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## PRESS RELEASE

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### **IRANTI WELCOMES THE HIGH COURT DECISION DISMISSING AN APPEAL AGAINST A JUDGMENT IN WHICH THE ACCUSED WAS FOUND GUILTY AND SENTENCED FOR THE RAPE OF A BLACK LESBIAN WOMXN.**

1. On 30 March 2015, one “Mr Jonas” was convicted of two counts of rape and sentenced to life imprisonment. Jonas raped a Black lesbian womxn and said that he did it because he had wanted to “correct their [the lesbians] sexual orientation”.
2. The case came before the Magistrate’s Court and the Magistrate held that she believed the complainant’s version of events, noting the trauma that she would have to endure in reliving the incident.
3. The Magistrate further held that Jonas “boasted with regard to his misplaced and offensive powers to correct the lesbians’ sexual orientation”. Moreover, the magistrate found that the incidences of rape violated the complainants’ right to privacy and dignity.
4. The High Court [dismissed the appeal](#) and confirmed the life sentence. In reaching its decision, the Court held that

“Gender based violence has no place in our constitutional dispensation. The gay and lesbian community are entitled to equal enjoyment of all rights and freedom as entrenched in our Constitution like all other South Africans. They should be treated with dignity and respect. They are entitled to be who they are and express themselves in any manner they wish without fear of being ostracised and violated. The so-called “corrective rape” is evil and cannot be countenanced. Our Courts will continue with their concerted effort to protect the lesbian, gay, bisexual and transgender (LGBT) rights. What the appellant did to the complainant was to pulverise her sense of belonging and self-expression. This is quite repulsive and unpardonable.”

5. Irantí welcome this decision as it illustrates that the courts are conscious that homophobic rapes, hate crimes and violence against LGBTI people have no place in



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our society. It affirms that LGBTI people have rights, must be treated with dignity and equality and that they have the freedom to live their lives.

6. We hope that this judgment will be the beginning of the justice system taking a stance to protect LGBTI people and ensure that they live in a society that fully embraces their sexual orientation and gender identity.

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