

Our Ref: **BJK/ab/BK5497**

Your Ref: **N LEIDIG/H005**

Date: **17 AUGUST 2021**

LEIDIG ATTORNEYS

FOR ATTENTION: N LEIDIG

BY E-MAIL: leidig@adept.co.za

Dear Sir / Ma'am

RE: SPCA CAPE OF GOOD HOPE vs HIGHLANDS RIDING ACADEMY

1. We refer to your letter of 16 August 2021. We do not purport to respond to each allegation therein. We regard most as irrelevant and as being without any basis in fact or law and raised merely to draw attention away from your clients' non-compliance with Section 2(1)(b) of the Animals Protection Act 71 of 1962. Nothing herein should be construed as an admission of anything you say in your letter and our clients reserves the right to deal with your accusations later, more comprehensively, if necessary.
2. Our client denies that it harasses your clients. It does not have the time, capacity resources or inclination to engage in harassment. Our client is statutorily mandated to investigate all cases of animal cruelty reported to it. It received a concerning complaint from a member of the public that your client's horses are confined to camps without access to adequate protection or shelter from the elements. Such conduct constitutes a contravention of Section 2(1)(b) Animals Protection Act, Act 71 of 1962 ("the APA"), which reads as follows:

2. OFFENCES IN RESPECT OF ANIMALS –

(1) Any person who:

(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;

3. Our client investigated the complaint and found that it had merit. It issued your client with 3 separate warnings since 24 May 2021. Your client failed to adhere to these warnings.
4. Your client has been afforded sufficient time to erect a shelter to provide the horses with protection or shelter from heat, cold or weather. There are horses in your client's care without any such protection.
5. Your client is again called upon to act in accordance with the warnings issued by our client, failing which our client will have no other option but to exercise its duties in terms of the APA. Please advise whether your client intends complying with the warnings within 7 days of date hereof, failing which our client shall inevitably have to assume that your client will persist with breaching the provisions of Section 2(1)(b) of the APA and take further action.

Yours faithfully,

KELLERMAN JOUBERT HEYNS INC.



This is an electronically
generated signature

Per:

B J KELLERMAN