

# Media Statement



Tel: +27 12 845 6000

Email:  
[media@npa.gov.za](mailto:media@npa.gov.za)

Victoria & Griffiths  
Mxenge Building  
123 Westlake Avenue  
Weavind Park  
Silverton  
Pretoria

[www.npa.gov.za](http://www.npa.gov.za)

**TO: ALL MEDIA**

**DATE: 16 APRIL 2018**

**RE: THREE LIFE SENTENCES PLUS FIFTEEN YEARS IMPRISONMENT FOR RAPIST**

The Limpopo High Court sitting in Thohoyandou sentenced Ofhani Magwaba (35) of Ngwenani-Ha Mapholi village three life sentences for three counts of rape, fifteen years imprisonment on each of the three counts of robbery with aggravating circumstances and three years' imprisonment for housebreaking with intent to commit rape and robbery.

The court heard that on 7 October 2009 at Tshilapfene, an elderly woman was coming from church when the accused attacked her with an Okapie knife and raped her. He also robbed her of her money and mobile phone. In the second incident at Ha-Makhuvha, on 19 October 2013, the accused and his accomplice broke into church premises where two complainants were sleeping. They attacked the complainants with a panga and knife before raping them. They also robbed them of their money and mobile phone.

The attackers were unknown to the complainants. The accused was connected by DNA evidence to the crimes. He pleaded guilty to all seven counts and was consequently found guilty as charged.

In aggravation of sentence, Advocate Nnyambeni Nekhambele led the evidence of the two complainants who testified about the negative impact of the crimes on their lives. Advocate Nekhambele stressed that the crimes fell under the provisions of Section 51(1) and Schedule 2 of the Criminal Law Amendment Act 105 of 1997. He also argued that the accused has previous convictions of robbery and other crimes. He said he was a danger to the community and needed to be removed by sentencing him to life. He also asked the court to deem him unfit to possess a firearm, unsuitable to work with children and that his name be entered into the National Register for Sex Offenders.

The court remarked that it was aggravating that women were raped and robbed in the house of God. Judge Kgomo said there were no substantial and compelling circumstances that justifies deviation from minimum sentence and sentenced him to three life sentences plus fifteen years imprisonment on each of the three counts of robbery and housebreaking. The sentences were ordered to run concurrent to the life sentence.

The DPP, Advocate Ivy Thenga thanked the persistence of the investigation team and that of Advocate Nekhambele.

Kind Regards,

**Mashudu Malabi-Dzhangi**  
**Regional Spokesperson- Limpopo**  
**074 823 3603**  
[mmalabi@npa.gov.za](mailto:mmalabi@npa.gov.za)