

Cape Town lawyer pleads not guilty to racially motivated attack

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Neighbour slashed my tyres because I'm black, then ran away from the police, states complainant in criminal case.



Cape Town attorney Gary Trappler is accused of slashing the tyres of a Green Point neighbour's car in a racially motivated attack. Photo: Sandiso Phaliso | GroundUp

- In February 2020, Green Point resident Thandi Mgwaba had the tyres of her car slashed. She believes the perpetrator was attorney Gary Trappler, who lived two houses down from her.
- The case was initially withdrawn due to lack of evidence, but reinstated when CCTV footage was put before the court.
- Trappler's advocate argues everything Mgwaba alleges is in dispute.

A former Green Point resident who has charged a local attorney with malicious damage to property, believed the reason he slashed her car's tyres was simply because she is black, and was defenceless.

The Cape Town attorney, Gary Trappler, allegedly slashed the tyres of Thandi Mgwaba's hired car on 19 February 2020. Appearing in court on Thursday and Friday last week, Trappler pleaded not guilty.

The case against Trappler was initially withdrawn in 2021 due to lack of evidence, but with CCTV footage of the incident made available by Mgwaba's neighbour, Mgwaba successfully petitioned the Director of Public Prosecutions for the case to be reinstated.

Taking the stand on 23 November, Mgwaba presented the CCTV footage and photos, and, led by prosecutor Sikho Mkonto, gave her version of events before being cross-examined by Trappler's advocate Anel Du Toit. At one point Mgwaba broke down, leading to Mkonto asking magistrate Venge Qula to briefly halt proceedings.

Mgwaba said she was sitting near the window in her residence at about 9.25pm on 19 February 2020 when she saw Trappler, who lives two houses down from her, walk to her car.

"He went to the passenger's side and bent down. There was something that looked like it was flashing. I realized that I must quickly rush so that I don't miss him before he enters the gate (of his home)."

She said she inspected the car before approaching him as he went to his home. Two tyres were slashed.

She said she asked him what he had done to her car. According to her, Trappler said he did "nothing" and showed her the middle finger.

She immediately called her daughter, who called the police, who arrived shortly afterwards. But when the police went to Trappler's house, he fled. The police ran after him but he got away.



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She said she went to the police station the next day to file a criminal complaint. Thereafter, she got hold of people she knew in the EFF who joined her in confronting Trappler. At this point, Trappler called the police. But when the police arrived, they arrested Trappler, given a case had been filed against him that morning. He was released on warning the same day.

She said a week later she found lilies on her doorstep with a note stating Trappler had done nothing and that "this is how neighbours should live". That same day, she said her grandchild, who was about five-years-old, asked Trappler why he had slashed the tyres on his grandmother's car. Trappler allegedly responded that it was because the family is black, adding he had a gun. Mgwaba said hearing this from her grandchild led her to become fearful. She has since moved away to KwaZulu-Natal.

Du Toit argued that other than the place of the incident, everything Mgwaba had said was in dispute. She said it was Trappler's version that he was a member of the neighborhood watch and a neighbour had alerted him that Mgwaba's car tyres were deflated and he went to inspect.

"He will also testify that even his wife had also noticed the tyres had deflated," said Du Toit. "He will come and deny everything you have said."

She said Mgwaba and a minibus taxi full of EFF members had gone to Trappler's house, threatening and intimidating him.

"My client's version of events is that he went to the police station and asked to be escorted, that's how scared he was. My

client does not deny he spoke to your grandchild but he denies the allegations of racism,” said Du Toit.

Du Toit told the court she had also been receiving letters threatening herself and her business.

The next court date was set for 25 and 26 January when Trappler is expected to be in the dock.

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