

Media Statement



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TO: ALL MEDIA

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RE: LENGTHY JAIL TERMS FOR KILLER ROBBERS

Earlier this month, on 11 October, the Bhisho High Court sentenced three men to jail terms ranging between double life imprisonment and life imprisonment with additional years imprisonment after convicting them on a string of charges including murder, robbery with aggravating circumstances, as well unlawful possession of firearms and ammunition.

The trio committed the crimes in Ngcwazi village, in the district of Middledrift, on 26 and 27 October 2017, when they targeted owners of licenced firearms in order to rob them of their firearms that the criminals would later use in committing further robberies.

Judge Bantubonke Tokota sentenced Thanduxolo Mkolo (24) to two life imprisonment terms plus 35 years, Ndalo Ntanta (29) to a life term plus 35 years imprisonment and Siyabonga Marhwana (29) to life plus 5 years imprisonment for their roles in the two-day deadly crime spree.

On the night of 26 October that year, Mkolo and Marhwana, who both hailed from Cape Town, attacked tavern owner Phinda Tom, who possessed a legal firearm. They found him sitting in his bedroom with his wife and visitors. At gunpoint, they demanded that he hand over his firearm. When he resisted, they shot and killed him before fleeing without getting the firearm. The next day Mkolo, now with Ntanta, from the neighbouring town of Alice, went to the home of Thozama George who they found him with his son in the room. They demanded his firearm but he told them he does not have it. They shot him multiple times, instantly killing him. Upon searching the house of deceased, they managed to get his firearm and robbed the family of various valuables.

Police investigations led them to Mkolo's rural home on the same day, where they arrested the trio in different rondavels in the same homestead, still in possession of the

deceased's firearm, ammunition, the murder weapon and the other stolen property from the aforementioned house. Two of the killers were subsequently identified by eyewitnesses at a photo identification parade, but the witnesses were unable to identify Ntanta, whom the state relied on fingerprint evidence to link to the offences. Ntanta and Mkolo also made confessions. Ballistic evidence linked the murder weapon found in Mkolo's possession to both crime scenes. However, during trial they all pleaded not guilty and raised an alibi defence, which the court rejected, and convicted them as charged after a lengthy trial.

In aggravation of sentence, Advocate Charlene Monis, for the state, handed in victim impact statements of the widows of the deceased, which was compiled by the Court Preparation Officer, Phelisa Matinise. It became clear from the statements that these widows still suffered psychological trauma as they witnessed their husbands being killed in front of them. They also expressed feelings of loss, anger and pain and clearly have not come to terms with the death of their loved ones. The state argued that there were no substantial and compelling circumstances justifying a lesser sentence than the minimum sentence, and the court concurred.

The NPA welcomes the sentences with the hope that it will serve as a deterrent to like-minded criminals who seem hell bent on terrorising law-abiding citizens, even in the sanctuary of their homes.

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