



- [HOME](#)
- [HOWE](#)
- [GAME SMUGGLERS OPPOSE SENTENCE](#)



The convicted wildlife criminals were convicted of illegal possession and trafficking of magpies. Photo Archive.





The parties appeared in the high court in Windhoek yesterday (Monday) for the appeal application. Photo Archive.

- [HOWE](#)

## GAME SMUGGLERS OPPOSE SENTENCE

Believe convicted wrongfully

**Two game criminals are appealing against their two-year conviction and sentence.**

**Kristien Kruger**

- 17 HOURS AGO - - 2022-05-11 00:00:00

Two game criminals who are appealing against their conviction and sentencing appeared in the high court in Windhoek on Monday.

The convicted magistrate smugglers Morne Seibeb and Sawerses Willemse were sentenced on



October 29, 2021, to 48 months imprisonment, of which 24 months were suspended for a period of four years on condition that they are not convicted of a similar offense during that period.

They were effectively sentenced to two years in prison for illegal possession and trafficking of controlled game products.

Seibeb and Willemse allege that the magistrate in question made a mistake by failing to determine judiciously whether they - who appeared in the absence of a legal representative - were aware of the scope of the legal questions posed to them and whether they understood the extent of the admissions of pertinent and crucial facts of the allegations during interrogation.

"The magistrate wrongly found the appellants guilty of trading in a controlled game product because the product was never submitted to the court as evidence. No adequate description of the product, such as the weight, size, value and relevant part of it, was provided," read court documents.

#### PENALTY NOT SUFFICIENT

The state opposes the application for appeal and rejects Seibeb and Willemse's argument that the magistrate wrongly convicted and sentenced them.

"A fine under the circumstances of the case would be ineffective and would not reflect the seriousness of the crime.

"The appellants were found guilty of trafficking and due to the seriousness of the offense it would not be in the public interest to issue a fine. The learned magistrate considered the seriousness of the offense. "

According to the state, the duo chose to handle their own defense. This is despite the fact that the magistrate explained to them that they have the right to get a legal representative of their choice.

"The issue of an ietermagôvel is not in dispute. Despite the fact that the appellants did not acknowledge the wrongfulness of their conduct, they were, however, well aware that they were in possession of an ietermagôvel.

"They also did not dispute the value of the ietermagôvel, which was indicated in the indictment as N \$ 50 000," reads the state's arguments against the appeal.

The state argues the magistrate did not overemphasize the seriousness of the crime and that it is an appropriate sentence and the application for appeal should be dismissed on that basis.

- kristien@republikein.com.na