



**PETITION: DISAPPEARANCE OF
KENNETH GONTSE RASEALE -
MOGWASE CAS 216/09/2021
INQUEST**

Briefing to:
Select Committee on
Security and Justice

Date:
28 November 2023

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BACKGROUND

Discovery of the Body

- On 21 September 2021, the body of an unknown adult African male was discovered by the community (Karabo Motlhoki, a learner at JM Ntsime High School) and the South African Police Service (SAPS) was alerted, in this regard.
 - It is alleged that the deceased had committed suicide by hanging himself from a tree in the bushes at the Lerome South Village, in Mogwase.
 - No suicide note was, however, found.
 - The deceased was transported from the scene to Phokeng Forensic Mortuary, which resorts under the DoH.
- On 19 September 2021, the deceased had allegedly stabbed his girlfriend.
 - She had opened a case of assault with intent to cause grievous bodily harm (GBH), at the Mogwase Police Station, with CAS number 191/09/2021 against Mr Gontse Raseale.
 - Mr Raseale has however, apparently committed suicide before the SAPS could approach him, for investigation.

Steps Taken to Identify the Body (1)

- The unidentified body was taken for medico-legal examination, on the day of its discovery, 21 September 2021.
 - Identification procedures were subsequently initiated by the DoH, in collaboration with the SAPS.
- On 22 September 2021, a post mortem was conducted (the body was still unidentified when the post mortem was conducted).
 - According to an explanation received from the DoH, permission from the family is not required, as a medico-legal post mortem must be conducted, without undue delay.
- On 9 November 2021 fingerprints were taken by the SAPS Investigating Officer (IO), namely - Captain Motswadi of Mogwase SAPS from the unidentified body for identification purpose.
 - The fingerprints were submitted to the SAPS' Criminal Records and Crime Scene Management (CR & CSM), on 10 November 2021.

Steps Taken to Identify the Body (2)

- On 1 October 2021, the North West MEC for Health directed that Phokeng Forensic Mortuary must be temporarily closed, due to infrastructure challenges.
 - This resulted in the body of the deceased being transferred to the Brits Government Mortuary, on 21 October 2021.
 - It is alleged by the senior person at the Brits Government Mortuary, that the body was placed in a cold-room, without registering the body in the death register at the mortuary.
 - It should be noted that the transfer process was handled solely by the DoH.
- On 24 November 2021, the fingerprint results were received from the SAPS' CR & CSM.
 - A positive identification was made as that of Mr Gontse Kenneth Raseale, who had previously been charged in Makapanstad CAS 85/08/2014, for assault GBH and found guilty.



STEPS TAKEN FOLLOWING THE RECEIPT OF THE PETITION

Meeting with the Deceased's Family

- On 5 May 2022, the family was notified by the SAPS investigating officer the death of their son, Mr Gontse Raseale, who had been identified through fingerprints
- On 8 May 2022, the family went to the Brits Government Mortuary, to confirm the identify of the body.
- Although the body of the deceased was in a state of decomposition, the brother managed to identify the deceased, based on the following items:
 - Handbag, with a glove inside.
 - Silver ring on the left pinkie finger.
 - Dreadlocks hairstyle.
 - Puma sneakers and a Samsung cell phone.
- The body was not released, as the District Pathologist wanted DNA to be taken.
 - The DoH, and not the SAPS, visited the family and took the DNA samples from the deceased's' mother, brother and sister.
 - The DNA results taken from the family were received on 28 July 2022.
 - The results came back negative, which means that the samples taken should have been used to check with all other ten (10) deceased persons who were unknown at that stage and not only to a specific body.

Engagement with the DoH

- On 13 November 2023, a meeting between the SAPS and the DoH Forensic Pathologist took place, at the Brits Mortuary.
 - A decision was taken that a reburial/exhumation should be conducted on bodies that were buried as paupers, during the time frame identified by the Forensic Pathology Services.
 - The SAPS/DoH delegation agreed to inform the family about the decision on the same day, and visited the family, at Mathibestad, for that purpose.
 - The mother and sister of the deceased were informed about the decision to apply for reburial/exhumation.
- The DoH also informed the family of the possibility that another DNA test could be done, after exhumation, to which they all agreed, as they sought closure.
 - On 16 November 2023, the SAPS arranged for DNA samples to be taken from three siblings of the deceased, namely - Freddy Raseale, Tebogo Raseale and Vicky Raseale.
 - The deceased's mother's DNA is already in the database.

Engagements with the NPA and the DoJCD

- On 14 November 2023, a SAPS delegation visited the Rustenburg Magistrate Court, for an exhumation application.
- The Senior State Prosecutor, from Rustenburg, and the Magistrate, from the Tlhabane Magistrate's Court, advised the SAPS that there is no need for the SAPS to apply for exhumation, however, the DoH should apply for reburial, as the mishap was on their side.
 - The application has been done and handed to Bojanala Municipality and feedback is expected on 2023-11-23.
- Members from the DoH Forensic Pathology Services and the SAPS are working together to ensure that the process, as advised by the court, is expedited to ensure that the family gets closure.



THANK YOU