S’African court frees Pastor Omotoso of rape charges after eight years

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A Nigerian televangelist, Timothy Omotoso, has been acquitted of rape charges by a South African high court after spending eight years in jail.  
  
The judge presiding over the case criticised the state prosecutor’s handling of the cross-examination, stating it was “shallow” and lacked the intention to uncover the truth.  
  
Omotoso and his two co-defendants were arraigned on a 32-count charge bordering on rape and human trafficking.  
  
The co-defendants are Lusanda Sulani and Zukiswa Sitho.  
  
Several young women had accused the pastor of luring them into his home in Umhlanga, a town in South Africa, where he allegedly molested them.  
  
In April 2017, the Nigerian pastor was arrested shortly after he landed at an airport in South Africa.  
  
He is the senior pastor of the Jesus Dominion International based in Durban, South Africa. He is also the founder of Tim Omotoso Global Outreach and Ancient of Day Broadcasting Network.  
  
According to News24, Irma Schoeman, the trial judge, ruled on Wednesday, that the state prosecutor did not prove the case beyond reasonable doubt.  
  
Schoeman held that the prosecutor failed to properly cross-examine the accused, adding that “it was as if cross-examination never even took place”.  
  
The judge said that although she did not believe the evidence of the accused, the onus rests on the prosecutor to prove that the accused persons were guilty.  
  
“He (Omotoso) was not cross-examined on his denial with reference to the complainants’ testimonies. No attempt was made to elicit inconsistencies or improbabilities. The cross-examination was shallow, lacking the intention to uncover the truth,” the judge said.  
  
Reacting to the judgment, South Africa’s National Prosecuting Authority, in a statement, said the prosecuting team would study the verdict and decide which legal avenues to explore.  
  
“Since the arrest of the trio in April 2017, their trial has been protracted with numerous obstacles, including interlocutory applications by the accused that even included Constitutional Court challenges,” the statement reads.  
  
“The most recent applications were for five special entries for a mistrial and an application made on 16 January 2024, where the defence made an application for the judge to reconsider her previous judgment on the application for discharge according to Section 174 of the Criminal Procedure Act, which were successfully opposed by the state.  
  
“The delays caused some witnesses to no longer want to proceed with giving evidence as they indicated they have since moved on with their lives and are not interested in reliving their experiences in court. That has led to the reduction of the charges from 63.”  
  
News24 reported that Omotoso would be deported to Nigeria immediately after the judgment.  
  
The Nigerian pastor had been in a South African prison since his arrest in 2017.