

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

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RE: POLICE CONSTABLES JAILED FOR MURDERING AN ALLEGED SUSPECT

The Middledrift Regional Court sentenced former police constables, Ntsikayesizwe Dlephu (37) and Masixole Bushula (40) to 20 years imprisonment for the murder of Bathandwa Kula (20).

When the crime was committed in August 2013, the two were detectives stationed at Alice Police Station.

The two were investigating a complaint of housebreaking and arrested Simphiwe Sityi, questioned and detained him. They tortured him by suffocating him with plastic bags. In the process, Sityi implicated Kula.

Dlephu and Bushula then went looking for Kula and found him at his home in Alice. They took him to the police station where they tortured him in the same manner. Kula passed out and was rushed to hospital where he was pronounced dead on arrival.

On the same day, Michael Smith, an investigator for the Police Investigative Directorate (IPID), attended to the body and the crime scene. He questioned Sityi, who showed him the office where he and Kula were tortured. Sityi pointed Smith to important areas of the crime scene.

Dlephu and Bushula were arrested immediately. During the trial, they denied the allegations and claimed that Kula appeared to have had epileptic fits. This version was discredited by evidence and both accused were convicted of murder and assault with intent to do grievous bodily harm.

Advocate Deolin Willemse, argued that the administration of justice would be brought into disrepute should the accused not be appropriately punished. He added that the case was important in serving as a deterrent to police officials not to use force in interrogations.

Dlephu and Bushula were further sentenced to three years for assault with intent to do grievous bodily harm.

The Acting Director of Public Prosecutions, Mr Livingstone Sakata, welcomed the long term prison sentence meted out on Dlephu and Bushula. "The conviction and sentence shows that there is no one who is above the law. Law enforcement agencies are expected to operate within the confines of the Constitution and the laws of the republic. We further congratulate the prosecutor on this case and IPID," he said.

Anelisa Ngcakani
NPA Regional Spokesperson
Eastern Cape Division
angcakani@npa.gov.za
083 593 0833