

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: 10 OCTOBER 2019

RE: KILLERS SENTENCED FOR MURDER OF A MINE MANAGER

On Thursday, 10 October 2019, the Free State High Court sitting in Kroonstad sentenced four of the six men involved in the killing of Phakisa Mine Manager to life imprisonment each for murder. Judge Celeste Reinders sentenced Rethabile Mohlabane (27), Pitso Mokeki (37), Thabeso Khoase (37) and Motlalepule Ramakoane (36) for the murder of Simphiwe Kubeka who was the regional manager for Tshepong and Phakisa mines in Odendaalsrus.

Mohlabane and Mokeki were also found guilty on two counts of possession of illegal firearms and one count of illegal possession of ammunition. These counts were taken together for purpose of sentencing and they were each slapped with an additional two years in prison.

Kefuwe Serobanyane (22) was found guilty on two counts of illegal possession of firearms and one count of illegal possession of ammunition. He was handed a prison term of two years after the judge took all the counts together for purpose of sentencing. The sixth accused, Nyasha Nyamunda (23) was convicted of kidnapping and extortion. The counts were also taken together and he was handed a prison term of four years.

According to the evidence presented in court, on 26 September 2017, the accused, together with illegal miners held Agnes Ditsoane, a mine employee, captive underground and informed Kubeka that Ditsoane will not be released unless they return money and cellular phones belonging to illegal miners that were confiscated by mine security officials. They also demanded that Kubeka give an instruction to mine security officers to cease security operations against illegal miners. Ditsoane was released the following day.

The illegal miners, the accused and Lehlohonolo Thethe conspired to murder Kubeka. Khoase, who was also employed at Phikisa mine acted as a middle man between the

illegal miners and the assassins. Thethe pleaded guilty to a count of murder last year and was sentenced to 22 years in prison.

Mohlabane, Mokeki, Khoase and Ramakoane waited for Kubeka at the gate of the mine on 28 September 2019 with the intention of killing him. They were armed with weapons and ammunition. Kubeka was driving in his vehicle exiting the Tshepong mine premises when he was shot multiple time by Thethe who was with Mohlabane. Mokeki and Khoase were in a getaway car which was driven by Ramakoane. Kubeka died at the scene.

Arguing in aggravation of sentence, State Prosecutor, Advocate Johan De Nyschen, requested the court not to deviate from the minimum sentence as prescribed by law as the defence failed to advance any compelling and substantial circumstances for imposition of a lesser sentence.

“Aggravating circumstances in this case far outweigh the mitigating factors and there could be no justification for the court not to impose the minimum sentence as prescribed by law on the accused involved in the killing of Kubeka. Kubeka was a law-abiding citizen who had to pay with his life for trying to stop illegal activities at the mine. This was a contract killing and our courts regard contract killings as serious offences”, said De Nyschen.

Judge Reinders concurred with the prosecutor that imposition of lesser sentences will bring the administration of justice into disrepute.

Phaladi Shuping

Regional Spokesperson: DPP Free State

Enquiries: pshuping@npa.gov.za

083 699 5900