

Media Statement



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TO: ALL MEDIA

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RE: MAN SENTENCED TO LIFE IMPRISONMENT AFTER FIFTEEN YEARS ON THE RUN

The Western Cape High Court has sentenced Mzwandile Tukwayo to life imprisonment after convicting him on five counts including housebreaking, murder, robbery with aggravating circumstances, illegal possession of a firearm and illegal possession of ammunition. He also faced a charge of kidnapping but was acquitted.

In the early hours of 24 September 2000, the 52 year -old Tukwayo and Sipho Mlulo Mvumri drove to Sanice Farm in Klappmuts with the intention to commit crimes at the farm. Carlo Hector van Litsenborgh and his wife, Patricia Elizabeth van Litsenborgh, were asleep at their farm house when the two men broke into their property.

The two men threatened Patricia and she opened the two safes on the property from which the accused removed items including a revolver, various items of jewellery and a wallet. The items were valued in excess of R200 000. After the robbery, Tukwayo shot Carlo while he was sleeping in his bed. After some investigation, Mvumri, was arrested and he was sentenced to life imprisonment in 2001.

After his accomplice's arrest, Tukwayo disappeared. Although authorities circulated that he was wanted for housebreaking, murder, robbery with aggravating circumstances, illegal possession of a firearm and illegal possession of ammunition, they could not secure his arrest. Fortunately for authorities, the man who has previous convictions dating back from 1984 where he was convicted for assault with intent to cause grievous bodily harm and driving a vehicle without the consent of the owner, went back to his ways of being in conflict with the law. After fifteen years on the run, the accused was arrested in Germiston on 01 June 2016 and transferred to Paarl Magistrate's Court.

The case was allocated to Advocate Nadia Ajam who successfully prosecuted it but had to hand it over to Advocate Sabata Choane just before sentencing. Arguing in aggravation of sentence on Monday, Advocate Choane said the fact that the accused was 52 years old, had two children, suffered from diabetes and heart problems while he was in prison were not substantial and compelling reasons that may force the court to deviate from the prescribed minimum sentences.

"He shot the old man at point blank range in the head which caused brain injury and bleeding in the brain. Was it necessary for him to kill him in this manner? Let's look at the interest of the community. The deceased was a farmer and an employer. Must the farming community leave in fear of people like this accused while he is free outside? Surely they will demand that he be inside prison and they be free outside," said Choane.

Advocate Choane said the accused continued with his lawlessness. He killed someone in the Western Cape and ran to Gauteng where he continued with his life like nothing has happened. "The Van Litsenborghs are the victims here not this man. He has not taken the court into his confidence as he claims that he is remorseful. We can only speculate that he is remorseful that he is before this court today not because he killed someone," he added.

The court agreed and sentenced Tukwayo to five years direct imprisonment for housebreaking, life imprisonment for murder, fifteen years for robbery with aggravating circumstances, three years for illegal possession of a firearm and two years for illegal possession of ammunition. The court ordered all sentences to run concurrently meaning the accused will spend life in prison.

The NPA welcomes the sentence.

Kind Regards,

Eric Ntabazalila

Regional Spokesperson: DPP Western Cape

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