

**IN THE SOUTH GAUTENG HIGH COURT**

**JOHANNESBURG**

**(REPUBLIC OF SOUTH AFRICA)**

**CASE NO. 43/1589/04**

**APPEAL NO. A175/10**

**DUMISANI DLADLA AND ANOTHER**

**APPELLANT**

**AND**

**STATE**

**RESPONDENT**

**SUMMARY**

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A fourteen year old girl was brutally raped and assaulted by a gang of eight persons. Two members of the gang convicted and sentenced to life imprisonment in terms of s51 of the Criminal Law. The appellants were young as well as first time offenders. These facts in themselves do not constitute compelling reasons not to impose the minimum sentence provided for in s51. They have to be assessed in the light of other facts such as: the age of the young girl, the brutality of the crimes committed by the appellants and their co-assailants , the fact that rape is a particularly heinous crime which has no place in a society that respects the dignity and humanity of women, the fact that the appellants were part

of a gang of persons that brutally raped and assaulted the young girl, the fact that they showed no remorse for their crimes, the fact that they did not assist the course of justice by helping the police in their work to bring their co-perpetrators to justice and, the fact that the young girl has been permanently damaged by the trauma they and their co-assailants inflicted upon her.

Judge B. Vally