

## SANDF uses act for first time to find 11 soldiers guilty of assault

Cape Town – In a historic trial, 11 SANDF soldiers charged under the Prevention of Combating and Torture of Persons Act have been found guilty of assaulting a 17-year-old Congolese citizen.

It is the first time the force has made use of the act, which initially charged 16 soldiers, five of whom were later acquitted.

The assault happened in January in Mbuji-Mayi in the Kasai Oriental province of the Democratic Republic of the Congo (DRC), SANDF spokesperson Mafi Mgobozi said. Three South African soldiers had caught the teenager, who was suspected of stealing plastic buckets.

The soldiers allegedly assaulted the teen inside the military base.

“After completion of the investigation, 16 soldiers were charged, including the then-acting company commander, two platoon commanders, five non-commissioned officers and eight riflemen.

“All 16 accused were charged for contravening Section 4 of the Prevention of Combating and Torture of Persons Act, Act 13 of 2013, Obstructing the Course of Justice, Contravening of Section 45(a) (Riotous or unseemly behaviour) and 14(c) (Absence without leave) of the Military Discipline Code.” Of the original 16 accused, 11 were convicted of common law assault.

“In a historic and groundbreaking trial, the SANDF has for the first time made use of the Prevention of Combating and Torture of Persons Act, Act 13 of 2013 to charge 16 of its members that were deployed in DRC as part of the Force Intervention Brigade.”

SANDF chief General Solly Shoke said: “The SANDF will never tolerate crime or criminals in its ranks and will at all times act against those who display this behaviour.”

4 DECEMBER 2018/ FRANCESCA VILLETTE

<https://www.iol.co.za/capetimes/news/sandf-uses-act-for-first-time-to-find-11-soldiers-guilty-of-assault-18369682>