL MEDIA

DATE: 30 MAY 2019

RE: GRANDFATHER SENTENCED FOR RAPING A BOY

On Tuesday, 28 May 2019, the Sterkspruit Regional Court sentenced Mzwandile Mkonyeni (58), to fifteen (15) years imprisonment for raping a seven year-old boy.

The rape occurred on 05 March 2016 at Makalalakeng Location in Palmietfontein area in the district of Sterkspruit. The minor victim was playing with a grandchild of the perpetrator, who is of the victim's age at Mkonyeni's homestead, when he went to the grandfather to ask for money to buy something to eat, as he was hungry. Mkonyeni gave the young unsuspecting boy R2 before taking him to his room where he raped him anally. Two boys, aged nine and eleven, respectively, who became state witnesses, entered the rapist's room and caught him in the act of raping their friend but they immediately left without saying a word.

During the trial, Mkonyeni, pleaded not guilty denying ever raping the victim. The state presented evidence of the victim, two eyewitnesses and victim's aunt to whom the rape was reported by the victim. All three child-witnesses testified through an intermediary, Boniswa Gwantshu, leading to the conviction of Mkonyeni as charged.

The court found that substantial and compelling circumstances existed to deviate from imposing life imprisonment, as prayed for by Regional Court Prosecutor, Advocate Loyiso Methuso. It then sentenced the rapist to 15 years imprisonment. He was also declared unfit to possess a firearm and his name was ordered to be entered into the register for sexual offenders.

Immediately after sentence, the accused applied for leave to appeal against the conviction, saying the court erred in finding that state proved his guilt beyond reasonable doubt. The state successfully opposed the application, as there were no prospects of success on appeal.

The NPA welcomes the sentence with the hope that it will serve as a deterrent to like-minded rapists who intend on targeting vulnerable boy-children.

Kind Regards,

Luxolo Tyali

Regional Spokesperson: DPP Mthatha

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