

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

DATE: 15 MARCH 2017

RE: HEFTY SENTENCES FOR ILLEGAL MINERS CONVICTED OF 577 CHARGES

The Free State High Court sitting in Virginia has yesterday sentenced 22 illegal miners to sentences ranging from 20 to 25 years imprisonment after they were convicted of 577 charges that included racketeering, theft, money laundering, trespassing, contravention of Precious Metals Act and contravention of Immigration Act.

Judge Sooma Naidoo sentenced Lovemore Chaba (35) to 20 years imprisonment for the first count of racketeering, 15 years for the second count of racketeering, 15 years for theft, 15 years for money laundering, 10 years for contravention of Precious Metals Act and three years for contravention of Immigration Act. Simon Mashava (38) was sentenced to 18 years for first count of racketeering, 15 years for second count of racketeering, 13 years for theft, 15 years for money laundering, 10 years for contravention of Precious Metal Act and three years for contravention of Immigration Act.

Chaba will effectively spend 25 years in prison and Mashava will effective spend 23 years in jail after the judge ordered some of the sentences to run concurrently.

Ronnie Hlongwane (37), Thomas Maguvu (32), Tsepo Mashaba (30), Ernest Mahlako (40) and Patrick Sibizwa (27) were effectively sentenced to 22 years imprisonment each after they were found to have previous convictions of trespassing.

Solomon Mahoma (33), John Mutumane (22), Godfrey Madiba (43), Nkosokolo Makaula (40), Lazarus Chitebe (20), Manginke Msimango (21), Jabu Mlambo (21), Wanda Nqwilisi (26), Melikhaya Pere (35), Ngarigai Mthisi (27), Samson Muyambo (26), Johang Qwensi (25), Isaac Moekeni (33), Tshokoliso Lephailo (36) and Bongeka Makaula (37) were each sentenced to 20 years imprisonment.

The court heard that Chaba and Mashava managed the operation of an enterprise that mined illegally at Masimong mine in the district of Hennenman between August 2012 and July 2014. They directed the processing of gold plants and procured tools that were used underground. They were also responsible for communication with the buyers of the gold bearing material. The other accused participated in the affairs of this enterprise knowing that it is operating illegally and they all benefited from these illegal activities.

As a result the accused stole large amount of unwrought gold or gold bearing material from Masimong mine. They sold this stolen gold bearing material to unknown buyers. The value of the stolen gold bearing material is estimated at R120 million.

Arguing in aggravation of sentence, State Prosecutor, Advocate Johan De Nysschen requested the court to impose heavy sentences on the accused as they did not show any remorse.

"There is absolutely no remorse from the side of the accused. Even after being found guilty they denied being involved in illegal mining. They don't deserve any mercy", said De Nysschen.

The Asset Forfeiture Unit (AFU) also brought an application in terms of Section 18 of the Prevention of Organised Crime Act to confiscate the assets of Makaula. The AFU alleges that Makaula bought a house for R370 000 and renovated it to the value of R81 000 with the proceeds of illegal activities.

The Director of Public Prosecutions in the Free State, advocate Xolisile Khanyile has commended the good work that was done by the Hawks investigators and the prosecutor in ensuring that the accused get heavy sentences.

"We hope that these sentences send a clear message that illegal mining will not be tolerated and the NPA will ensure that those that are found to be involved in illegal mining will face the full might of the law", said Khanyile.

Kind Regards,

Phaladi Shuping

Regional Spokesperson: DPP Free State

Enquiries: pshuping@npa.gov.za

083 699 5900

