

78/02/2022 - C Samuels

Prosecutor advised that C Samuels claims he is not the owner of the dog. He signed the admission form surrendering the animal to us. He now claims it is his aunt's dog. Once again the APA is clear that an "owner" in relation to an animal, includes any person having the possession, charge, custody or control of than animal;



11 February 2022

Attention: Public Prosecutor

The Swartland and West Coast SPCA request that the accused be charged for animal cruelty under the following sections of the Animals Protection Act no 71 of 1962:

2(1)(a) - overloads, overdrives, overrides, ill-treats, neglects, infuriates, tortures or maims or cruelly beats, kicks, goads or terrifies any animal.

- neglected and ill-treated the white male labrador x named Ghost

2(1)(b) - confines, chains, tethers or secures any animal unnecessarily or under such conditions or in such a manner or position as to cause that animal unnecessary suffering or in any place which affords inadequate space, ventilation, light, protection or shelter from heat, cold or weather; or

- Chained Ghost is such a manner that caused him unnecessary suffering

2(1)(e) - being the owner of any animal, deliberately or negligently keeps such animal in a dirty or parasitic condition or allows it to become infested with external parasites or fails to render or procure veterinary or other medical treatment or attention which he is able to render or procure for any such animal in need of such treatment or attention, whether through disease, injury, delivery of young or any other cause, or fails to destroy or cause to be destroyed any such animal which is so seriously injured or diseased or in such a physical condition that to prolong its life would be cruel and would cause such animal unnecessary suffering; or

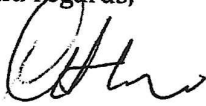
- Failed to seek veterinary treatment for Ghost.

2(1)(q) - causes, procures or assists in the commission or omission of any of the aforesaid acts or, being the owner of any animal, permits the commission or omission of any such act;

2(1)(r) - wantonly or unreasonably or negligently doing or omitting to do any act or causing or procuring the commission or omission of any act, causes any unnecessary suffering to any animal.

Please do not hesitate to contact us for any further information or clarification.

Kind regards,

A handwritten signature in black ink, appearing to read 'Jameson October', written over the typed name.

Jameson October
Inspector
Swartland and West Coast SPCA

**NATIONAL
COUNCIL OF
SPCAs**



**NASIONALE
RAAD VAN
DBVs**

Incorporated Association not for gain

Ingelyfde Vereniging sonder winsoogmerk

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1320

Alberton

1450

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ANIMALS PROTECTION ACT 71 of 1962

MAGISTERIAL AUTHORISATION

By virtue of the powers vested in me under section 8(1) of the Animals Protection Act 71 of 1962, I hereby authorise

JAMESON GARTH OCTOBER

ID No. 821022 5206 082

a Qualified Inspector and an Officer for the **SWARTLAND SPCA** (Society for the Prevention of Cruelty to Animals), to exercise within the Magisterial District of **VREDENBURG**, all or any of the powers conferred by the said Act, and in particular those under Section 8(1)(a), (b), (c) and (d) and supporting Regulation No R468 2.(1), for the purpose of carrying out his/her duties as an Officer of the SPCA.

This Authority will remain enforceable only whilst the Appointee is authorised by the **NATIONAL COUNCIL of SPCAs** to act on its behalf.

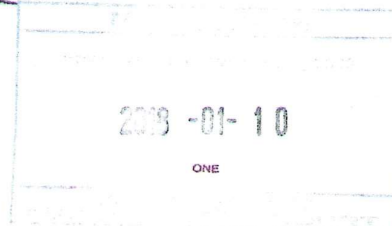
Given under my hand this 10 day of JANUARY 2018

Official Stamp to go here

Name C.T. CLAASSEN

Signed 

SPCA NATIONAL COUNCIL
Certificate of Competency
No. **11565**





NPO No.: 000-390

P O Box 168, Darling, 7345

Tel: 022 492 2781

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www.swartlandwestcoastspca.co.za

SWORN AFFIDAVIT

I, Jameson October hereby make oath and declare in English as follows:-

1.

I am an adult male employed as an Inspector by the Swartland and West Coast SPCA at Plaas Eenzaamheid on the R45 with contact number 022 289 0998.

2.

The facts contained in this affidavit fall within my personal knowledge unless indicated otherwise or unless it appears so from the context. The facts are also, to the best of my knowledge and belief, both true and correct.

3.

This affidavit is to confirm that I took the following photographs with a Samsung A32 :

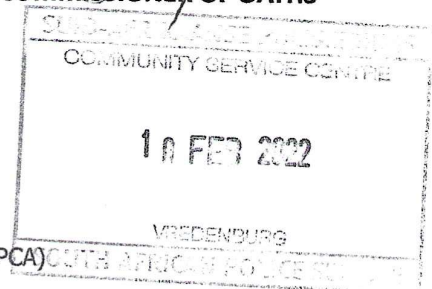
- 2 February 22 - 3 Witstompneus Street White City Saldanha - Photo 1 & 1
- 2 February 22 - Vredenburg Dierehospitaal Deurweg 56 Vredenburg - Photo 1 - 3

I declare that the photos have not been manipulated or altered in any way.

DEPONENT

The deponent has acknowledged that he knows and understand the contents of this affidavit/declaration, which was signed and sworn to before me at Vredenburg on this the 16th day of FEBRUARY, 2022 the regulations contained in Government Notice NO R1258 of 21 July 1972, as amended, and Government Notice No R1648 of 19 August 1977, as amended, having been complied with.

COMMISSIONER OF OATHS



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VREDENBURG DIEREHOSPITAAL
VREDENBURG VETERINARY HOSPITAL
Dr. I.C Rust (BVSc), Dr. Anel v.d. Merwe (BVSc)

VETERINARY REPORT

TO: Swartland and Westcoast SPCA
Aandag: Louise van Zyl
Datum: 10-2-2022
E-pos: louise@swartlandwestcoastspca

RE: Cody, (Pittbull X, reunhond van Saldanha)

Ek, Anel van der Merwe, ID 8209210089021, D09/10263 het vir Cody ondersoek en die volgende bevind:

Daar was n lang dik ketting met n slot vagemaak om Cody se nek. Die ketting was te styf om sy nek en het mettertyd deur die vel gesny. Die weefsel het deur die opening van die ketting begin groei. Die wonde is ook vol infeksie. Sy toestand is dus al langstaande so. Cody is brandmaer en vol vlooië en bosluise. Hy was ondervoed en moes in pyn en lyding aan n ketting vas wees.

Dit is in my opinie nie net verwaarlosing nie, maar ook dieremishandeling.

Ons het die ketting verwyder duer die slot aft e saag. Die wonde is verbind en later toegewerk. Cody is ook gekastreer.

Vind aageheg die fotos as bewyse.

Groete

Dr. Anel van der Merwe
(BVSc)

Besoektye: Vredenburg Ma-Vry: 9am-13pm, 15:30pm-17:30pm en Saterdag: 9am-11:30am
Saldanha Kliniek: Ma-Vry 14pm-15pm; Hopefield Kliniek: Di & Do 14pm-15pm

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Photographic Evidence

Address : 3 Witstompneus Street White City Saldanha

Date : 2 February 2022

Photos taken by : Jameson October

Photos taken with : Samsung A32



Photo 1 of 1 : The Male White male dog named Ghost getting into the kennel on his own at the property.

Address : Vredenburg Dierehospitaal Deurweg 56 Vredenburg
Date : 2 February 2022

Photos taken by : Jameson October
Photos taken with : Samsung A32



Photo 1 of 3 : Ghost with the injury on his neck. The green part of the padlock is also visible.

Address : Vredenburg Dierehospitaal Deurweg 56 Vredenburg
Date : 2 February 2022

Photos taken by : Jameson October
Photos taken with : Samsung A32



Photo 2 of 3 : The wound on his neck skin growing over the chain.

Address : Vredenburg Dierehospitaal Deurweg 56 Vredenburg
Date : 2 February 2022

Photos taken by : Jameson October
Photos taken with : Samsung A32



Photo 3 of 3 : Chain grown into his neck.



SWORN AFFIDAVIT

I, Jameson October, hereby make oath and declare in English as follows:

1.

I am an adult male employed as an Inspector by the Swartland and West Coast Society for the Prevention of Cruelty to Animals (SPCA) at Plaas Eenzaamheid, on the R45 with contact numbers 022 289 0998.

2.

The facts contained in this affidavit fall within my personal knowledge unless indicated otherwise or unless it appears so from the context. The facts are also, to the best of my knowledge and belief, both true and correct.

3.

On 1 February 2022 the West Coast SPCA received a complaint regarding a dog at the property nr 3 Witstompneus Street White City Saldanha that was chained and according to the complainant had wounds on his neck.

4.

On 2 February 2022 I went to the property nr 3 Witstompneus Street in White City Saldanha. The property was fully enclosed. I hooted in front of the gate a few times. Eventually a woman named Mrs Samuels came out of the house. I asked Mrs Samuels if they have a chained dog on the property. She confirmed that they do have a dog named Ghost and took me to the back of the property. The back of the property was also completely fenced. Mrs Samuels could not tell me why the dog Ghost was chained even though the property was fully fenced. I then went closer to the dog Ghost to investigate. Ghost was tied to a short chain without a collar. The wounds on his neck were unlike anything I have ever seen. The chain was completely grown into the skin of the dog Ghost. There was a padlock also attached to the chain that was growing into his neck. Mrs Samuels said that they could not take the chain off the dog's neck because he wanted to bite them. She also advised me that the owner of the dog is Mr Confit Samuels. I issued a warning nr W5000 that the dog must be untied immediately and be taken to the vet and handed Mrs Samuels the warning which she accepted but refused to sign. I then left the property and returned to the West Coast SPCA.

5.

At approximately 16.30 on the same day, 2 February 2022, the owner of the dog Mr Confit Samuels contacted me to tell me that we must just come take the dog as they could not handle the dog. I returned to the property nr 3 Witstompneus Street White City Saldanha and the owner of the dog Mr Confit Samuels granted me access to the property. I told Mr Samuels to undo the chain at the pole, which he did, and the dog walked into the kennel that I brought with me. I immediately took the dog Ghost to the Vredenburg Animal Hospital.

7.

I hereby wish to lay charges of animal cruelty in terms of Sections 2(1)(a)(b)(e)(q) and (r) of the Animals Protection Act no 71 of 1962 against Mr Confit Samuels for neglecting and ill-treating the dog Ghost, chaining the dog Ghost unnecessarily and therefor caused him to suffer unnecessarily and also and denying him veterinary care for the wounds inflicted by the chaining.



DEPONENT

The deponent has acknowledged that he/she knows and understands the contents of this affidavit/declaration, which was signed and sworn to before me at Medunburg on this 10th day of February 2022, the regulations contained contained in Government Notice No R1648 of 19 August 1977, as amended, having been complied with.



COMMISSIONER OF OATHS

