

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: 17 NOVEMBER 2010

RE: NPA CHARGES JULES HIGH SCHOOL BOYS AND GIRL

The National Director of Public Prosecutions, Adv Menzi Simelane has authorised prosecution against the Jules High School boys and the girl who engaged in sexual intercourse at the school.

This was after a case docket relating to the incident at Jules High School was submitted to the Senior Public Prosecutor in Johannesburg Magistrates Court. Two minor suspects had been arrested in connection with the alleged gang-rape incident. After studying the evidence contained therein, prosecutors had earlier concluded that there was insufficient evidence to prosecute the two minor suspects with rape and requested further investigations to be conducted while also considering other possible charges.

On the 11th November 2010, Senior Public Prosecutor and the Acting Director of Public Prosecutions had a lengthy consultation with the girl and possible witnesses.

Following such consultations, an analysis of the facts and the overall circumstances of this case, the National Director of Public Prosecutions, Adv Menzi Simelane came to the conclusion that both the two minor suspects and the girl who had been complainant when the matter was

first brought to the prosecutors should be charged with contravention of Sexual Offences and Related Matters Act 32 of 2007. The charge is based on Section 15 (1) (a) of the Act which reads as follows: *a person who commits an act of sexual penetration with a child is, despite the consent of the child to the commission of such an act, guilty of the offence of having committed an act of consensual sexual penetration with a child.*

The Act further stipulates that once the NDPP has authorised such prosecution both children must be charged with contravening the relevant section. In all of this, the children or pupils will be dealt with in accordance with the provisions of the Child Justice Act.

Consequently, on Wednesday 17 November 2010 the three pupils appeared in court where a preliminary inquiry was held in terms of the Child Justice Act on how the matter is to be dealt with. The magistrate commenced with the inquiry and postponed it to resume on 1 December 2010 in respect of the two boys and 18 November in respect of the girl. They have been released to the custody of their parents.

Issued by:

Adv Mthunzi Mhaga

NPA Spokesperson

0721986863

mcmhaga@npa.gov.za